



SUBJECT: CY 2003 GUIDELINES ON THE IDENTIFICATION, SCREENING AND SELECTION OF, AND DISTRIBUTION TO AGRARIAN REFORM BENEFICIARIES (ARBS) OF PRIVATE AGRICULTURAL LANDS UNDER REPUBLIC ACT (R.A.) NO. 6657.

Pursuant to Section 4, Article XIII of the Constitution, as restated in Section 2, Paragraph 3 of Republic Act (R.A.) No. 6657, also known as the Comprehensive Agrarian Reform Law (CARL), the agrarian reform program is founded on the rights of farmers and regular farmworkers who are landless to own directly or collectively the lands they till or, in the case of other farmworkers, to receive a just share of the fruits thereof. In all cases, the security of tenure on the land of the farmers and farmworkers prior to the approval of R.A. No. 6657 shall be respected.

The revised rules and regulations on identification, screening and selection of, and distribution to Agrarian Reform Beneficiaries (ARBs) of private agricultural lands under R.A. No. 6657 are hereby promulgated to define the parameters and qualifications which shall be used in identifying the ARBs who are qualified to receive the Certificates of Land Ownership Award (CLOAs).

**ARTICLE I
GENERAL PROVISIONS**

Section 1. Coverage. This Administrative Order (A.O.) shall govern the identification, screening and selection of landless ARBs who may own individually or collectively the lands they till or receive a just share of the fruits thereof, and the distribution of all private agricultural lands, including the improvements thereon and/or other facilities acquired under R.A. No. 6657 and lands under Executive Order (E.O.) No. 407 as amended by E.O. No. 448, as amended.

Section 2. Statement of Policies.

2.1 Upon land acquisition, the government, through the Department of Agrarian Reform (DAR), shall immediately take steps to distribute the land to qualified beneficiaries and to make available support and coordinative services to enhance productivity.

2.2 Qualified beneficiaries shall include those determined/identified during the DAR's actual investigation and documentation as landless residents of the same barangay or in the absence thereof, landless residents of the same municipality, following the order of priority in Section 22 of R.A. No. 6657, to wit:

- 2.2.1 agricultural lessees and share tenants;
- 2.2.2 regular farmworkers;
- 2.2.3 seasonal farmworkers;
- 2.2.4 other farmworkers;
- 2.2.5 actual tillers or occupants of public lands;
- 2.2.6 collective or cooperatives of the above beneficiaries;
- 2.2.7 others directly working on the land.

Provided, however, that the children of landowners who are qualified under Section 6 of R.A. No. 6657 shall be given preference in the distribution of the land of their parents as evidenced by a Certificate of Land Ownership Award (CLOA); Provided further, that actual tenant-tillers in the landholding shall not be ejected or removed therefrom.

A landless beneficiary is one who owns less than three (3) hectares of agricultural land.

2.3 In all cases, the aggregate award to a qualified beneficiary shall not exceed the limit of three (3) hectares and his total land ownership as a result of the award shall not exceed three (3) hectares. However, a qualified beneficiary may be awarded an area in excess of the three (3) hectare award ceiling only if:

2.3.1 the excess is negligible (e.g., 0.0975, 0.0099 hectare); and

2.3.2 it would be technically and administratively impractical to allocate the same to another qualified beneficiary.

2.4 Equitable distribution of the land shall be observed subject to the following considerations:

2.4.1 Actual occupancy of a tenant shall be the basis of the award, provided it does not exceed three (3) hectares;

2.4.2 After the tenants and/or actual occupants have been awarded the maximum area of three (3) hectares, the continuous cultivation of lands in excess of the award limit shall be strictly prohibited. The excess area shall be distributed to other qualified beneficiaries. However,

- the tenant/occupant shall be given reasonable time to harvest the produce of his/her crop subject to the rules on standing crops.
- 2.4.3 For untenanted land, all the farmworkers therein as qualified under Article II hereof, shall be considered as potential beneficiaries in the estate, provided that the proportional share of each will not exceed three (3) hectares, otherwise, additional farmworkers shall be considered.
- 2.4.4 For unoccupied lands, each identified beneficiary may be allowed the award ceiling of three (3) hectares, provided there are enough lands for distribution under CARP in the barangay to accommodate others who are equally qualified but who may not have been considered as awardees in the land under acquisition.
- 2.4.5 If due to the excessive number of tenants, lessees and/or farmworkers, the landholding acquired is not sufficient to accommodate some of the qualified beneficiaries, they may be granted ownership of other lands within the municipality available for distribution under CARL (i.e., excess land).
- 2.4.6 Tenants in the retained areas shall be given preference in other landholdings subject to those who are already in place, in accordance with Section 6 of R.A. No. 6657.
- 2.5 In general, lands shall be distributed directly to individual qualified beneficiaries. In case it is not economically feasible and sound to divide the lands, then it shall be owned collectively by the qualified beneficiaries who shall form a cooperative or association.
- 2.6 To facilitate the distribution of lands, this shall preferably be transferred collectively to groups of qualified beneficiaries. The qualified beneficiaries may opt for collective ownership, such as co-ownership or farmers cooperative or some other form of collective organization; *Provided*, That the total area that may be awarded shall not exceed the total number of co-owners or members of the cooperative or collective organization multiplied by the award limit of three (3) hectares, except in meritorious cases as may be determined by Presidential Agrarian Reform Council (PARC). Title to the property shall be issued in the name of the co-owners or the cooperative or collective organization, as the case may be.

- 2.7 For purposes of this A.O., the Rules on Co-ownership under Articles 484 to 501 of the New Civil Code of the Philippines shall suppletory govern the property relations as mentioned in Section 25 of R.A. No. 6657, co-ownership or some other forms of collective ownership, except farmers cooperative under commercial farms. (LAD-ID SCRN & DSTRN Annex "A").
- 2.8 The farmworkers who are husband and wife may be entitled to three (3) hectares each provided that they qualify as ARBs as individuals and that their vested rights to the land have been duly established. A separate CLOA shall be issued to each spouse.
- 2.9 All farmworkers, regardless of classification, but excluding those holding managerial or supervisory positions in the agricultural enterprise or corporation at the time of the effectivity of the CARL or on June 15, 1988 may qualify as ARBs.
- 2.10 In the event that there are enough agricultural lands for distribution and following the order of priority under Section 22 of R.A. No. 6657, the farmworker-beneficiaries, who are in or hired at the commercial farm on or prior to 15 June 1988 shall have the priority of award of a maximum of three (3) hectares.
- On the other hand, farmworkers who were hired after the effectivity of CARL shall be accommodated based on their length of service reckoned from 15 June 1988, and subject to Section 4 of this A.O.
- 2.11 If the land is not sufficient, only the bonafide farmworkers as of 15 June 1988 shall be accommodated or qualified as ARBs.
- 2.12 Any potential ARB who fails to signify his/her interest to be an ARB before the expiration of the fifteen (15) day posting of the masterlist of ARBs by the Beneficiary Screening Committee (BSC) or the DAR Municipal Office (DARMO) is deemed to have waived his/her right to be an ARB.
- 2.13 If threat or intimidation by the former landowner is the cause of such failure to signify interest, the potential ARB waives his/her right to be an ARB if he/she fails to report in writing such threat or intimidation to any DAR office within thirty (30) days from the last day of public posting of the masterlist of ARBs by the Beneficiary Screening Committee (BSC) or DARMO.
- 2.14 Petitions and/or protests for inclusion in and exclusion from the masterlist of ARBs shall be governed by the rules for agrarian law implementation cases. In case of petitions/protests where

the registered CLOAs have been distributed, the Department of Agrarian Reform Adjudication Board (DARAB) Rules or Procedures shall apply.

2.15 Upon receipt by the landowner of the corresponding payment or, in case of rejection or no response from the landowner, upon the deposit with an accessible bank designated by the DAR of the compensation in cash or in agrarian reform bonds in accordance with Section 16 (e) of R.A. No. 6657, the ARBs may be installed at the time the DAR takes possession of the land, or upon transfer of the title of the land in the name of the Republic of the Philippines, provided that the landowner shall be given a reasonable time to harvest the standing crops unharvested pursuant to Section 28 of R.A. No. 6657.

2.16 In the case of commercial farms, no potential ARBs shall take possession or prematurely enter landholdings subject of CARP coverage or with issued Notices of Coverage by DAR.

2.17 The existence of labor-related problems between the landowner and the farmworkers, and questions on the ownership of the subject landholding and payment of just compensation shall in no case deter or delay the process of land acquisition and distribution of the landholding.

2.18 Land improvements and facilities such as roads, bridges, warehouses, irrigation systems and the like, for common use and benefit as may be defined by DAR, may be transferred through a Farmers' Association or Cooperative, or in the absence thereof, through co-ownership, as far as practicable.

2.19 The processing of identification and screening of potential ARBs shall be held in abeyance until after the lapse of the sixty (60)-day period from receipt of the notice of coverage as provided under DAR A.O. No. 1, Series of 2003 titled, "2003 Rules Governing Issuance of Notice of Coverage and Acquisition of Agricultural Lands Under R.A. No. 6657", or upon the final determination by authorized agency of the petition for retention, exclusion and exemption, if any were filed.

Section 3. Definitions of Terms

(a) *Agrarian Dispute* refers to any controversy relating to tenurial arrangements, whether leasehold, tenancy, stewardship, or otherwise, over land devoted to agriculture, including disputes concerning farmworkers' associations, or representation of persons in negotiating, fixing, maintaining, changing or seeking to arrange terms and conditions of such tenurial arrangements.

It includes any controversy relating to compensation of lands acquired under R.A. No. 6657 and other terms and conditions of transfer of ownership from landowners to farmworkers, tenants and other ARBs, whether the disputants stand in proximate relation of farm operator and beneficiary, landowner and tenant, or lessor and lessee.

Award is the issuance of title as evidenced by the CLOA to qualified agrarian reform beneficiaries.

Bandillo means of making a public announcement using any form of public address system or any indigenous or local improvised instrument like hornpipe or megaphone.

Cooperatives shall refer to organizations composed primarily of small agricultural producers, farmers, farmworkers, or other agrarian reform beneficiaries who voluntarily organize themselves for the purpose of pooling land, human, technological, financial or other economic resources and operate on the principle of one member, one vote. A juridical person may be a member of a cooperative, with the same rights and duties as a natural person.

Farmworker refers to a natural person who renders service for value as an employee or laborer in an agricultural enterprise or farm regardless of whether his compensation is paid on a daily, weekly, monthly or "pakyaw" basis. The term includes an individual whose work has ceased as a consequence of, or in connection with, a pending agrarian dispute and who has not obtained a substantially equivalent and regular farm employment.

Labor Dispute includes any controversy or matter concerning terms or conditions of employment or the association or representation of persons in negotiating, fixing, maintaining, changing or arranging the terms and conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

Managerial or Supervisory Employee is a natural person who is employed in an agricultural enterprise or farm and is vested with powers or prerogatives to: (1) lay down and execute management policies; (2) hire, transfer, suspend, lay-off, recall, discharge, assign or discipline employees; and/or (3) effectively recommend such managerial actions.

(g)

(f)

(e)

(d)

(c)

(b)

(h) *Regular Farmworker* refers to a natural person who is employed on a permanent basis by an agricultural enterprise or farm.

(i) *Seasonal Farmworker* refers to a natural person who is employed on a recurrent, periodic or intermittent basis by an agricultural enterprise or farm, whether as a permanent or a non-permanent laborer, such as "dumaan," "sacada," and the like.

(j) *Technical Farmworker* refers to a natural person employed by an agricultural enterprise or farm, who is highly educated and trained, and performs functions in the fields of science, engineering, medicine, education/training and other related areas, but who is not vested with managerial or supervisory functions. Example of such employees are: chemists, agronomists, veterinarians, soil analyst and the like.

(k) *Other Farmworkers* refer to farmworkers who do not fall under paragraphs (g), (h), (i), and (j) of this Section.

(l) *Standing Crop* refers to harvestable agricultural produce or a portion thereof (e.g., fruits, sap, root) normally harvested for such particular crop growing on the land at the time the DAR takes possession thereof.

(m) *Substantially Equivalent and Regular Employment* shall mean any employment or profession from which the applicant farmer derives income equivalent to the income of a regular farmworker in the deferred farm for at least one year before June 15, 1988.

(n) *Vested Right* is some right or interest in property that has been fixed and established, and is no longer open to doubt or controversy.

ARTICLE II QUALIFICATION AND DISQUALIFICATION OF ARBS

Section 4. Qualifications. Only those who meet the following qualifications shall be eligible as beneficiaries:

4.1 *General Qualifications.* All agrarian reform beneficiaries must be:

- 4.1.1 Landless as defined by R.A. No. 6657;
- 4.1.2 Filipino citizen;

- 5.7. Conversion of agricultural lands to non-agricultural use without prior approval from the DAR;
 - 5.6. Sale, disposition, or abandonment of the lands awarded by government under CARP or P.D. No. 27 which is violative of the agrarian laws;
 - 5.5. Material misrepresentation of the ARB's basic qualifications as provided for under Section 22 of R.A. No. 6657, P.D. No. 27, and other agrarian laws;
 - 5.4. Negligence or misuse of the land or any support extended to them (Section 22 of R.A. No. 6657);
 - 5.3. Misuse or diversion of financial support services extended to them (Section 37 of R.A. No. 6657);
 - 5.2. Non-payment of an aggregate of three (3) annual amortizations or default in payment of three (3) annual amortizations with the landowner (LO) that resulted to the foreclosure of mortgage on the awarded land by the LBP or repossession by the landowners (in the case of voluntary land transfer/direct payment scheme or VLT/DPS) of the awarded lands except if the non-payment of the rental is due to crop failure as a result of fortuitous events per Section 36(6) of R.A. No. 3844, to the extent of seventy-five percent (75%);
 - 5.1. Failure to meet the qualifications as provided for under Section 22 of R.A. No. 6657;
- Section 5. Grounds for Disqualification/Exclusion.** The following shall be the grounds for disqualification/exclusion as ARBs of the CARP:

- 4.2. *Specific Qualifications for Farmworkers in Commercial Farms.* In addition to item 4.1 above, the applicant must have been employed in the property being covered on June 15, 1988.
- 4.1.5. Willing and have the ability and aptitude to cultivate and make the land productive.
- 4.1.4. At least fifteen (15) years of age or head of family at the time of acquisition of the property (titled in the name of the Republic of the Philippines), or at least 18 years old as of 15 June 1988 in the case of Commercial Farms (CFs); and
- 4.1.3. Permanent resident of the barangay and/or municipality, if applicable.

- b) Qualifications/Disqualifications of a potential ARB;
- a) Constitutional rights of an ARB;

screening of ARBs, and shall include or contain the following:
 information campaign shall be undertaken prior to the identification and
 flyers, farmers assembly or meeting and other possible means. The
 Organization (NGO/PO), through "bandillo," mobile system, distribution of
 Barangay Council, accredited Non-Government Organization/People's
 Barangay Agrarian Reform Committee (BARC), or in the absence thereof, the
 identification, screening and selection of ARBs, in coordination with the
 DARMO in undertaking information dissemination on the activities for the
 concerned offices/units under the DAR Provincial Office shall assist the
 of the identification and screening of ARBs and distribution of lands, the
Section 7. Information Campaign. For the effective implementation

**ARTICLE IV
 INFORMATION CAMPAIGN**

- 6.1 ARBs have the right of usufruct over the land from the time the DAR takes actual possession of the same until the award of a CLOA.
- 6.2 Pending the award of the CLOA and for the purpose of establishing usufructuary rights, the DAR at the time it takes actual possession of the land, shall immediately inform the ARBs that they have been identified and qualified to receive the land.
- 6.3 All ARBs shall exercise the diligence of a good father of the family in the use, cultivation and maintenance of the land including the improvements thereon. Negligence, misuse, or unauthorized sale of the land or any support extended to an ARB shall be a ground for the forfeiture of his right as such.
- 6.4 Lands awarded to ARBs under this Act may not be sold, transferred or conveyed except through hereditary succession or to the Government, or to the LBP, or to other qualified beneficiaries for a period of ten (10) years; *Provided, however,* that the children or the spouse of the transferor shall have a right to repurchase the land from the government or the LBP within a period of two (2) years from the date of transfer.
- 6.5 ARBs have the obligation to pay the LBP in thirty (30) annual amortizations with interest at six percent (6%) per annum unless the ARB opts to accelerate payment.

