



Republic of the Philippines
DEPARTMENT of AGRARIAN REFORM
ELLIPTICAL ROAD, DILIMAN, QUEZON CITY • TELS. 928-7031 TO 39

Department of Agrarian Reform
ADMINISTRATIVE ORDER NO. 06
Series of 2014

SUBJECT: RULES AND PROCEDURES FOR CANCELLATION OF EMANCIPATION PATENTS AND CERTIFICATES OF LANDOWNERSHIP AWARD FOR PURPOSES OF CORRECTING ERRONEOUS TECHNICAL DESCRIPTIONS

SECTION 1. Applicability. – These rules shall apply to landholdings awarded by the Department of Agrarian Reform (DAR) where the technical description provided in the Emancipation Patent (EP) or Certificate of Landownership Award (CLOA) is erroneous and therefore requires cancellation in order to be corrected. It shall also apply to those EPs or CLOAs that requires cancellation to be corrected due to erroneous survey returns and those which needs survey adjustments.

The ordinary rules on the cancellation of EPs or CLOAs, however, shall apply whenever there is an issue pertaining to the identification of the agrarian reform beneficiary or the correctness of the coverage of the landholding, or any portion thereof.

Furthermore, these rules shall not apply to the cancellation of EPs or CLOAs that will result to the decrease in the number, increase in the number, or change of beneficiaries, except for those mentioned in Section 8 hereof.

SECTION 2. Determination and Initiation by the Provincial Agrarian Reform Office. – It shall be the task of the Provincial Agrarian Reform Office to make an initial determination and verification whether or not the technical description is erroneous. Upon the Office's determination, it shall draw up a report to be executed by the Provincial Agrarian Reform Program Officer (PARPO), stating therein:

- (a) which portion of the technical description is erroneous;
- (b) the correct entry; and
- (c) the basis of the correct entry.

The Office shall attach to the report all pertinent documents that will serve as the basis of the correction of the entry, such as, but not limited to, approved survey plans certified by the Department of Environment and Natural Resources or the Land Registration Authority.

SECTION 3. Concurrence of the Pertinent Beneficiaries. – It is incumbent upon the Provincial Agrarian Reform Office to explain to the beneficiary/ies named in the erroneous EP or CLOA the error in his/her/their title and the correct entry.

If the beneficiaries have no objection on the said correction, he/she/they shall sign a statement included in the report that the circumstances have been properly explained to them by the DAR and that he/she/they have no objection to the correction. If any one of the beneficiaries affected refuses to sign, then the proper remedy is to file an ordinary cancellation case.

If any of the beneficiaries have already died, the concurrence must signed by all his heirs, or such person duly authorized by all the heirs to sign on their behalf.

SECTION 4. Verification by the Regional Director. – The report shall be reviewed by the pertinent Regional Office. Upon verification, the Regional Director shall endorse the said report together with the attached documents to the Central Office, through the Bureau of Land Tenure and Improvement (BLTI), for the cancellation order of the Secretary.

SECTION 5. Review, Findings, and Recommendation by the Bureau of Land Tenure and Improvement. – The BLTI shall conduct its own review, evaluation, and thorough assessment of the entire report and its attached documents. Upon verification, it shall prepare the draft cancellation order for the Secretary and indorse the entire records to the Office of the Undersecretary/ Assistant Secretary for Field Operations (UFOO/AFOO).

SECTION 6. Review, Findings, and Recommendation by the Field Operations Office. – The UFOO/AFOO shall conduct its own review, evaluation, and thorough assessment of the entire records. Upon verification, the Undersecretary/Assistant Secretary for Field Operations shall endorse the prepared draft cancellation order to the Office of the Secretary.

SECTION 7. Decision. — The DAR Secretary shall render a decision by issuing an Order and furnishing a copy thereof by registered mail to the pertinent beneficiaries, the registry of deeds, the Provincial Agrarian Reform Office and the Regional Office.

SECTION 8. Death of Original Beneficiary. – Whenever the beneficiary named in the EP or CLOA to be cancelled is already dead, the new EP or CLOA to be issued shall be in the name of “The Heirs of [the deceased beneficiary]”. The issuance of new EPs or CLOAs for the heir shall be governed by the appropriate laws and rules.

SECTION 9. Repealing Clause. – All A.O.s inconsistent herewith are hereby repealed, modified, and/or amended accordingly.

SECTION 10. Separability Clause. – Any judicial pronouncement declaring as unconstitutional or invalid any provision of this A.O. shall have no effect on the validity of the other provisions not affected thereby.

SECTION 11. Effectivity Clause. – These Rules shall take effect ten (10) days after its publication in two (2) newspapers of general circulation.

Diliman, Quezon City, AUG 01 2014


VIRGILIO R. DE LOS REYES
Secretary

Published in two (2) National Newspaper

of General Circulations:

1. Business World
2. Daily Tribune

Date of Publication - August 04, 2014

Department of Agrarian Reform

Office of the Secretary



6/1/2014 ISU-14-07846



CERTIFICATION

This is to certify that Administrative Order No. 06, Series of 2014 entitled **“RULES AND PROCEDURES FOR CANCELLATION OF EMANCIPATION PATENTS AND CERTIFICATES OF LANDOWNERSHIP AWARD FOR PURPOSES OF CORRECTING ERRONEOUS TECHNICAL DESCRIPTIONS”** was published today, Monday, 04 August 2014 at Business World and Daily Tribune newspapers.

Issued this 4th day of August 2014 for whatever purpose it may serve.


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