



Republic of the Philippines
DEPARTMENT of AGRARIAN REFORM

ELLIPTICAL ROAD, DILIMAN, QUEZON CITY • TELS. 928-7031 TO 39

ADMINISTRATIVE ORDER NO. 04
Series of 2015

SUBJECT: AMENDMENT TO ADMINISTRATIVE ORDER NO. 7, SERIES OF 2014

In order to make the procedure of deciding cases more efficient, the following amendments to Administrative Order (A.O.) No. 7, Series of 2014 is hereby instituted, as follows:

SECTION 1. The first sentence of Section 1 of A.O. No. 7, Series of 2014 is hereby amended to read as follows:

SECTION 1. Coverage. — These rules of procedure ("Rules") shall apply to all cases involving the involuntary cancellation of registered EPs, CLOAs, and other titles issued pursuant to any agrarian reform program, except in the following instances:

SECTION 2. The first enumerated item in Section 11 of A.O. No. 7, Series of 2014 is hereby amended to read as follows:

1. Certified true copy of the final and executory Order or Resolution of the DAR Regional Director, DAR Secretary, or the court;

SECTION 3. The last paragraph of Section 14 of A.O. No. 7, Series of 2014 is hereby amended to read as follows:

The Sheriff shall submit a report to the PARAD on the mode of service used for said Notice, and the fact of transmittal of the notice to the Barangay Secretary concerned. The report shall contain the following:

- (1) The date the Notice was served;
- (2) The time the Notice was served or attempted to serve, through personal or substituted service;
- (3) The mode of service (whether personal, substituted, registered mail [in case the respondent is residing abroad], and/or publication);
- (4) The name of the person who received the Notice and the proof of identification shown by the person who received the same, in case through personal or substituted service;
- (5) In case through substituted service, the age of the person receiving the Notice, if received in the residence, or the position of the person in the office, if received in the place of business; and
- (6) The fact of failure of personal or substituted service.

SECTION 4. Items (e) and (f) of Section 17 of A.O. No. 7, Series of 2014 is hereby amended to read as follows:

- (e) Notices, and proof of service and receipt of said notices, and the report of the Sheriff to the PARAD;
- (f) Certified true copy of EPs, CLOAs, or other titles;

SECTION 5. Section 25 of A.O. No. 7, Series of 2014 is hereby amended to read as follows:

SECTION 25. Review, Findings, and Recommendation by the BALA. — The BALA shall conduct a review, evaluation, and thorough assessment of the entire case records. Thereafter, the BALA shall prepare its findings and recommendation and transmit the same to the Legal Affairs Office (LAO).

SECTION 6. Section 26 of A.O. No. 7, Series of 2014 is hereby amended to read as follows:

SECTION 26. Review, Findings, and Recommendation by the LAO. — The LAO shall conduct its own review, evaluation, and thorough assessment of the entire case records. Thereafter, the LAO shall prepare its findings and recommendation.

SECTION 7. Section 27 of A.O. No. 7, Series of 2014 is hereby repealed.

SECTION 8. Section 28 of A.O. No. 7, Series of 2014 is hereby amended to read as follows:

SECTION 28. Conduct of Clarificatory Hearing. — The DAR Undersecretary or Assistant Secretary for Legal Affairs may conduct a hearing for clarification, issue interlocutory orders, and require submission of additional evidence. The Legal Division Chief of the Provincial or Regional Office or the PARAD or RARAD concerned may be authorized to conduct such hearings, if the Undersecretary or Assistant Secretary deems it necessary. For this purpose, the official record of the proceedings conducted shall be kept and form part of the case folder.

SECTION 9. Section 29 of A.O. No. 7, Series of 2014 is hereby amended to read as follows:

SECTION 29. Transmittal of Case Folder with Findings and Recommendation to the DAR Secretary. — The LAO shall, upon the completion of its aforesaid recommendation, transmit the same, together with the Case Folder, to the DAR Secretary.

SECTION 10. Sub-items (a), (b), and (c) of the first enumerated item in Section 33, and the third enumerated item therein are hereby amended to read as follows:

- (a) Certified true copies of the final and executory Order and Resolution of the DAR Regional Director, DAR Secretary, or the courts;
- (b) Original or Certified true copy of the Certificate of Finality;
- (c) Certified true copy of the EPs, CLOAs, or any other titles sought to be cancelled;

x x x

- 3. Failure to comply with Section 8 of Article III of these Rules on Disclosure Statement and/or failure to verify the Petition;

SECTION 11. Transitory Provisions. — Sections 3 and 4 shall not be applicable to pending cases at the time of the effectivity of this A.O. where Notices to Comment have already been served, provided that if the Undersecretary/Assistant Secretary of Legal Affairs require the reissuance or a repeat of the service thereof, these two provisions shall apply therein.

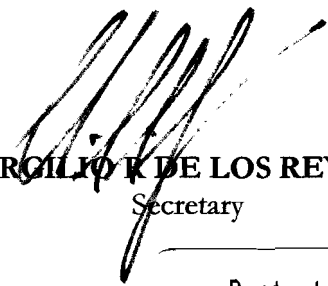
All the other provisions shall apply only to all pending cases covered by A.O. No. 7, Series of 2014.



SECTION 12. Repealing Clause. – All orders, circulars, rules and regulations, and issuances or portions thereof inconsistent herewith are hereby accordingly deemed repealed or modified.

SECTION 13. Separability Clause. – Any judicial pronouncement declaring as unconstitutional any provision hereof shall have no effect on the validity of the other provisions not affected thereby.

SECTION 14. Effectivity Clause. – This A.O. shall take effect ten (10) days after its publication in two (2) newspapers of general circulation.

Diliman, Quezon City, **MAY 28 2015**


VIRGILIO K. DE LOS REYES
Secretary

Department of Agrarian Reform
Office of the Secretary

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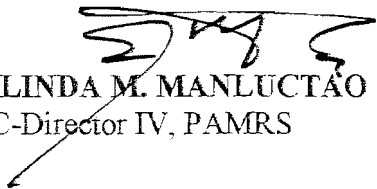


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CERTIFICATION

This is to certify that Administrative Order No. 4, Series of 2015 entitled "AMENDMENT TO ADMINISTRATIVE ORDER NO. 7, SERIES OF 2014" was published today, 02 June 2015 in the Manila Standard Today and The Manila Times newspapers.

Issued this 2nd day of June 2015 for whatever purpose it may serve.


ERLINDA M. MANLUCTAO
OIC-Director IV, PAMRS