- c) Procedures on the identification, screening and selection of ARBs (including posting period, protests mechanism, etc.);
- d) Rights and obligations of the ARB, especially the execution of an Affidavit of Waiver of Rights to Become ARB or Affidavit of Potential ARB's Refusal to be Included in the List of Potential ARBs (LAD ID, SCRN & DSTRN Form No. 4 or 4.1); and
- e) Rules and procedures on the distribution of lands;

**ARTICLE V
OPERATING PROCEDURES**

Section 8. Procedures for the Identification of Potential ARBs (See Annex "K" on the Process Flow). The DARMO shall:

- 8.1. Inform and request the concerned LO to submit the names of his/her preferred beneficiaries (i.e., qualified children) for inclusion in the list of potential ARBs using LAD-ID, SCRN & DSTRN Annex "B" (CARP Form No. 5(a), Revised 2003).
If the LO fails to submit the names of his/her children/preferred beneficiaries within sixty (60) days from receipt of Notice of Coverage, ensure that the LO signs the Affidavit of Express Waiver of Right to Nominate Preferred Beneficiaries (LAD-ID, SCRN & DSTRN Form No.1). In case the LO refuses to sign the above affidavit, accomplish/ fill up the Affidavit of Landowner's Refusal to Execute Waiver of Rights to Nominate Preferred Beneficiaries (LAD-ID SCRN & DSTRN Form No. 1.1). In both instances, the BARC or in the absence thereof, the Barangay Council representative shall attest to the LO's execution of waiver or refusal to sign waiver.
- 8.2. Gather information on the names of potential beneficiaries of the subject landholding seeking for the purpose, the assistance of the BARC, or in the absence thereof, the Barangay Council and all other reliable sources of information in the community.
- 8.3. Cause the posting of the preliminary list of names of potential beneficiaries for a period of fifteen (15) days in at least three (3) conspicuous places:
1. in the respective barangay halls of the barangays where the landholding/s is/are located;

2. in the municipal halls of the municipalities where the landholding/s is/are located; and

3. in other conspicuous places in the community.

The preliminary list shall be posted in a billboard made of strong materials such as weather-resistant plywood, galvanized iron, tin, paraflex, or other similar durable materials which could accommodate all the names of the potential ARBs, readable and in the local dialect understood by the residents.

The preliminary list of potential beneficiaries shall be accompanied by a general invitation written in both English/Philippino and in the local dialect enjoining the listed potential ARBs and other concerned parties, if any, who are not yet in the initial list, to signify their intent or interest to the DARMO to be included in the preliminary list of potential ARBs (LAD-ID, SCRN & DSTRN Form No. 2) and to submit any or all of the following documents as proof of their qualification as an ARB within fifteen (15) days from posting of the said list.

a. community tax certificate (cedula) or barangay certificate indicating potential ARBs as permanent or bonafide resident of the barangay;

b. employment certificate;

c. payslips or payroll;

d. certificate of aggregate landholding from the city/municipal assessor;

e. original copy of a sworn affidavit/statement that the farmer/farmworker was under duress/threat by the landowner to support the party's right to be included in the preliminary list as an ARB;

f. voter's identification card or certified copy of voter's registration record; and

g. other identification documents with probative value.

The following documents, which may be used as basis for the qualification or disqualification of potential ARBs, may be required:

i. Original copy of waiver as beneficiary under oath or duly notarized;

For invitation letters/notice of meeting served by personal service and positively acknowledged or received by the concerned potential ARB, the DARMO shall accomplish item I (For Liham Paanyaya Received by Potential ARBs) of the Proof of Personal Service (LAD-ID, SCRN & DSTRN Form No. 7) for file. In case the potential ARB refuses to receive/accept the

Send invitation letters/liham paanyaya (LAD-ID, SCRN & DSTRN Form No. 5) by personal service or by registered mail with return card to potential beneficiaries and all those who have signified their interest for inclusion in the master list, and post a general notice (LAD-ID, SCRN & DSTRN Form No. 6) to other interested/concerned parties on the subject landholding, regarding the schedule of meeting within five (5) days from the last day of posting of the initial list of potential beneficiaries.

8.7

Schedule the conduct of a meeting which shall be held not later than fifteen (15) days from the last day of posting.

8.6

Ensure that the potential ARB who fails to signify interest to be an ARB before the expiration of the fifteen (15) day posting of the master list of ARBs shall execute an Affidavit of Waiver of Rights to Become an ARB (LAD-ID, SCRN & DSTRN Form No. 4). Otherwise, accomplish the Affidavit of Potential ARB's Refusal to be Included in the List of Potential ARB (LAD-ID, SCRN & DSTRN Form No. 4.1). In both instances, the BARC shall attest to the veracity of the waiver of rights by the ARB and the affidavit of the MARO.

8.5

After the required period of posting, secure a Certificate of Posting Compliance from barangay/municipal officials, and/or other authorized officials in the community, indicating therein the inclusive days of posting (LAD-ID, SCRN & DSTRN Form No. 3).

8.4

Such other proof that will establish the qualifications or disqualifications of the potential beneficiary (certified true-copy).

v.

Original or certified copy of notice of dismissal or retrenchment for farmworker beneficiaries; or

iv.

Original or certified copy of letter of resignation for farmworker beneficiaries;

iii.

Original or certified copy of decision order or ruling by a court, quasi-judicial body or administrative agency in the event that there was a case related to the dismissal, retrenchment, etc. of the potential ARB;

ii.

invitation letter/notice of meeting for whatever reason, the DARMO shall fill-up/complete Item II (For Liham Paanyaya Refused to be Received by Potential ARB) of the Proof of Personal Service for file.

The invitation letters/notice of meeting shall state that the potential beneficiaries and other interested/concerned parties should bring with them the lacking documents provided under Section 8, Item 8.3 of this A.O. as proof of their qualification as an ARB, if any.

Section 9. Procedures on the Screening of ARBs (See Annex "L" on the Process Flow). The screening of all qualified beneficiaries for all CARRP-covered lands shall subscribe to the following procedures:

9.1 The DARMO shall:

9.1.1 With the assistance of the BARC, or in the absence thereof, the Barangay Council, conduct a meeting on the scheduled date with the potential beneficiaries and undertake the following:

9.1.1.1 Explain in the local dialect to all potential beneficiaries the salient features of this A.O.:

9.1.1.2 Interview all potential ARBs individually; and

9.1.1.3 Assist all potential beneficiary-applicants in accomplishing the Beneficiary Application Form (LAD-ID, SCRN & DSTRN Annex "C").

9.1.2 In close coordination with the BARC review and evaluate the potential beneficiaries' application forms vis-à-vis documents/evidence submitted and ensure that based on the information from the applicant himself or other persons and the foregoing documents, the qualifications provided in Article II, Section 4 of this A.O. are met.

9.1.3 If the potential ARB qualifies as beneficiary, include his/her name in the preliminary list. However, the potential ARBs who do not meet the qualifications provided in Article II, Section 4 of this A.O. shall be excluded in the preliminary list and be informed, through personal service or registered mail with return card. (LAD-ID, SCRN & DSTRN Form No. 8).

- i. Provincial Agrarian Reform Officer (PARO) as Ex-Officio Chairman;
- ii. Municipal Agrarian Reform Officer (MARO) concerned;
- iii. Legal officer of DARPO concerned;

9.2.1.2 Composition:

The Beneficiary Screening Committee shall exercise exclusive original jurisdiction in evaluating qualifications, and in screening and selecting ARBs in commercial farms, other plantation farms and idle lands. In the performance of its tasks, the Committee may invite landowner representatives or representatives from people's or non-government organizations, and/or such other groups or entities in the area, to act as resource persons as may be necessary, during the selection and screening process.

9.2.1.1 Functions:

Beneficiary Screening Committee shall be created for the purpose of screening and selecting ARBs;

9.2.1

9.2 FOR COMMERCIAL FARMS, OTHER PLANTATION FARMS AND IDLE LANDS:

For commercial farms, submit the updated preliminary list of ARBs, together with application forms and supporting documents/evidence to the Beneficiary Screening Committee (BSC) through the DAR Provincial Office (DARPO).

For farms other than commercial, the updated preliminary list shall serve as reference for the conduct of the field investigation by the DARMO pursuant to Section 10, Item 10.2.1 of this A.O.

9.1.5

Prepare the updated preliminary list of ARBs.

9.1.4

The updated list, shall contain a statement written in both English/Philippino and in the local dialect, that any person may request/petition for inclusion in or exclusion from the said list within the fifteen (15) day posting period pursuant to Section 2, Item 2.12 of this Order.

- c. other conspicuous places in the community;
- b. municipal halls where the landholding is located; and
- a. barangay halls of the barangays/ where the landholding is located;

Within ten (10) days from receipt from the DARMO, cause the posting of the updated preliminary list of potential ARBs for fifteen (15) days in at least three (3) conspicuous places:

9.2.2.1 Conduct the review, verification and validation of the updated preliminary list of potential ARBs, submitted by the DARMO, on the basis of the attached application forms and other supporting documents.

9.2.2 The BSC Chair shall convene the Committee. The Committee shall undertake the following:

- iv. Provincial Agrarian Reform Coordinating Committee (PARCCOM) Chairman or his duly authorized representative; and
- v. BARC Chairman or his duly authorized representative, of each of the barangays where the subject landholding is situated (in case landholding covers more than one barangay).

- 10.1.1 Send by registered mail with return card, Notice of Public Hearing (LAD-ID, SCRN & DSTRN Form No. 9) to all potential ARBs.
- 10.1.2 Conduct the hearings on the scheduled date with those who signified intent for inclusion, parties who filed protests on the posted preliminary list of ARBs and other concerned parties.
- 10.1.3 Within fifteen (15) days after the public hearing, prepare the master list of ARBs (LAD-ID, SCRN & DSTRN Form No. 10). The criteria for the inclusion or exclusion of potential ARBs in or from the master list as the case may be, shall be based on Sections 4 and 5 of this A.O. All qualified ARBs are ranked in accordance with the order of priority under Section 22 of R.A. No. 6657. Lower ranking ARBs may fall into a "waiting list" category of the same master list if the subject landholding cannot accommodate all qualified ARBs in the master list.
- 10.1.4 Post the master list in the same manner and for the same purpose as provided under Section 8, Item 8.3 hereof.

The BSC shall:

10.1 FOR COMMERCIAL FARMS, OTHER PLANTATION FARMS AND IDLE LANDS

Section 10. Procedures on the Selection of ARBs (See Annex "M" on the Process Flow).

- 9.2.2.3 Secure Certificate of Posting Compliance from the proper municipal and barangay officials after the fifteen (15) day posting period, indicating therein the inclusive dates of posting (LAD-ID SCRN & DSTRN Form No. 3).
- 9.2.2.4 Schedule the conduct of public hearing for inclusion in and exclusion from the updated preliminary list of actual/potential ARBs. Such public hearings shall commence not earlier than ten (10) days nor later than ninety (90) days from the last day of posting of the updated list.

10.1.5 In case no protest is filed within the fifteen (15) day period of posting of the master list, transmit a copy of the master list to DARMO, through the DARPO, for the corresponding preparation of Land Distribution Folder (LDF).

10.2 FOR FARMS OTHER THAN COMMERCIAL FARMS

The DARMO shall:

- 10.2.1 Conduct a field investigation on the subject landholding, including the identity of the potential beneficiary/ies.
- 10.2.2 Re-evaluate the potential beneficiaries indicated in the updated preliminary list of ARBs based on the submitted documents/evidence and the result of the field investigation.
- 10.2.3 In case one or more conditions provided under Section 5 hereof is present, exclude disqualified applicants from the updated preliminary list of ARBs. Thereafter, send a Notice of Disqualification, citing the reason for the disqualification, through personal delivery or registered mail with return card. (LAD-ID, SCRN & DSTRN Form No. 8)
- 10.2.4 Rank all qualified ARBs in accordance with the order of priority under Section 22 of R.A. No. 6657.
- 10.2.5 Prepare and post the master list of ARBs (LAD-ID, SCRN & DSTRN Form No. 10) for fifteen (15) days in the designated areas as provided in Section 8, Item 8.3 hereof.
- 10.2.6 Consolidate into one (1) folder all the documents submitted by the qualified ARBs, including the investigation report and other requirements needed in the preparation of the LDF.
- 10.2.7 Submit master list of ARBs and forward the LDF of the subject landholding to the DARPO concerned.

Section 11. Procedures on the Resolution of Protests in the Selection of ARBs (See Annex "N" on the Process Flow).

11.1 FOR COMMERCIAL FARMS, OTHER PLANTATION FARMS AND IDLE LANDS

11.1.1 Any person or interested party may file a written protest for the inclusion in/exclusion from the master list with the DARPO, not later than fifteen (15) days from the last day of its posting;

11.1.2 Upon receipt of the protest, the DAR Regional Office (DARRO) shall order the BSC to transmit all pertinent records/documents of the case. The resolution of protest shall be in accordance with Section 11, Item 11.3 of this Order.

11.2 FOR FARMS OTHER THAN COMMERCIAL FARMS

11.2.1 Any interested party may file a written protest regarding the master list of ARBs to the DARRO, through the DARPO, not later than fifteen (15) days from the last day of its posting.

11.2.2 Upon receipt of the protest, the DARPO shall:

11.2.2.1 Conduct and prepare field investigation report; and

11.2.2.2 Transmit pertinent documents and duly signed investigation report with concomitant recommendation to DARRO.

11.3 FOR COMMERCIAL FARMS, OTHER PLANTATION FARMS, IDLE LANDS AND FARMS OTHER THAN COMMERCIAL

11.3.1 The DARRO shall conduct an investigation on the protest/petition filed to determine the merits of the case through summary proceedings;

11.3.2 The Regional Director (RD) shall resolve the protest within thirty (30) days from receipt of the BSC records of the case, or DARPO investigation report and recommendation;

11.3.3 The DARRO shall furnish the BSC/DARPO and all parties concerned a copy of the Regional Director's decision on the protest;

12.1.1 Inform the qualified ARBs or the Farmer's Cooperative/Association of their identification as ARBs and the commencement of their usufructuary rights over the property upon verification and validation based on the master list of ARBs and Application to Purchase and Farmer's Undertakings or APFUs (LAD-ID, SCRN & DSTRN Annex "D", CARP Form No. 4 per A.O. No. 2, Series of 1996).

The DARMO shall:

Section. 12. Procedures for the Generation and Registration of Title (CLOA) (See Annex "O" on the Process Flow). Upon receipt of the Memorandum of the Regional Director to take possession of the property, together with the copy of the TCT in the name of the Republic of the Philippines and copy of Deeds of Transfer or Proof of Trust Deposit from the Land Bank of the Philippines, as the case may be, the PARO shall direct the MARO to proceed with the land distribution in accordance with the following procedures:

11.3.5 In case an appeal/motion for reconsideration is made on the Regional Director's decision/s or order/s for inclusion/exclusion of potential ARBs in/from the master list, the rules and procedures as provided under A.O. No. 3, Series of 2003 titled, "2003 Rules for Agrarian Law Implementation (ALI) Cases" shall be followed.

The master list becomes final and executory after the lapse of fifteen (15) days from receipt of the Regional Director's decision on the protest, but such finality is only for the specific purpose of generating the CLOA. All ARBs in the master list who are not in the waiting list category shall be recipients of a CLOA for the subject landholding.

11.3.4 Pursuant to the RD's decision, the BSC/DARPO shall include in the master list the names of qualified potential ARBs and notify the DARMO for the preparation of the LDF. Likewise, exclude from the master list the names of disqualified potential ARBs and simultaneously inform all parties concerned of the RD's decision through registered mail or personal service.

12.1.2 Assist ARBs in the accomplishment of FB Request for Issuance of CLOA (LAD-ID, SCRIN & DSTRN Annex "E", CARP Form No. 19 per A.O. No. 2, Series of 1996).

12.1.3 In case the ARBs prefer individual ownership, determine, in coordination with the Department of Agriculture (DA) and other concerned agencies, whether the land is economically feasible and sound to divide. If the land is feasible and sound to divide, request the DARRO, through DARPO, to immediately conduct a survey of the landholding.

Upon receipt of the Approved Survey Plan (ASP) from DARPO, prepare the Land Distribution Folder (LDF).

The LDF shall contain the following documents:

12.1.3.1 Copy of the Letters to Qualified ARBs Allocating Area of Award (LAD-ID, SCRIN & DSTRN Annex "F", CARP Form No. 19 per A.O. No. 10, Series of 1990);

12.1.3.2 FB's Request for Issuance of CLOA (LAD-ID, SCRIN & DSTRN Annex "E", CARP Form No. 19 per A.O. No. 2, Series of 1996);

12.1.3.3 MARO's Certification (LAD-ID, SCRIN & DSTRN Annex "G", CARP Form No. 20);

12.1.3.4 Copy of the Approved Survey Plan or Plan of the Property prepared and approved by a licensed Geodetic Engineer;

12.1.3.5 Copy of the TCT in the name of the Republic of the Philippines;

12.1.3.6 Copy of the Deed of Transfer or Certificate of Trust Deposit, as the case may be; and

12.1.3.7 Copy of the LDF Transmittal Memorandum (LAD-ID, SCRIN & DSTRN Annex "H", CARP Form No. 21).

12.1.4 In case majority of the qualifying ARBs prefer collective ownership and the landholding is not feasible and sound to divide pursuant to Sections 25 and 29 of R.A. No. 6657, facilitate the organization and registration of the association or cooperative in coordination with the appropriate government agencies, i.e., Cooperative Development Authority (CDA), Securities and Exchange Commission (SEC), or appropriate non-government agencies. In addition to the requirements mentioned above, submit the following documents:

12.1.4.1 Board Resolution authorizing any member of the association or cooperative to sign the application form on behalf of the association or cooperative; and

12.1.4.2 Articles of Incorporation and By Laws of the Cooperative or Association.

12.1.5 In the event that there are two (2) or more ARB cooperatives or associations in the landholding, determine the specific area to be allotted to each cooperative or association by drawing lots in the presence of all parties concerned.

If the qualifying ARBs fail to organize themselves into a cooperative or association in accordance with the requirements of the CDA or SEC, the Civil Code principles on co-ownership shall govern the cooperative or association ownership rights and obligations.

The preparation of the LDF shall be in accordance with the third paragraph of Section 12, Item 12.1.3 of this Order.

12.1.6 Forward the LDF to DARPO.

12.2 The DARPO shall:

12.2.1 Subsequent to the receipt from DARMO of the LDF pursuant to Section 12, Item 12.1.6:

12.2.1.1 Review all documents contained in the LDF to ensure that these are complete. In the case of lacking documents, require the DARMO to submit the pertinent documents;

Provincial Agrarian Reform Officer

Date _____

to ensure full payment of its value pursuant to R.A. No. 6657 by the agrarian reform beneficiaries/farmer's cooperative or farmer's association named herein.

LAND BANK OF THE PHILIPPINES

The parcel of land described in this Certificate of Land Ownership Award (CLOA) is encumbered in favor of:

ANNOTATION

12.2.1.3 Ensure that all CLOAs shall contain the following annotation of lien in favor of the Land Bank of the Philippines (LBP):

ARB. In the case of individual ownership, generate a CLOA (original and owners duplicate certificate) in the name of each ARB.

12.2.1.2 In case ARBs prefer collective ownership or the landholding is not feasible/sound to divide, generate a collective CLOA (Original and Owner's Duplicate Certificate and as many Co-Owner's Duplicate Certificate) for the whole landholding in favor of the Farmers' Cooperative or Association, wherein all names of the ARBs, after the lead name, which appear on the face of the certificate of title, shall be typewritten on the succeeding pages of the title, with each name numbered consecutively, from "1" onwards, alphabetically arranged and reflecting the complete names (given, middle & surnames) of the ARBs pursuant to M.C. No. 24, Series of 1996. After the last typewritten name of ARBs, and immediately below a demarcating line, the words "nothing follows" shall be typed;

12.4.2 Cause the registration of the CLOA with the ROD;

12.4.1 Record signed and sealed CLOAs and enter the same in the CLOA Registry Book of the Register of Deeds (ROD);

Upon receipt from the DARRO of the signed and sealed CLOA pursuant to Section 12, Item 12.3.4:

12.4 The DARPO shall:

12.3.4 Forward signed and sealed CLOAs and the corresponding recording sheet with transmittal memorandum to DARPO for registration.

12.3.3 Return erroneously generated CLOA to DARPO for correction. Only error-free CLOAs shall be recommended for signature of the Secretary pursuant to existing guidelines; and

12.3.2 In case of lacking documents, require DARPO to submit the pertinent documents;

12.3.1 Review and validate the generated CLOAs. If in order, the Regional Director shall affix his/her initial on all copies of the CLOAs original owner's/co-owner's duplicate;

12.3 The DARRO shall:

12.2.1.5 File the LDF containing the supporting documents and forward the generated CLOA including Judicial Forms Utilization Worksheet to DARRO.

12.2.1.4 Prepare the corresponding Judicial Forms Utilization Worksheet (LAD-ID, SCRIN & DSTRN Annex "I") in accordance with the systems and procedures for the requisition, issuance, utilization and accounting of EP/CLOA Judicial Forms.

The PARO shall affix his/her initial on all copies of the CLOA (original owners and co-owners duplicate certificates in the case of collective CLOAs).

- 12.4.3 Reflect title number and date of registration in the CLOA Registry Book;
- 12.4.4 Provide the DARMO with a certified photocopy of duplicate CLOA/title in case of collective ownership; and
- 12.4.5 Reproduce certified photocopies of registered Owner's/Co-Owner's Duplicate CLOA/Titles and transmit the same to DARMO for distribution, retaining a copy for DARPPO's future reference.
- Section 13. Procedures on the Issuance of Title** (See Annex "P" on the Process Flow).
- 13.1 Subsequent to the receipt from the DARPPO of the registered owner's/co-owner's duplicate CLOA/title and certified photocopy of the same pursuant to Section 12, Item 12.4.5, the DARMO shall:
- 13.1.1 Record Owner's/Co-Owner's Duplicate CLOA/TITLE;
- 13.1.2 Prepare and submit to the LBP the Land Distribution Information Schedule (LDIS) thirty (30) days upon receipt of the CLOA;
- 13.1.3 Distribute Owner's/Co-Owner's Duplicate CLOA/title and ensure that these are duly received by the ARBs or Cooperative/Association;
- 13.1.4 Furnish the ARB a certified photocopy of co-owner's duplicate CLOA/title for collective ownership;
- 13.1.5 Assist ARBs in securing corresponding Tax Declaration from the Assessor/Treasurer's Office from the time the CLOA/title is distributed; and
- 13.1.6 Maintain a Registry Book of all CLOAs/Titles issued within the municipality and duly received by the ARBs, and prepares index card for all ARBs.

15.1 Based on the master list, the DARMO shall prepare and submit to the DARPO a monthly report on CLOA distributed vis-à-vis master list of ARBs using LAD-ID, SCRN & DSTRN Form No.11 indicating name of ARBs, location, title no., lot no., area, crop planted, generation date, registration date and distribution date per landholding.

Section 15. Procedures on Reporting and Monitoring of CLOA Distributed to ARBs (See Annex "Q" on the Process Flow).

**ARTICLE VII
REPORTING AND MONITORING**

The re-opening of ARB identification, screening and selection shall, however, subscribe to the provisions for qualification, disqualification, rights and obligations, and procedures prescribed under pertinent sections of this Administrative Order.

14.2 Any petition to re-open the ARB identification, screening and selection process subsequent to installation shall be directly filed with the Office of the Regional Director where the property is located which shall have the exclusive jurisdiction to act on the petition. The procedures shall be in accordance with A.O. No. 3, Series of 2003 titled, "2003 Rules for Agrarian Law Implementation Cases".

14.1 Subsequent to the issuance of CLOAs but prior to the installation of ARBs, the Regional Director may grant due course to a sworn petition to re-open the identification, screening and selection process on the grounds of duress or threat by the landowner against the petitioner during the identification phase. After installation of the ARBs, only the Secretary may grant due course to such a petition.

Section 14. Re-Opening of ARB Identification and Selection

**ARTICLE VI
GROUNDS FOR RE-OPENING
OF ARB IDENTIFICATION AND SELECTION**

15.2 The DARPO shall:

15.2.1 Validate the DARMO report vis-a-vis the Judicial Form Utilization Worksheet (LAD-ID, SCRIN & DSTRN Annex "I") and the Signing and Sealing Machine Utilization Recording/Reporting Sheet (LAD-ID, SCRIN & DSTRN Annex "J") pursuant to existing guidelines on judicial forms; and

15.2.2 At the end of every quarter, consolidate and forward to BLAD-DARCO, copy furnished DARRO, the abovementioned monthly report (LAD-ID, SCRIN & DSTRN Form No. 11).

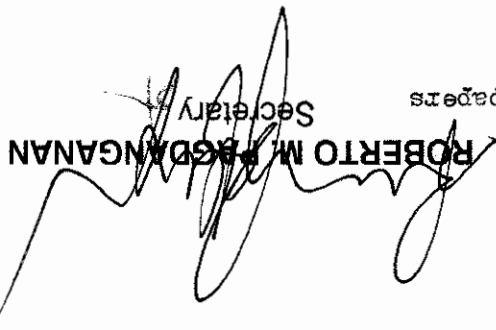
ARTICLE VIII FINAL PROVISIONS

Section 16. Transitory Provisions. In order to prevent delays in the identification, screening and selection of, and distribution to ARBs of private agricultural lands under R.A. No. 6657, documentation folders already forwarded to or pending in the DARRO shall continue to be processed under pertinent existing guidelines. However, all documentation folders still in the DARPO and DARMO levels at the time of effectivity of these guidelines shall be governed by this Administrative Order.

Section 17. Repealing Clause. This A.O. repeals A.O. No. 10, Series of 1990. All pertinent provisions of A.O. No. 6, Series of 1998 and A.O. No. 9, Series of 1998, and all other rules, regulations and issuances inconsistent herewith are hereby modified or repealed accordingly.

Section 18. Effectivity. This Administrative Order shall take effect ten (10) days after its publication in two (2) national newspapers of general circulation.

Diliman, Quezon City, **18** th day of ~~December~~ **December** 2003.


ROBERTO M. BGDANGANAN
Secretary

Published in two (2) national newspapers
of general circulation:
1. MALAYA
2. THE PHILIPPINE DAILY INQUIRER

Date of Publication - December 29, 2003

LIST OF LAD-ID, SCRIN & DSTRN ANNEXES AND FORMS

I. ANNEXES

- Annex A - Rules on Co – Ownership
- Annex B - CARP Form No. 5(a) (Revised 2003) - Notice of Coverage
- Annex C - CARP Form No. 3 (Revised 2003) - Application for Actual/Prospective CARP Beneficiary
- Annex D - CARP Form No. 4, A.O. No. 2, Series of 1996 – Application to Purchase and Farmer's Undertaking (APFU)
- Annex E - CARP Form No. 19, A.O. No. 2, Series of 1996 – FB Request for Issuance of CLOA
- Annex F - CARP Form No. 19, A.O. No. 10, Series of 1990 (Revised 2003) – Letter to Qualified ARB Allocating Area of Award
- Annex G - CARP Form No. 20 – MARO's Certification
- Annex H - CARP Form No. 21 – LDF Transmittal Memorandum
- Annex I - LAD EP/CLOA Form No. 4 – Judicial Form Utilization Worksheet
- Annex J - LAD EP/CLOA Form No. 9 (Revised 2003) - Signing and Sealing Machine Utilization Recording/Reporting Sheet
- Annex K - Procedures for the Identification of Potential ARBs (Section 8)
- Annex L - Procedures on the Screening of ARBs (Section 9)
- Annex M - Procedures on the Selection of ARBs (Section 10)
- Annex N - Procedures on the Resolution of Protests in the Selection of ARBs (Section 11)
- Annex O - Procedures for the Generation and Registration of Title (CLOA) (Section 12)
- Annex P - Procedures on the Issuance of Title (Section 13)
- Annex Q - Procedures on Reporting and Monitoring of CLOA Distributed to ARBs (Section 15)

II. FORMS

- FORM No. 1 - Affidavit of Express Waiver of Rights to Nominate Preferred Beneficiaries
- FORM No. 1.1 - Affidavit of Landowner's Refusal to Execute Waiver of Rights to Nominate Preferred Beneficiaries
- FORM No. 2 - List of Potential Beneficiaries of CARP
- FORM No. 3 - Certificate of Posting
- FORM No. 4 - Affidavit of Waiver of Rights to Become ARB
- FORM No. 4.1 - Affidavit of Potential ARB's Refusal to be Included in the List of Potential ARBs

- FORM No. 5 - Liham Paanyaya
- FORM No. 6 - Pahayag Pangmadala/General Notice
- FORM No. 7 - Proof of Personal Service
- FORM No. 8 - Pabatid Liham sa mga Hindi Kwaliplikadong Maging Benepisaryo ng CARP/Notice of Exclusion
- FORM No. 9 - Pahayag ng Pangmadlang Pulong/Pagding/Notice of Public Hearing
- FORM No. 10 - Master List of Agrarian Reform Beneficiaries
- FORM No. 11 - Monthly Report of Agrarian Reform Beneficiaries with CLOA

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM

RULES ON CO-OWNERSHIP
(Art. 484-501, Civil Code of the Philippines)

Pursuant to Section 2, 7 of this Administrative Order _____, Series of _____, the property relations of ARBs within a collective ownership shall be governed by the Rules on Co-ownership under Articles 484 to 501 of the Civil Code of the Philippines, to wit:

ART. 484. There is co-ownership whenever the ownership of an undivided thing or right belongs to different persons.
In default of contracts, or of special provisions, co-ownership shall be governed by the provisions of this Title. (392)

ART. 485. The share of the co-owners, in the benefits as well as in the charges, shall be proportional to their respective interests. Any stipulation in a contract to the contrary shall be void.
The portions belonging to the co-owners in the co-ownership shall be presumed equal, unless the contrary is proved. (393a)

ART. 486. Each co-owner may use the thing owned in common, provided he does so in accordance with the purpose for which it is intended and in such a way as not to injure the interest of the co-ownership or prevent the other co-owners from using it according to their rights. The purpose of the co-ownership may be changed by agreement, express or implied. (394a)

ART. 487. Any one of the co-owners may bring an action in ejectment. (n)

ART. 488. Each co-owner shall have a right to compel the other co-owners to contribute to the expenses of preservation of the thing or right owned in common and to the taxes. Any one of the latter may exempt himself from this obligation by renouncing so much of his undivided interest as may be equivalent to his share of the expenses and taxes. No such waiver shall be made if it is prejudicial to the co-ownership. (395a)

ART. 489. Repairs for preservation may be made at the will of one of the co-owners, but he must, if practicable, first notify his co-owners of the necessity for such repairs. Expenses to improve or embellish the thing shall be decided upon by a majority as determined in article 492. (n)

ART. 490. Whenever the different stories of a house belong to different owners, if the titles of ownership do not specify the terms under which they should contribute to the necessary expenses and there exists no agreement on the subject, the following rules shall be observed:

ART. 494. No co-owner shall be obliged to remain in the co-ownership. Each co-owner may demand at any time the partition of the thing owned in common, insofar as his share is concerned. Nevertheless, an agreement to keep the thing undivided for a certain period of time, not exceeding ten years, shall be valid. This term may be extended by a new agreement.

ART. 493. Each co-owner shall have the full ownership of his part and of the fruits and benefits pertaining thereto, and he may therefore alienate, assign or mortgage it, and even substitute another person in its enjoyment, except when personal rights are involved. But the effect of the alienation or the mortgage, with respect to the co-owners, shall be limited to the portion, which may be allotted to him in the division upon the termination of the co-ownership. (399)

ART. 492. For the administration and better enjoyment of the thing owned in common, the resolutions of the majority of the co-owners shall be binding. There shall be no majority unless the resolution is approved by the co-owners who represent the controlling interest in the object of the co-ownership. Should there be no majority, or should the resolution of the majority be seriously prejudicial to those interested in the property owned in common the court, at the instance of an interested party, shall order such measures as it may deem proper, including the appointment of an administrator. Whenever a part of the thing belongs exclusively to one of the co-owners, and the remainder is owned in common, the preceding provisions shall apply only to the part owned in common. (398)

ART. 491. None of the co-owners shall, without the consent of the others, make alterations in the thing owned in common, even though benefits for all would result there from. However, if the withholding of the consent by one or more of the co-owners is clearly prejudicial to the common interest, the courts may afford adequate relief. (397a)

- (1) The main and party walls, the roof and the other things used in common, shall be preserved at the expense of all the owners in proportion to the value of the story belonging to each;
- (2) Each owner shall bear the cost of maintaining the floor of his story; the floor of the entrance, front door, common yard and sanitary works common to all, shall be maintained at the expense of all the owners pro rata;
- (3) The stairs from the entrance to the first story shall be maintained at the expense of all the owners pro rata, with the exception of the owner of the ground floor; the stairs from the first to the second story shall be preserved at the expense of all, except the owner of the ground floor and the owner of the first story; and so on successively. (396)

A donor or testator may prohibit partition for a period, which shall not exceed twenty years.
Neither shall there be any partition when it is prohibited by law.
No prescription shall run in favor of a co-owner or co-heir against his co-owners or co-heirs so long as he expressly or impliedly recognizes the co-ownership. (400a)

ART. 495. Notwithstanding the provisions of the preceding article, the co-owners cannot demand a physical division of the thing owned in common, when to do so would render it unserviceable for the use for which it is intended. But the co-ownership may be terminated in accordance with Article 498. (401a)

Art. 496. Partition may be made by agreement between the parties or by judicial proceedings. Partition shall be governed by the Rules of Court insofar as they are consistent with this Code. (402)

ART. 497. The creditors or assignees of the co-owners may take part in the division of the thing owned in common and object to its being effected without their concurrence. But they cannot impugn any partition already executed, unless there has been fraud, or in case it was made notwithstanding a formal opposition presented to prevent it, without prejudice to the right of the debtor or assignor to maintain its validity. (403)

ART. 498. Whenever the thing is essentially indivisible and the co-owners cannot agree that it be allotted to one of them who shall indemnify the others, it shall be sold and its proceeds distributed. (404)

ART. 499. The partition of a thing owned in common shall not prejudice third persons, who shall retain the rights of mortgage, servitude, or any other real rights belonging to them before the division was made. Personal rights belonging to third persons against the co-ownership shall also remain in force, notwithstanding the partition. (405)

ART. 500. Upon partition, there shall be a mutual accounting for benefits received and reimbursements for expenses made. Likewise, each co-owner shall pay for damages caused by reason of his negligence or fraud. (n)

ART. 501. Every co-owner shall, after partition, be liable for defects of title and quality of the portion assigned to each of the other co-owners. (n)

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM

NOTICE OF COVERAGE

Dear Sir/Madam:

Pursuant to Section 7 of R.A. No. 6657, otherwise known as the Comprehensive Agrarian Reform Law of 1988, the Republic of the Philippines, thru the Department of Agrarian reform (DAR), hereby subjects under the coverage of the Comprehensive Agrarian Reform Program your landholding with the following description:

Original or Transfer Certificate of Title (OCT or TCT): _____
Registry of Deeds for: _____
Tax Declaration (TD): _____
Approximate Area: _____ hectares
Location: _____

In this connection, we invite you to a field investigation and/or public hearing which we shall conduct on _____ (at least 2 weeks advance notice).

Whenever applicable, you have the right or privilege to:

1. apply for an exemption clearance or for exclusion from CARP coverage;
2. refrain an area not exceeding five (5) hectares pursuant to Section 6 of RA 6657;
3. nominate your child/ren who may qualify as beneficiary/ies to the subject landholding; and/or
4. submit evidence for determining just compensation of the subject landholding.

To exercise any of the above landowner rights/privileges, the necessary application or petition should be filed before the Government incurs any expense necessary for acquisition and distribution of the subject landholding, not later than 60 calendar days from receipt of this Notice of Coverage. Any late legal action that may be taken beyond the said 60-day period, resulting in the nullification of this CARP proceeding, shall hold you liable for the reimbursement of all expenses that the Government has spent for acquisition and distribution of the subject landholding.

Failure to file the proper application for retention within 60 days from receipt of this Notice of Coverage is deemed a waiver of the right to retention under Section 6 of RA 6657, in accordance with the applicable rules and regulations of the DAR. Within 30 days from filing of the application, you shall submit to the Municipal Agrarian Reform Officer (MARO) a sketch map of the area you wish to retain, failure to do so within said 30-day period constitutes an authorization for the MARO to choose the retention area in your behalf. The DAR may disapprove your choice of retention area if it is not compact and contiguous.

The privilege to nominate your child/ren who may qualify as beneficiary/ies is waived if you fail to submit to the MARO, within 60 days from receipt of this Notice of Coverage, the proper application with the complete names of your nominees, their addresses, birth dates, and other relevant information, in accordance with the applicable rules and regulations of the DAR.

The right to question the valuation of your landholding is waived if you fail to submit to the MARO, within 60 days from receipt of this Notice of Coverage, a *Statement of Production and Net Income* (Annex "A" of A.O. No. 1, Series of 2003) and other evidence necessary for determining just compensation under Section 17 of RA 6657, in accordance with the applicable rules and regulations of the DAR.

Pursuant to Executive Order No. 405, dated 14 June 1990, the DAR shall request the Land Bank of the Philippines (LBP) to determine the land value of the subject landholding. You will receive an update as soon as the DAR receives the LBP's *Memorandum of Valuation*.

Very truly yours,

(Name and Signature)
Municipal Agrarian Reform Officer

Attachment: Statement of Production and Net Income

Distribution of Copies:

- Original
- Duplicate
- Triplicate
- Quadruplicate
- Quintuplicate
- Land Owner
- VOCAF/CACF
- For Posting
- DAR Provincial Office
- DARRO/File

III. PROFILE OF COMMERCIAL FARMS: 6 (For Commercial Farms)

NAME OF FARM/COMPANY 6.1	LOCATION/POSTAL ADDRESS 6.2	TOTAL AREA (HAS.) 6.3	CROPS PLANTED 6.4

7. EMPLOYMENT INFORMATION

PRESENT STATUS (i.e., regular, FV, seasonal, etc.) 7.1	POSITION/DESIGNATION (i.e., Farm Manager, Supervisor, Kapatas, etc.) 7.2	PLACE OF ASSIGNMENT (Farm Production, Factory/ Processing Plant) 7.3	ACTIVITIES INVOLVED IN 7.4	LENGTH OF SERVICE/ YRS. SERVED IN THE CF 7.5	DATE/YEAR EMPLOYED IN THE FARM COMPANY 7.6	DATE/YEAR TERMINATED (i.e., retrenched, retired, resigned) 7.7

8. CERTIFICATION

FURTHER CERTIFY THAT I AM NOT ONLY WILLING BUT HAVE THE ABILITY AND CAPABILITY TO CULTIVATE AND MAKE PRODUCTIVE THE LAND THAT WILL BE AWARDED TO ME. FINALLY, I AM AWARE OF THE FACT THAT ANY MATERIAL MISDECLARATION IN THE ACCOMPLISHMENT OF THIS FORM MAY ADVERSELY AFFECT THIS APPLICATION.

I HEREBY

9. NAME AND SIGNATURE OF INTERVIEWER _____

10. DATE _____

11. SIGNATURE/THUMBMARK OF RESPONDENT _____

12. SIGNED IN THE PRESENCE OF _____

13. BARC CHAIRMAN / SECRETARY _____

Distribution of Copies:

- | | | |
|--|---|------------|
| <input type="checkbox"/> Original | - | VOCF/CACF |
| <input type="checkbox"/> Duplicate | - | ARB |
| <input type="checkbox"/> Triplicate | - | DARPO |
| <input type="checkbox"/> Quadruplicate | - | DARMO/File |

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM

APPLICATION TO PURCHASE AND FARMER'S UNDERTAKING

We, the identified and qualified beneficiaries of the Comprehensive Agrarian Reform Program (CARP), do hereby apply to purchase farmlots/homelots of the parcel of land owned by _____ located at _____

We obligate ourselves to pay the amortization of the property computed pursuant to Section 26 of R.A. 6657 and in accordance with the prevailing and pertinent provisions of the Agrarian Reform Law, its rules and regulations. Likewise, we acknowledge and confirm that a lien by way of mortgage in favor of the LBP shall secure our obligation after LBP undertakes to finance the acquisition of the subject farmlots/homelots including interest thereon and penalties, if any.

We request that the property be awarded to us in individual ownership, co-ownership, cooperative or collective ownership. (Check appropriate box)

Finally, we obligate ourselves to comply with all the agrarian laws, rules and regulations pertaining to the acquisition and distribution of the land applied for.

In consideration of the foregoing, we hereby affix our signatures and/or right thumbmarks in this instrument.

Republic of the Philippines
 DEPARTMENT OF AGRARIAN REFORM

FB REQUEST FOR ISSUANCE OF CLOA

Date _____

The Secretary
 Department of Agrarian Reform
 Dilliman, Quezon City
 (Thru Channels)

Sir:

Pursuant to the provisions of R.A. 6657, dated June 10, 1988, and other implementing rules and regulations promulgated thereunder, we have the honor to request for the issuance of the corresponding Certificate of Landownership Award (CLOA) covering the parcel of land previously owned by _____ under OCT/TCT No. _____ located at _____ and awarded to us. In support hereof, and we most respectfully state hereunder our names, addresses, estimated area awarded, and signatures.

As CLOA recipients, we shall make the land awarded to us productive and we are aware that any beneficiary guilty of negligence or misuse of the land or any support extended to him shall forfeit his right to continue as a beneficiary.

We trust that this request will merit your immediate attention and due consideration.

Very respectfully yours,

Name	Address	Estimated Area	Signature/ Thumb mark
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Distribution of Copies:

- Original
- Duplicate
- Triplicate
- Quadruplicate
- LDF
- ARB
- DARPO
- DARMO/File

Republic of the Philippines
 DEPARTMENT OF AGRARIAN REFORM
 Region Office No. _____

LETTER TO QUALIFIED ARB ALLOCATING AREA OF AWARD
 (FOR FARMS OTHER THAN COMMERCIAL FARMS/
 FOR COMMERCIAL FARMS, OTHER PLANTATION FARMS AND IDLE LANDS)

Dear _____

Pursuant to Administrative Order No. _____, Series of _____ and on the basis of the Application to Purchase and Farmers Undertaking (APFU) which you have signed, you are hereby notified that you have been identified as a qualified beneficiary (Individual/Collective Ownership) of a portion of a parcel of land covering an area of _____ (ha.) more or less, owned by _____ at _____ and _____ located _____ at _____

The said portion is part of the subject parcel of land more particularly bounded and described thus:
 _____ (Barangay) _____ (Municipality) _____ (Province)

with TCT/OCT No. _____ Tax Declaration No. _____ issued at _____ dated _____ That by authority of the provisions of Republic Act (R.A.) No. 6657 and R.A. No. 6938 or the Cooperative Code of the Philippines, this instrument hereby grants you all the rights and privileges and obliges you all the duties and responsibilities apurtenant to the portion awarded in your favor through individual or collective CLOA.

 (Name and Signature)
 Municipal Agrarian Reform Officer

Distribution of Copies:

- Original
- ARB
- LDF
- DARPO
- DARMO/File
- Duplicate
- Triplicate
- Quaduplicate

Republic of the Philippines
 DEPARTMENT OF AGRARIAN REFORM
MARO'S CERTIFICATION

TO WHOM IT MAY CONCERN:

This is to certify that the following are the FB/preferred beneficiary applicants of the landholding registered in the name of _____ with a total area of _____ covered by OCT/TCT/TD No./s _____ hectares, more or less, to wit:

Name of FB/Preferred Beneficiary Applicants	Age	(If Collective Ownership) Estimated Area of Tillage	(If Individual Ownership) Lot No.	Area

It is further certified that the above-named FB/preferred beneficiary applicants have met all the qualifications for qualified beneficiaries under Section 22 of R.A. 6657.

DONE and GIVEN this _____ day of _____ 20__.

CONFIRMED:

 MARO
 (Name and Signature)

PARO
 (Name and Signature)

Distribution of Copies:

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- LDF
- ARB
- DARPO

Stipulate if farmer beneficiary or preferred beneficiary applicant in parenthesis

LDF TRANSMITTAL MEMORANDUM

FOR : The Provincial Agrarian Reform Officer

SUBJECT : Land Distribution Folder of

The attached Land Distribution Folder pertinent to the agricultural land of _____ located _____ is hereby submitted with the following documents:

- CARP Form No. 19 (per A.O. No. 10, Series of 1990)
- CARP Form No. 19 (per A.O. No. 2, Series of 1996)
- CARP Form No. 20
- Approved survey plan or plan of the property prepared and approved by a licensed geodetic engineer
- Certified copy of TCT in the name of RP
- Certified copy of DOT
- Certified copy of proof of Trust Deposit
- Copy of Board Resolution (for Commercial Farms with Cooperative)
- Copy of Articles of Incorporation and By-Laws (for Commercial Farms with Cooperative)
- Others (specify)

Date

Name and Signature
Municipal Agrarian Reform Officer

Distribution of Copies:

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- : DARMO/File

Republic of the Philippines
 Department of Agrarian Reform

Signing and Sealing Machine Utilization Recording/Reporting Sheet

Date Received	Region/ Province	ACCOMPLISHED JUDICIAL FORM			Requisition Form Control Number	Signing and Sealing Machine Control Number	Date signed and sealed	Received by	Remarks/ Status
		Kind of Documents To be signed and sealed*	Serial Number	Area (Sq.m)					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Signed and Sealed by: _____

Noted by: _____

Signature over Printed Name
 Signing and Sealing Machine Operator

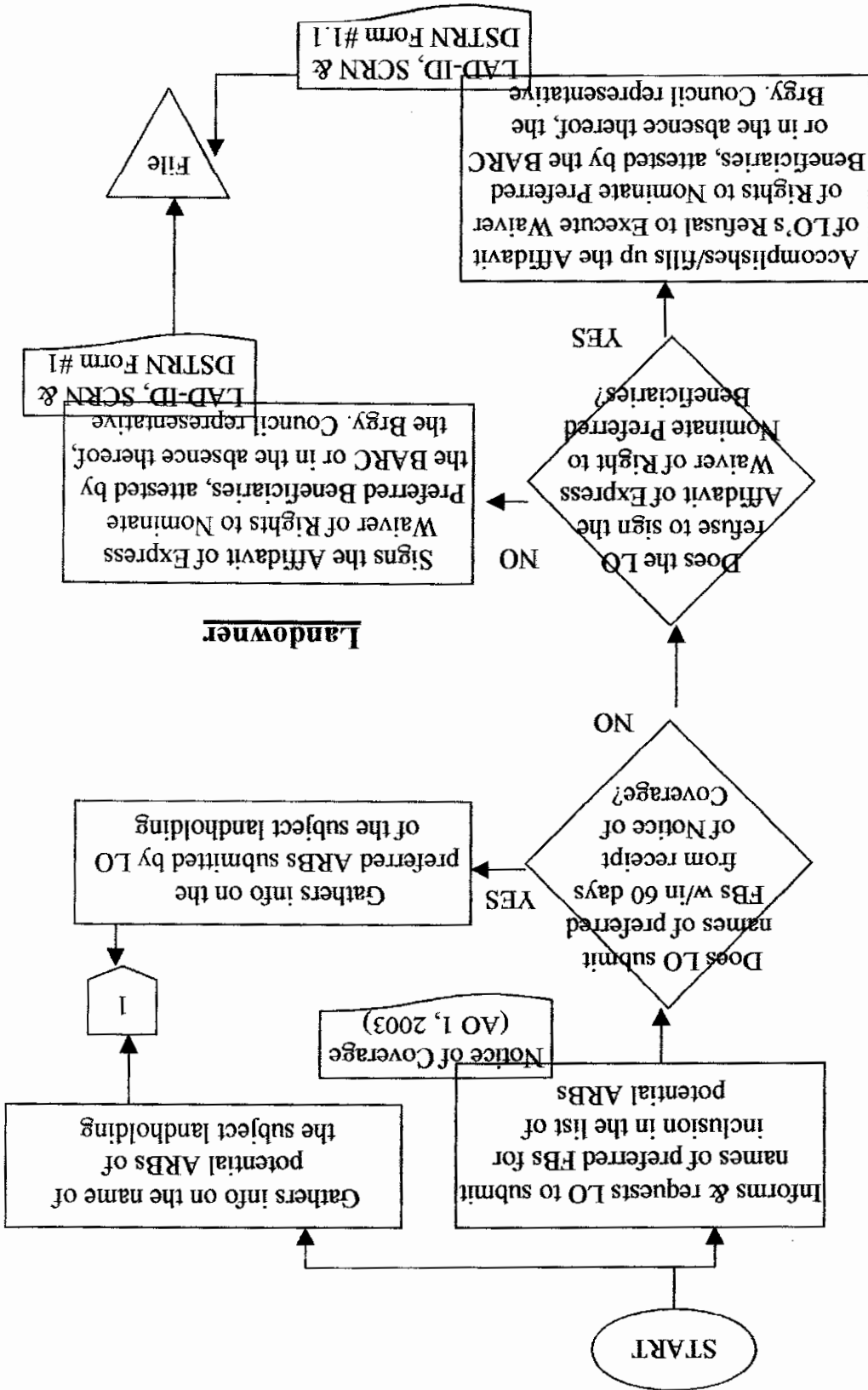
Signature over Printed Name
 ARDO/RD

- Distribution of Copies: _____
- * Kinds of Documents:
- Original : BLAD
 - Duplicate : DARRO
 - Triplicate : DARPO
 - EP
 - CLOA
 - Settlement
 - L.E.
 - Others

Annex "K"

Sec. 8 Procedures on the Identification of Potential ARBs

DARMO



Con't. Annex "K"

Sec. 8 Procedures on the Identification of Potential ARBs

DARMO

1

Posts preliminary list of names of potential ARBs for a period of 15 days in at least 3 conspicuous places:

1. In the respective barangay halls of the barangays where the landholding/s is/are located
2. In the municipal halls of the municipalities where the landholding/s is/are located; and
3. In other conspicuous places in the community

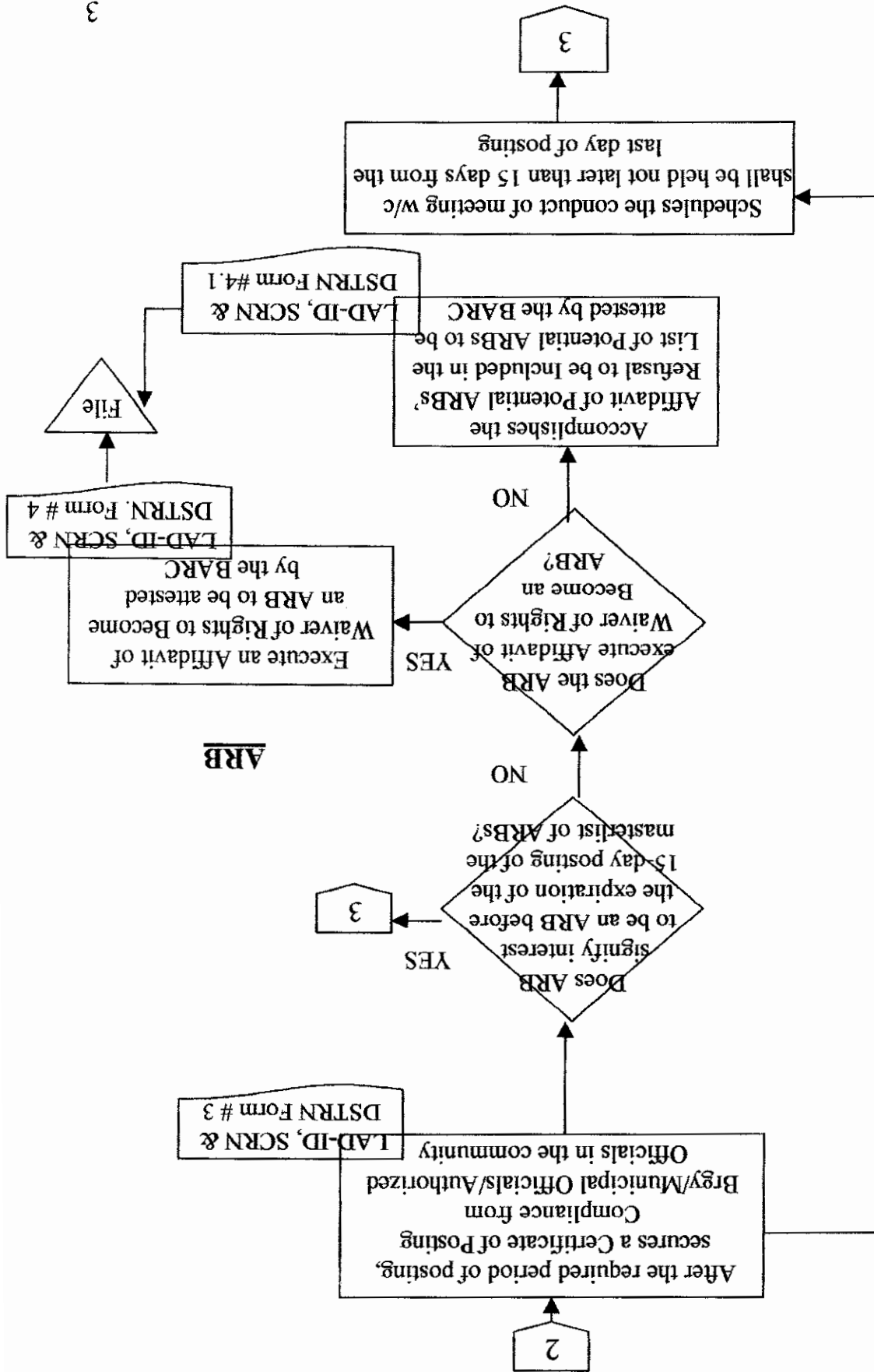
LAD-ID, SCRIN & DSTRN Form # 2

The preliminary list of potential ARBs shall be accompanied by a general invitation written in both English/Pilipino & in the local dialect enjoining the listed potential ARBs & other concerned parties, if any, who are not yet in the initial list, to signify their intent or interest to the DARMO to be included in the preliminary list of potential ARBs & to submit any or all of the ff. docs. as proof of their qualification as an ARB w/in 15 days from posting of the said list:

1. Community Tax Certificate or Brgy. Certificate indicating potential ARBs as permanent or bonafide resident of the barangay;
2. Employment certificate;
3. Payslips or payroll;
4. Certificate of aggregate landholding from the city/municipal assessor;
5. Original copy of a sworn affidavit/statement that the farmer/farmworker was under duress/threat by the LO to support the party's right to be included in the preliminary list;
6. Voter's ID card or certified copy of voter's registration record; and
7. Other identification documents with probative value

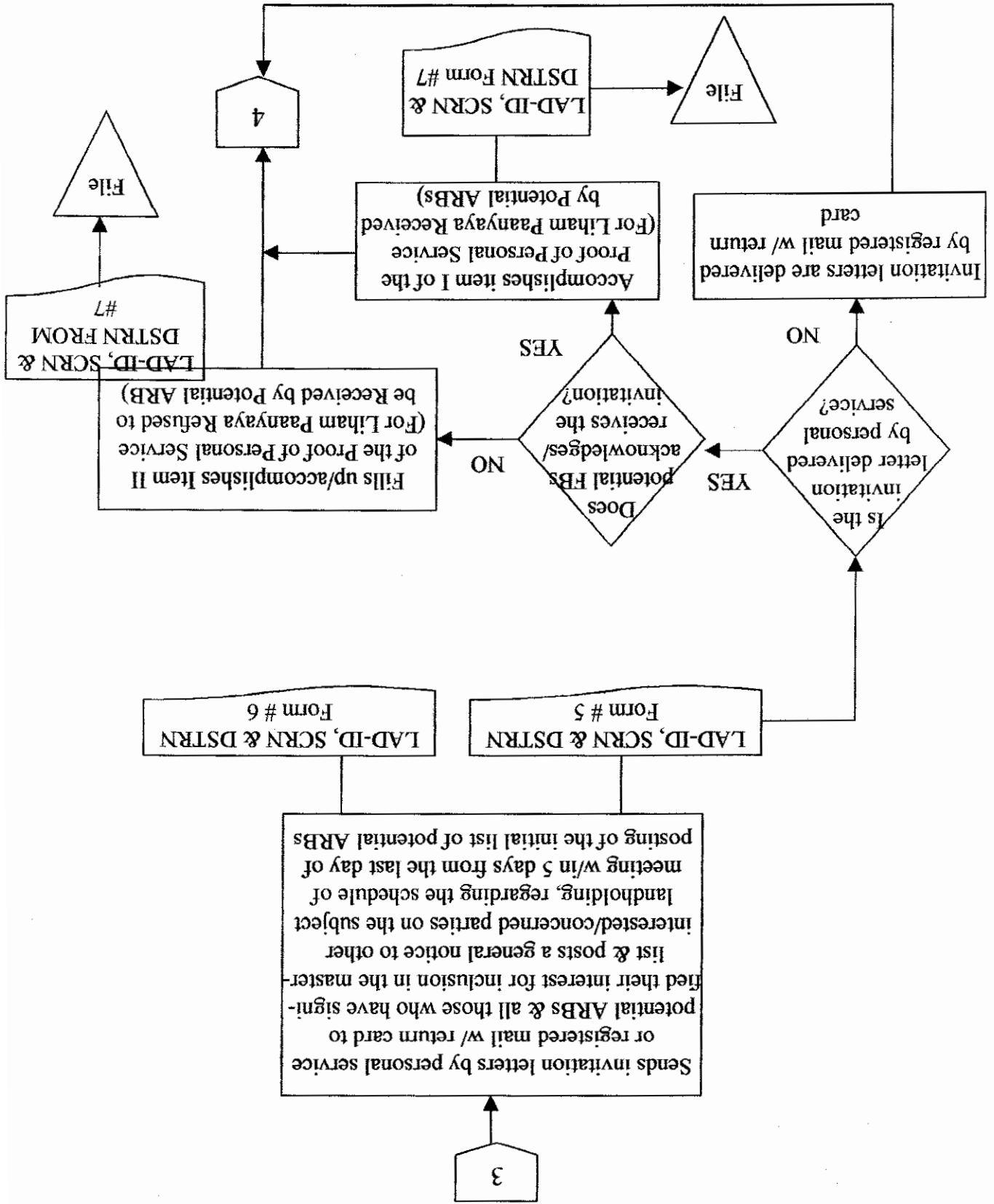
2

Sec. 8 Procedures on the Identification of Potential ARBs



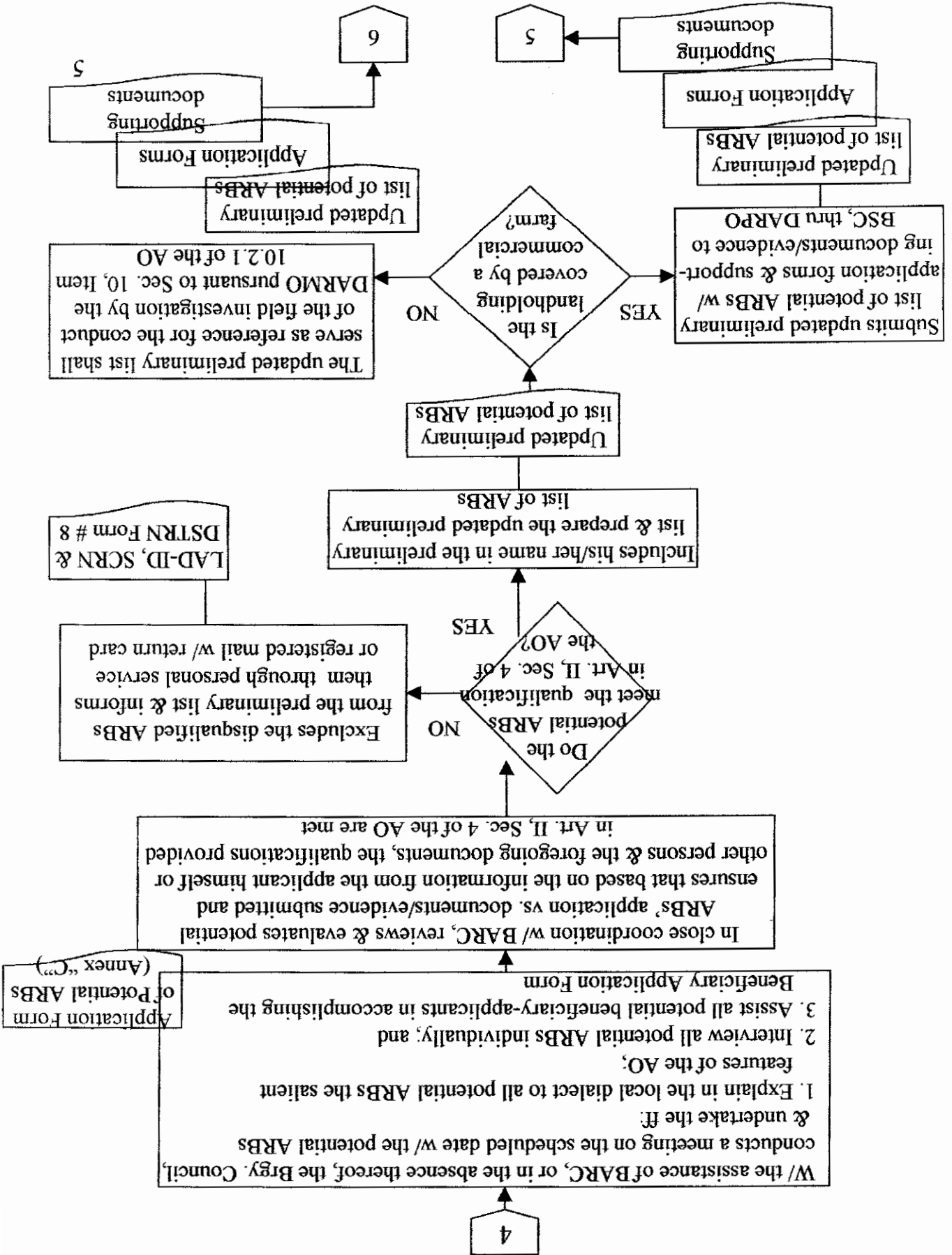
Sec. 8 Procedures on the Identification of Potential ARBs

DARMO



Sec. 9 Procedures on the Screening of Potential ARBs

DARMO

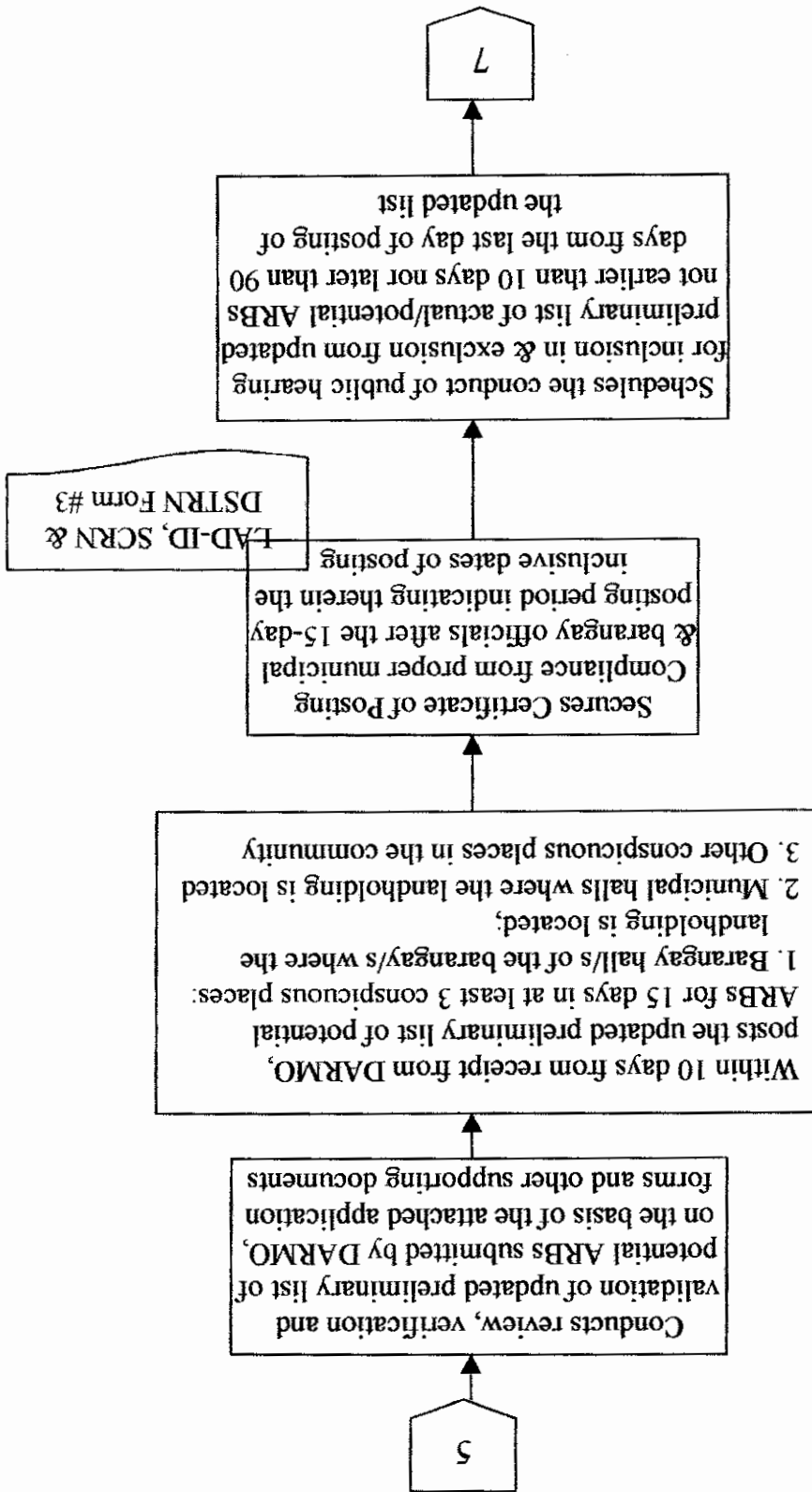


Cont. Annex "L"

Sec. 9 Procedures on the Screening of Potential ARBs

(For Commercial Farms, Other Plantation Farms & Idle Lands)

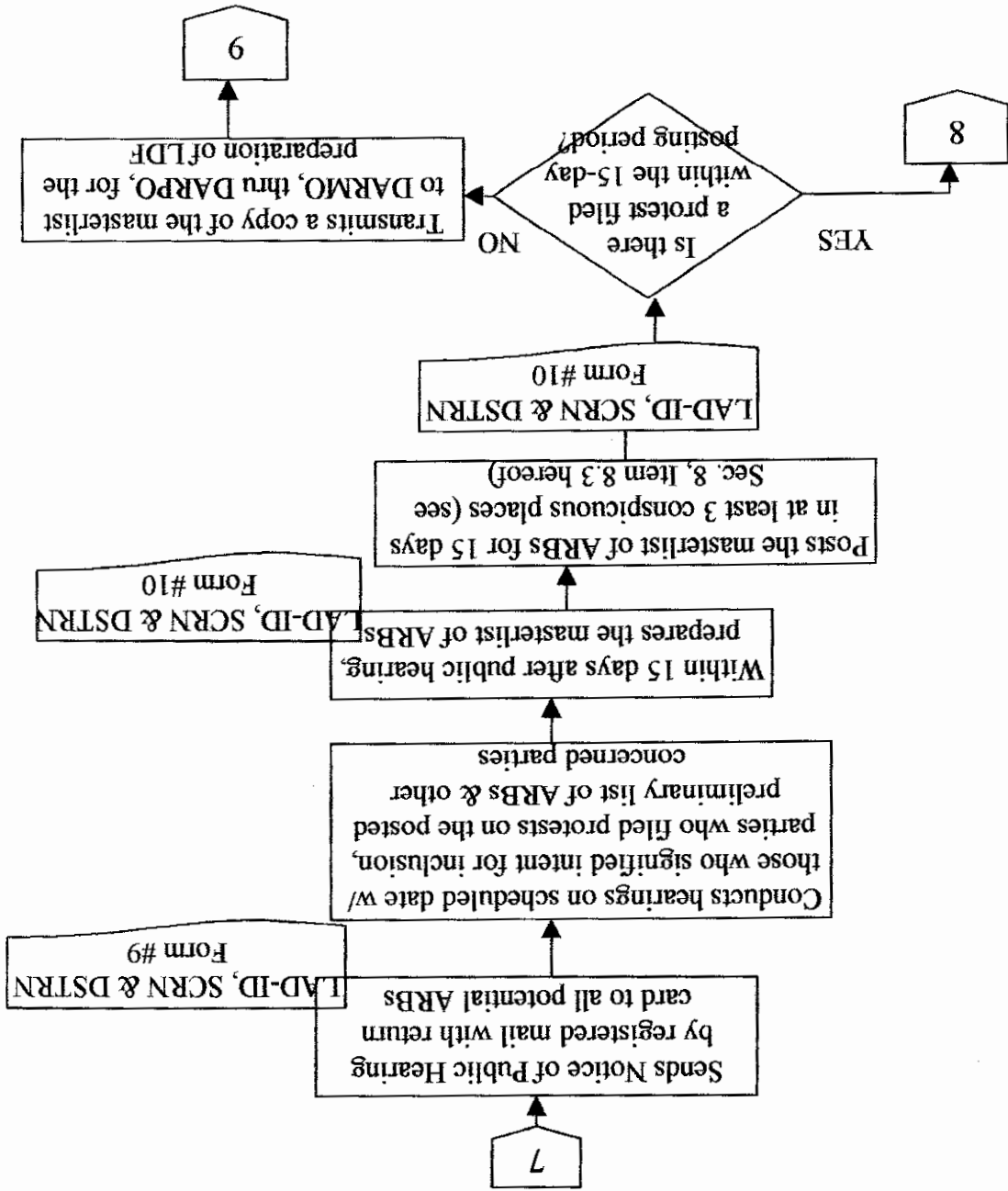
Beneficiary Screening Committee (BSC)



Sec. 10 Procedures on the Selection of ARBs

(For Commercial Farms, Other Plantation Farms & Idle Lands)

Beneficiary Screening Committee (BSC)



Sec. 10 Procedures on the Selection of ARBs

(For Farms Other Than Commercial Farms)

DARMO

6

Conducts a field investigation on the subject landholding, including identity of the potential ARBs

Re-evaluates the potential ARBs indicated in the updated preliminary list of ARBs based on the submitted documents/evidence and the result of the field investigation

Are there grounds for disqualifications?

YES

NO

Excludes disqualified applicants from the updated preliminary list of ARBs

Ranks all qualified ARBs in accordance with the order of priority under Sec. 22 of RA 6657

Prepares & posts the masterlist of ARBs for 15 days in the designated areas as provided in Sec. 8 Item 8.3 hereof

LAD-ID, SCRN & DSTRN Form #10

Consolidates into 1 folder all documents submitted by the qualified ARBs, including investigation report & other requirements needed in the preparation of LDF

Submits masterlist of ARBs and forwards the LDF of the subject landholding to the DARPO concerned

LAD-ID, SCRN & DSTRN Form #10

LDF

9

Is there a protest on the Masterlist of ARBs?

YES

NO

8

File

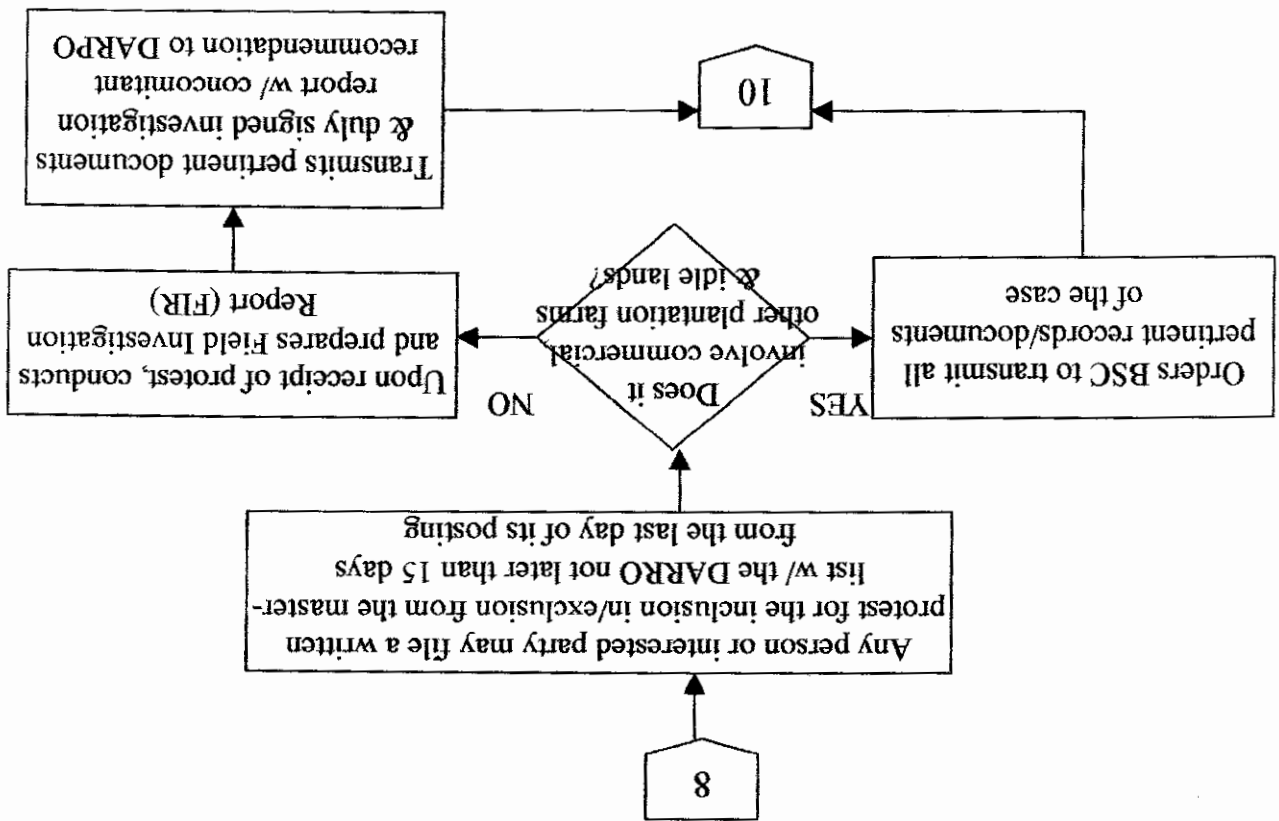
LAD-ID, SCRN & DSTRN Form #8

Sends a Notice of Disqualification citing the reason for his disqualification, thru personal delivery or registered mail with return card

Sec. 11 Procedures on the Resolution of Protests in the Selection of ARBs

DARRO

DARPO



Con't. Annex "N"

Sec. 11 Procedures on the Resolution of Protests in the

Selection of ARBs

DARPO

10

Upon receipt of protest, conducts an investigation on the protest/petition filed to determine the merits of the case through summary proceedings

The RD resolves the protest w/in 30 days from receipt of the BSC records of the case or DARPO investigation report & recommendation

Furnishes a copy of RD's decision on the protest to all parties concerned & to BSC/DARPO

BSC/DARPO

RD's decision

Is the decision for the inclusion of ARBs?

YES

Includes in the masterlist the names of qualified potential ARBs

NO

Excludes from the masterlist the names of disqualified potential ARBs

Informs all parties concerned of the RD's decision through registered mail or personal service

The masterlist becomes final & executory after the lapse of 15 days from receipt of the RD's decision on the protest, but such finality is only for the specific purpose of generating the CLOA

Is there an appeal to RD's decision?

NO

9

Rules & procedures under AO 3, s. 2003 shall be followed

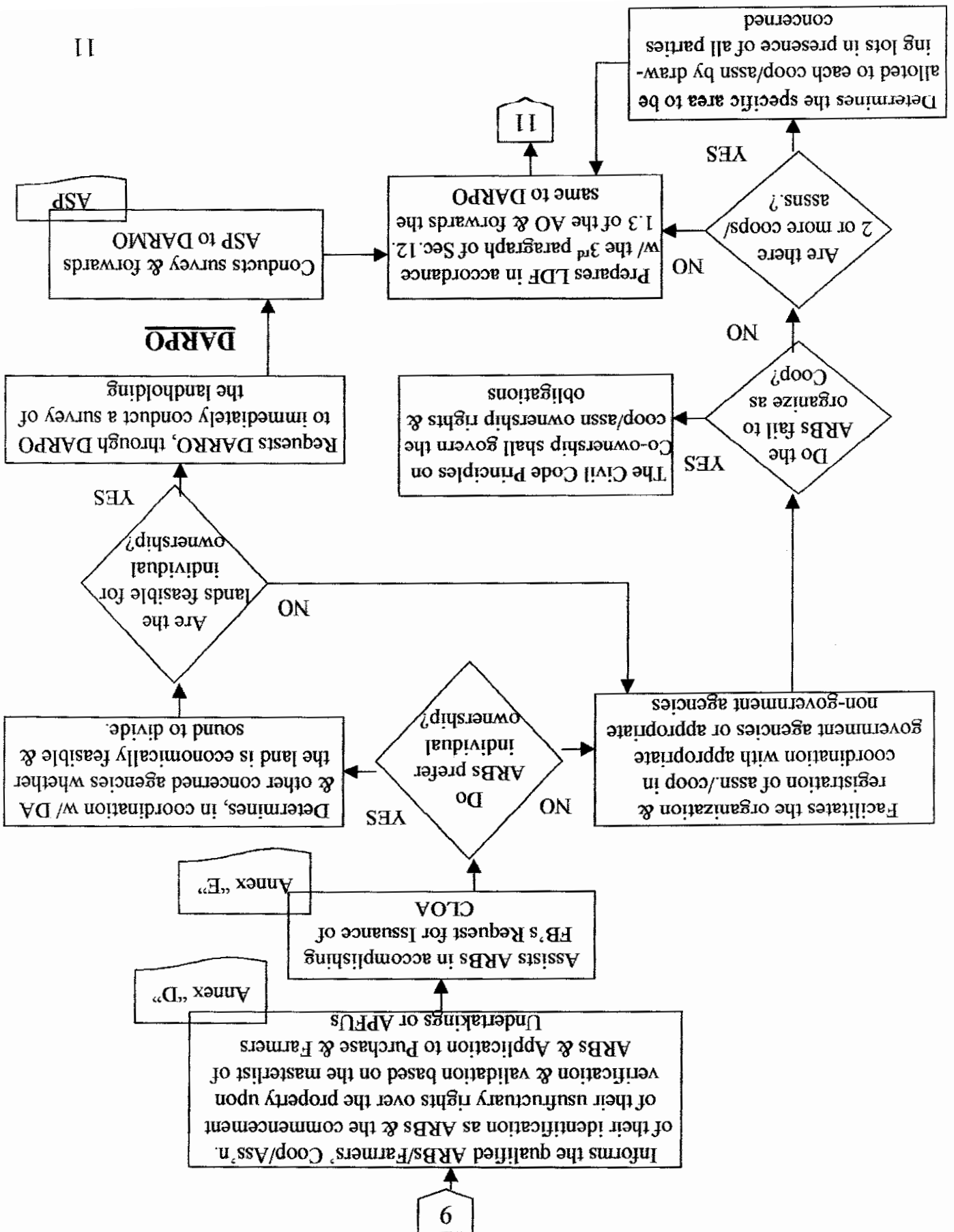
10

10

Annex "O"

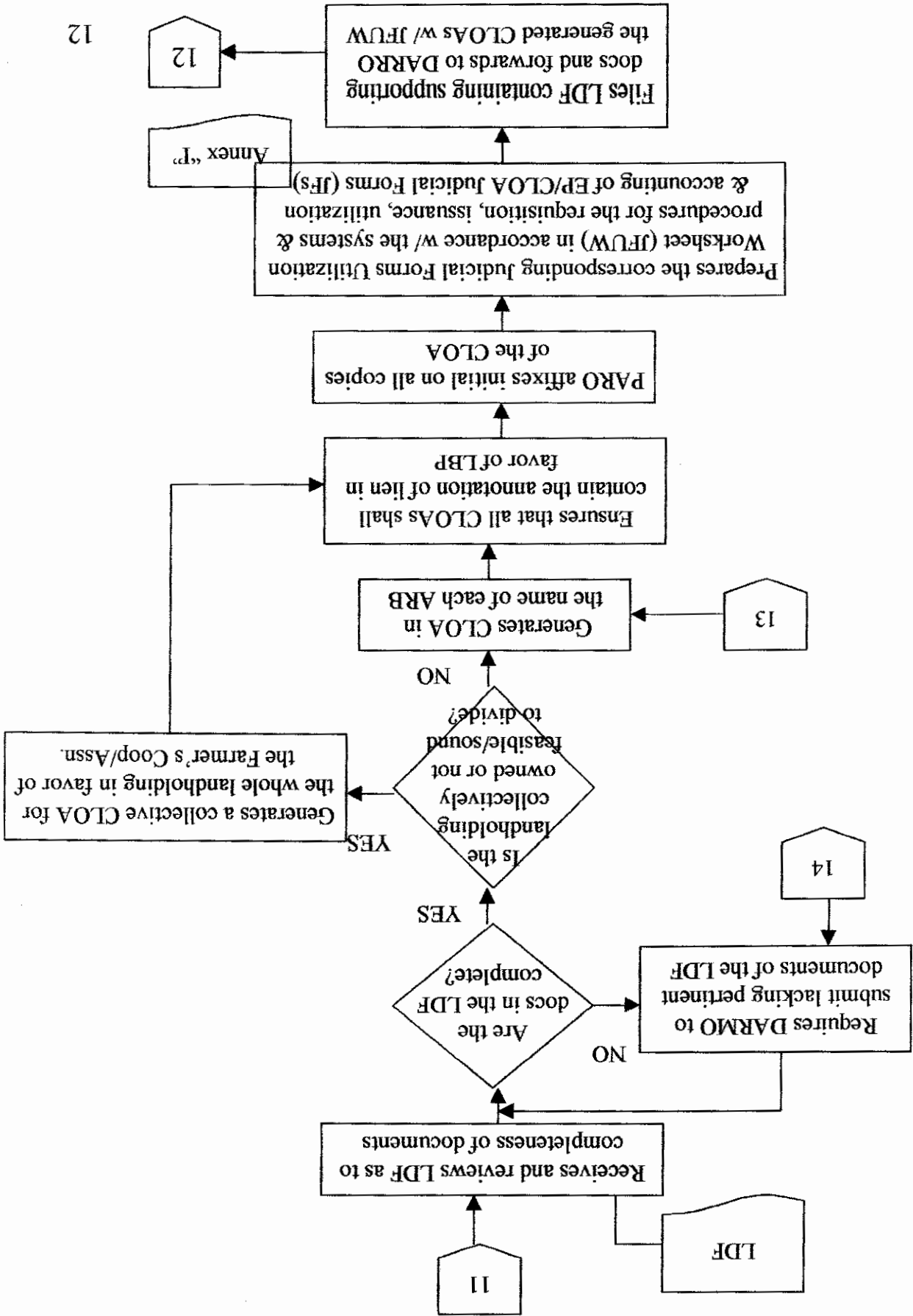
Sec. 12 Procedures on the Generation and Registration of Titles (CLOA)

DARMO



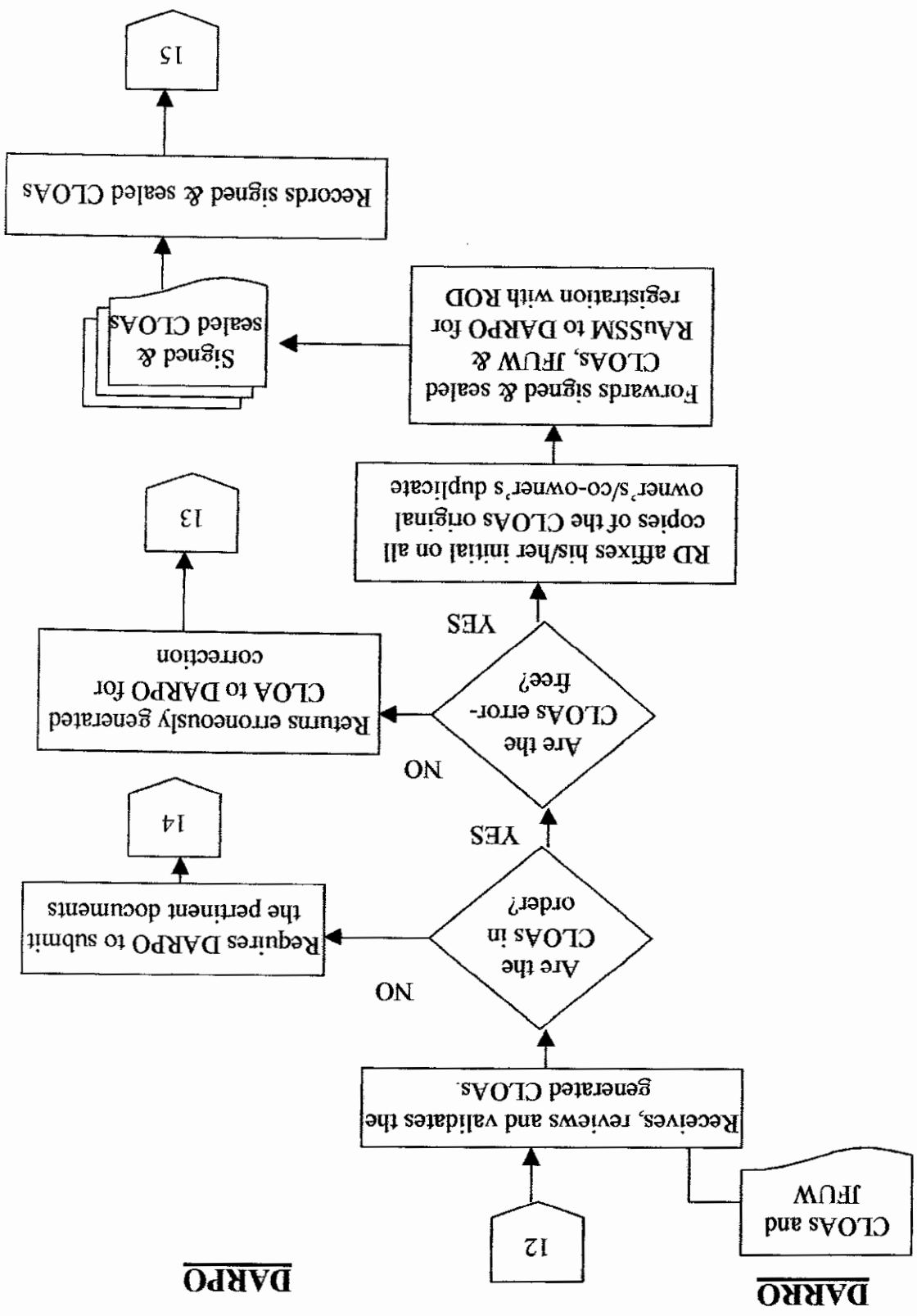
Con't. Annex "O" Sec. 12 Procedures on the Generation of Titles (CLOA)

DARPO

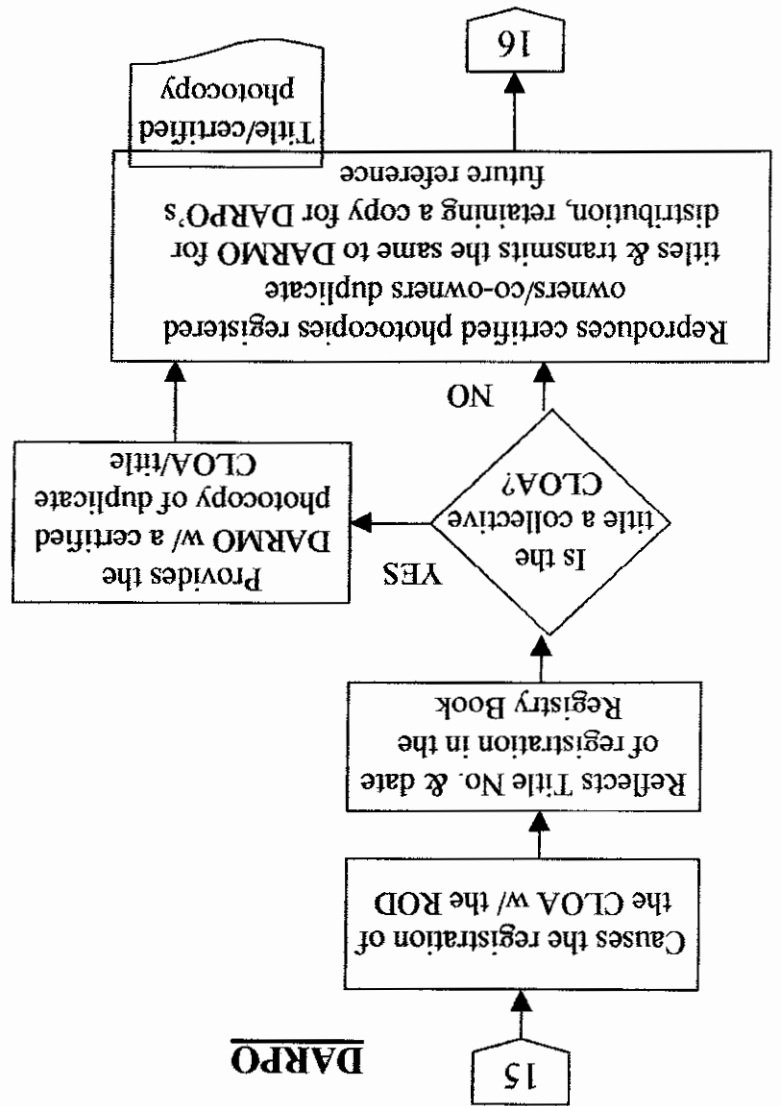


Con't. Annex "O"

Sec. 12 Procedures on the Generation of Titles (CLOA)



Sec. 13 Procedures on the Generation of Titles
 Con't. Annex "O"

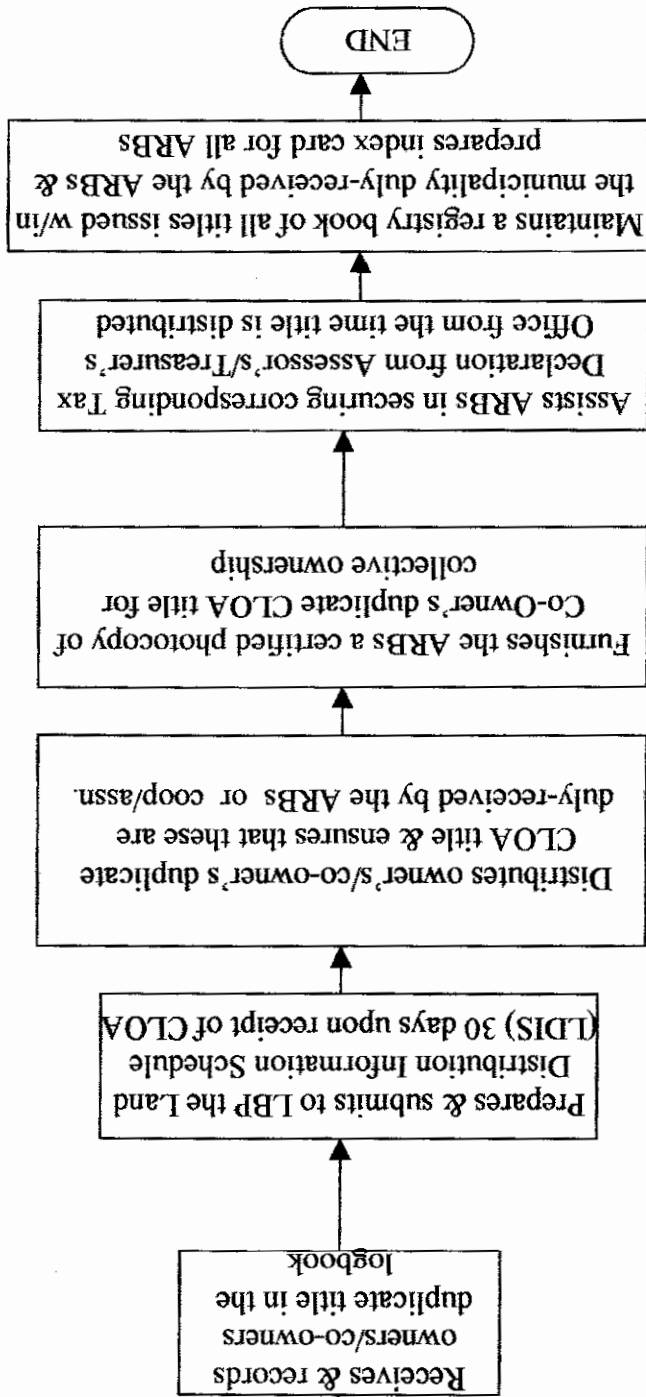


DARPO

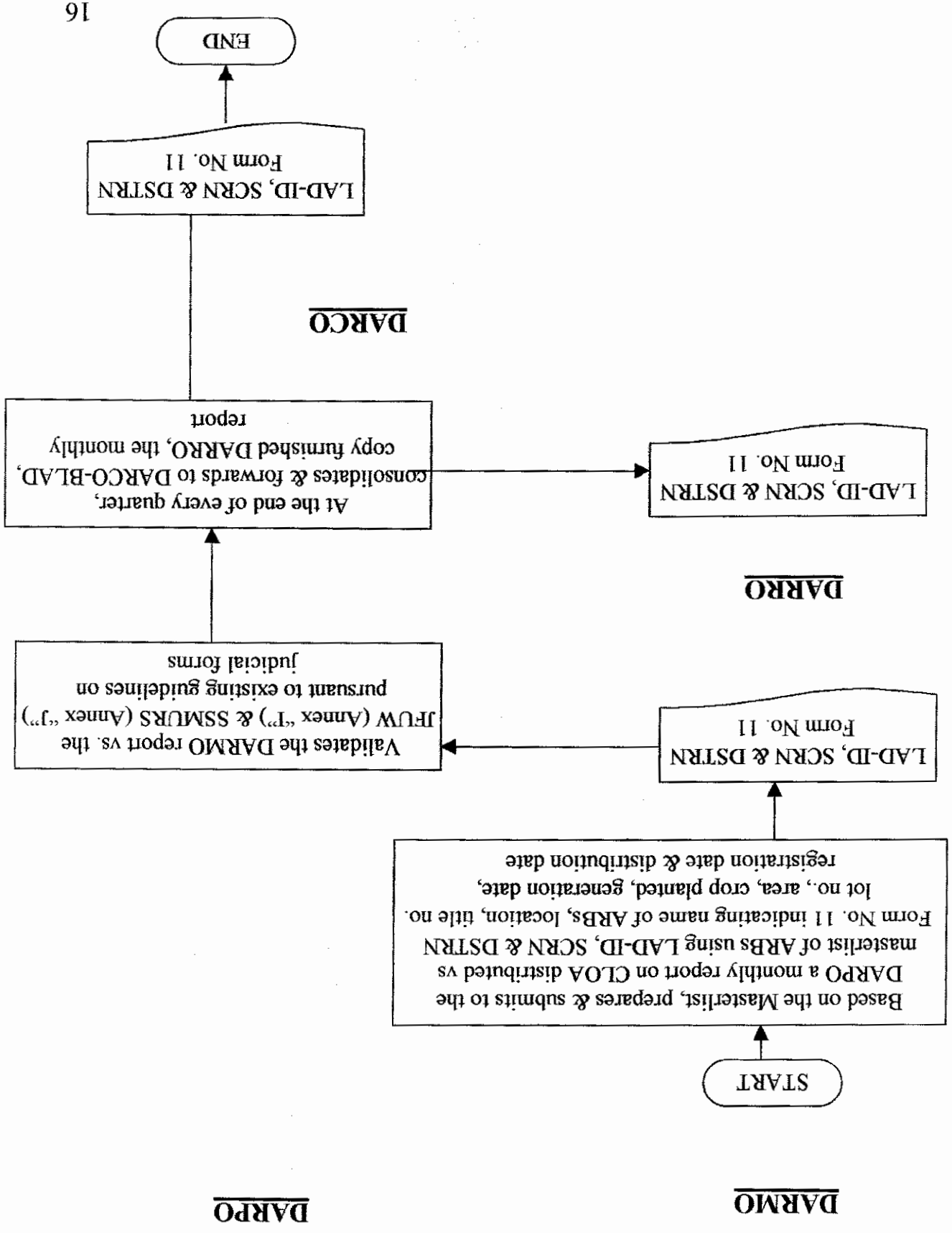
Sec. 13 Procedures on the Issuance of Titles

DARMO

16



Sec. 15 Procedures on the Reporting and Monitoring of CLOA



Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM

REPUBLIC OF THE PHILIPPINES
) Province of _____
) S. S. _____
) Municipality of _____

**AFFIDAVIT OF EXPRESS WAIVER OF RIGHTS TO NOMINATE
PREFERRED BENEFICIARIES**

I, _____, of legal age, with residence at _____, after having been duly sworn to in accordance with law, do hereby depose and say that:

1. I am an owner of an agricultural land covered by the Comprehensive Agrarian Reform Program (CARP), based on the findings of the Department of Agrarian Reform (DAR);

2. The said agricultural land is _____ situated at _____ with an area of _____ hectares more or less;

3. I am not interested to nominate any of my children as preferred beneficiary/s under CARP of the said landholding pursuant to Section 6 of Republic Act (R.A.) No. 6657. Hence, I waive my right to nominate preferred beneficiary/ies by affixing my signature hereto;

4. I am executing this document to attest to the veracity of the foregoing statements.

Affiant further sayeth nothing.

_____ day of _____ at _____

Affiant

Attested by:

BARC Chairman or in the absence of
organized BARC, the Barangay
Council Representative

Witnessed by:

SUBSCRIBED AND SWORN to before me, this _____ day of _____, 200____, affiant exhibiting to me his/her Community Tax Certificate No. _____, issued on _____ at _____

NOTARY PUBLIC

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Page no. _____
Book No. _____
Series of _____

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**AFFIDAVIT OF LANDOWNER'S REFUSAL TO EXECUTE
WAIVER OF RIGHTS TO NOMINATE PREFERRED BENEFICIARIES**

I, _____, as the Municipal Agrarian Reform Officer (MARO) of _____, after having been sworn, depose and say that:

1. The said agricultural land is owned by _____, with an area of _____ hectares, more or less; situated at _____

2. On _____, a copy of the Notice of Coverage was served to _____, registered owner of the agricultural land, informing the same that his/her landholding is subject of coverage under the Comprehensive Agrarian Reform Program (CARP);

3. On _____, after the lapsed of the sixty (60) days period for the landowner to exercise his/her rights/privileges prescribed under DAR Administrative Order No. 01, Series of 2003 titled, "2003 Rules Governing Issuance of Notice of Coverage and Acquisition of Agricultural Lands Under R.A. 6657", he/she fails and refuses to nominate his/her preferred beneficiary/ies;

4. The landowner refuses to sign the above Affidavit of Waiver of Rights to Nominate Preferred Beneficiaries.

Affiant further sayeth nothing.

_____ day of _____ at _____

MARO/Affiant

Attested by:

BARC Chairman or in the absence of
organized BARC, the Barangay
Council Representative

Witnessed by:

SUBSCRIBED AND SWORN to before me, this _____ day of _____, 200____, affiant exhibiting to me his/her Community Tax Certificate No. _____, issued on _____ at _____

NOTARY PUBLIC

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Page no. _____
Book No. _____
Series of _____

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Republic of the Philippines
Republika ng Pilipinas
DEPARTMENT OF AGRARIAN REFORM
KAGAWARAN NG REPORMANG PANSAKAHAN
Municipality of _____
Munisipalidad ng _____
Province of _____
Probinsya ng _____

**LIST OF
POTENTIAL BENEFICIARIES OF CARP
MAARING MAGING BENEFISYARYO NG CARP**

**To Whom It May Concern:
Sa Kinauukuan:**

This is to inform you that based on the information gathered by the Department
ipinabatid po namin sa inyo na ayon sa mga impormasyon na nakalap ng
of Agrarian Reform Municipal Office (DARMO), the following persons
Kagawaran ng Repormang Pansakahang Pangmunisipal, ang mga sumusunod
na tao ay

indicated herein have been listed in the said office as potential beneficiary of
nakatala sa aming tanggapan bilang mga maaaring maging benepisyaryo ng
the landholding covered under Comprehensive Agrarian Reform Program
lupang pansakahang na sakop ng Comprehensive Agrarian Reform Program

(CARP) owned by _____ located
at _____
(CARP) na pag-aari ni _____ na matatagpuan
sa _____

All the listed farmers/farmworkers and other
 Lahat ng nasa listahan na magsasaka/manggagawa sa bukid at
 concerned parties who are not included in this list but who have interests
 sinuman ang kinauukulan na hindi nakatala sa listahan ito at may kaugnayan
 in the said landholding are invited to visit our office
 sa nabangit na lupa ay inaanyayahan na magsadya sa aming tanggapan
 and bring the following documents as proof of qualification as an agrarian reform
 beneficiary of CARP within fifteen (15) days from posting of this list:
 at dalhin ang mga sumusunod na dokumento na makakapagtunay ng iyong
 pagkamarapat na maging isang benepisaryo ng CARP sa loob ng labinglimang
 (15) araw magmula sa pagkaskil ng listahan na ito:
 a. community tax certificate (cedula);
 b. barangay certificate indicating potential ARBs as permanent/bonafide
 residents of the barangay (sertipikasyon mula sa barangay na
 nagsasaad na ang maang maging benepisaryo ay permanenteng
 naninirahan sa barangay);
 c. employment certificate (sertipikasyon mula sa kompanya);
 d. paylips or payroll (resibo ng sahod o listahan ng pasahod);
 e. certificate of aggregate landholding from the city/municipal assessor
 (sertipikasyon ng kabuuang pag-aang lupain mula sa tanggapan ng
 pagtatasa ng panglungsod/pangbayan)

Address Lugar ng Tirahan	Name of Farmer Pangalan ng Magsasaka
	1.
	2.
	3.
	4.
	5.
	6.
	7.
	8.
	9.
	10.

- f. Original copy of a sworn affidavit/statement that the farmer/farmerworker was under duress/threat by the landowner to support the party's right to be included in the preliminary list as an ARB (Original na sipi ng sinumpahang pahayag o salaysay na ang mga magkasaka o manggagawa sa bukid ay napasailim sa pili na pagbabanta o pananakot ng may-ari ng lupa upang suportahan ang karapatan ng isang pang na maisama sa pannung talaan bilang benepisaryo ng reformang agraryo);
 - g. Voter's identification card or certified copy of voter's registration record; (Tanda ng pagkakakilanlan ng botante o kopya ng sertipikasyon ng talaan ng mga botante); and (at)
 - h. other identification documents with probative value (iba pang dokumento na may kaugnayan o magpapatunay na nagtrabaho o may kaugnayan sa nabanggit na lupain).
- In addition to the abovementioned documents, also submit the following as may be appropriate (Maliban sa mga nabanggit na dokumento, pakidala din ang mga naaangkop na dokumento):
- i. Original copy of waiver as beneficiary under oath or duly notarized (Original na sipi ng pagpapautaya bilang benepisaryo na pinanunpahan o tumpak na pinatunayan ng nabigyan ng kapangyarihan ng gobyerno na magsagawa ng mga panunumpa at magpatunay sa awtentisidad ng mga pima);
 - j. Original or certified copy of decision order or ruling by a court, quasi-judicial body or administrative agency in the event that there was a case related to the dismissal, retrenchment, etc. of the potential ARB (Original o pinatunayang sipi ng utos na hatol o hatol ng hukuman o mala-hukuman ng lupon o ahensiyang pampamahalaan sakaling may kaso ukol sa pagtiwala, pagbabawas at iba pa ng mga benepisaryong manggagawa sa bukid);
 - k. Original or certified copy of letter of resignation for farmerworker beneficiaries (Original o pinatunayang sipi ng liham ng pagbibitiw para sa mga benepisaryong manggagawa sa bukid);
 - l. Original or certified copy of notice of dismissal or retrenchment for farmerworker beneficiaries (Original o pinatunayang sipi ng pasabing pagtiwala o pagbabawas para sa mga benepisaryong manggagawa sa bukid); and

m. Such other proof that will establish the qualifications or disqualifications of the prospective beneficiary (bang un ng katibayang magpapatunay ng pagkamarapat o pagkawala ng karapatan ng inasahang magling benepisaryo)

Done this _____ 200_____
 Ginawa ngayong ika-____ ng _____, 200_____.

Signature over Printed
 Name of MARO

Distribution of Copies:
 Pinamahaging Kopya:

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 - Duplicate
 - Triplicate
 - Quaduplicate
- DARPO :
 BARC Chairman/Barangay Council :
 VOCC/CACF :
 DARMO/File :

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM
Municipality of _____
Province of _____

CERTIFICATE OF POSTING COMPLIANCE

This is to certify that the list of names of actual/prospective beneficiaries of the subject landholding covered under the Comprehensive Agrarian Reform Program (CARP), owned by _____, situated in _____, has been posted for a period of _____ to _____ fifteen (15) days from _____

This certification is issued as a proof that the Notice has been properly observed and posted in the Barangay and Municipal Halls, DAR Municipal Office and other designated public or conspicuous places after the lapse of the required fifteen (15) days posting period.

Done this _____, 20____.

(Signature over Printed name of
BARC Chairman, Brgy./Municipal
Official, Authorized Official of the
Community)

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- DARPO :
BARC Chairman :
Municipal Office :
DARMO/File :

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM

REPUBLIC OF THE PHILIPPINES)
Province of _____) S.S.
Municipality of _____)

AFFIDAVIT OF WAIVER OF RIGHTS TO BECOME ARB

I, _____, of legal age, with residence at _____, after having been duly sworn to, in accordance with law, do hereby depose and say that:

1. I am a potential ARB of an agricultural land covered under the Comprehensive Agrarian Reform Program (CARP), based on the findings of the Department of Agrarian Reform (DAR);

2. The said agricultural land is owned by _____, situated at _____, with an area of _____ hectares more or less;

3. I am not interested to be listed as an ARB. Hence, I waive my right to become an ARB by affixing my signature/right hand thumbmark hereto;

4. I am executing this document to attest to the veracity of the foregoing statements.

Affiant further sayeth nothing.

Affiant

Attested by:

BARC Chairman or in the absence thereof, the Barangay Chairman

Witnessed by (at least two disinterested persons):

SUBSCRIBED AND SWORN to before me, this _____ day of _____, 200____, affiant exhibiting to me his/her Community Tax Certificate No. _____ issued _____ on _____ at _____

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Book No. _____
Series of _____

NOTARY PUBLIC

SUBSCRIBED AND SWORN to before me, this _____ day of _____, 200____, affiant exhibiting to me his/her Community Tax Certificate No. _____ issued _____ on _____ at _____

Witnessed by (at least two disinterested persons):

BARC Chairman or in the absence thereof, the Barangay Chairman

Attested by:

MARO/Affiant

_____ day of _____, at _____

4) Despite notices, the above potential ARB refused to apply for inclusion in the list of potential ARB or failed to signify interest to be an ARB before the expiration of the fifteen (15) day posting of the masterlist of ARBs.

3) On _____, a copy of the *Lihim Paanyaya* was properly served, through _____ personal service or _____ registered mail (Registry Receipt No. _____ with postage fully prepaid and with the instruction to the postmaster to return the mail to the sender after ten (10) days if undelivered) to _____, legal age and resident of _____, informing the same to attend the scheduled meeting on _____, to signify his/her interest to become a beneficiary of the CARP and to submit the required documents/evidences as provided in the *Lihim Paanyaya*.

2) The said agricultural land is owned by _____, with an area of _____ hectares more or less; situated at _____

1) _____, is a potential ARB of agricultural land covered under the Comprehensive Agrarian Reform Program (CARP), based on the findings of the Department of Agrarian Reform (DAR);

I, _____, the Municipal Agrarian Reform Officer (MARO) of the _____ Municipality of _____, after having been sworn, depose and say that:

AFFIDAVIT OF POTENTIAL ARB'S REFUSAL TO BE INCLUDED IN THE LIST OF POTENTIAL ARBS

Republika ng Pilipinas
KAGAWARAN NG REPORMANG PANSAKAHAN
Munisipalidad ng _____
Probinsya ng _____

LIHAM PAANYAYA

Petsa _____

Mahal na Ginoo/Ginang:

Ipinabatid po namin sa inyong kaalaman na ang lupang pansakahan na pag-aari ni
Ginooing/Ginang _____, na may Titulo Big. _____, may sukat na
ng Pambansang Batas Bilang 6657 (R.A. No. 6657) o Comprehensive Agrarian Reform Law (CARL).
Dahil dito, kayo po ay inaanyayahan na dumalo sa nakatandang pulong/miting upang kayo ay
makapayam tungkol sa nasabing lupang pansakahan.

Petsa: _____
Oras: _____
Lugar: _____

Bilang magsasaka sa lupang ito ni _____/bilang isang walang
sinasakang lupain at naninirahan sa barangay _____, bayan ng
Konstitusyon ng Pilipinas at sa ilalim ng Pambansang Batas Bilang 6657 (R.A. No. 6657) o
Comprehensive Agrarian Reform Law (CARL), at na maging isang benepisyaryo (Agrarian Reform
Beneficiary o ARB) ng Comprehensive Agrarian Reform Program (CARP).

Ang hindi ninyo pagdalo sa nakatandang pulong/miting na ito sa anumang kadahilanan ay
mangangahulugan ng inyong kawalang interes na maging benepisyaryo ng Programa habang buhay.
Hiniiling din po namn na dalhin ang kaukulang dokumento na hindi pa ninyo isinumite dito sa aming
opisina upang kayo ay makilala, tulad ng mga sumusunod:

1. Cedula;
2. Sertipikasyon mula sa barangay;
3. Sertipikasyon mula sa kompanyang pinagtatrabahohan;
4. Resibo ng sahod o listahan ng pasahod;
5. Sertipikasyon ng kabuuang pag-aaring lupain mula sa tanggapan ng pagtatasang panglungsod o pangbayan; at
6. Orinal na sipi ng sinumpahang pahayag o salaysay na ang mga magsasaka o manggagawa sa bukid ay napsasalim sa pili na pagbabanta o pananakot ng may-ari ng lupa upang suportahan ang karapatan ng isang panig na maisama sa paunang talaan bilang benepisyaryo ng repormang agraryo;

Dagdag sa mga nabanggit na dokumento, dapat din dalhin ang mga naaangkop na dokumento:

9. Original na sipi ng pagpapabaya bilang benepisaryo na pinaunmpahan o tumpak na pinaunayan ng nabigyan ng kapangyarihan ng gobyerno na magtagawa ng mga panunumpa at magpatunay sa awtensidad ng mga pirma;

10. Original o pinatunayang sipi ng utos na hatol o hatol ng hukuman o malahukumang lupon o ahensiyang pampamahalaan sakaling may kaso na may kaugnayan sa pagtiwalag o pagbabawas ng benepisaryong manggagawa sa bukid, at iba pa;

11. Original o pinatunayang sipi ng liham sa pagbibitiw para sa mga benepisaryong manggagawa sa bukid;

12. Original o pinatunayang sipi ng pasabing pagpapawalang saysay o pagbabawas para sa mga benepisaryong manggagawa sa bukid;

13. Ibang uri ng katibayang magpatunay ng pagkamarapat o pagkawala ng karapatan ng inaasahang maging benepisaryo

ipinabatid din naming na pagkatapos ng inyong pagdalo ay gagawa ng pang-unang talaan ng magiging benepisaryo sa nasabing lupain. At ang nasabing talaan ay ipapaskil sa loob ng labinglimang araw (15) sa mga lugar na madaling makita o mapansin. Kung sinuman ang may problema tungkol dito ay maaring makipag-ugnayan dito sa aming opisina.

Lubos na gumagalang,

Pangalan at Lagda ng MARO

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6. Original na sipi ng sinumpahang pahayag o salaysay na ang mga magkasaka o manggagawa sa bukid ay napasailalim sa pilit na pagbabanta o pananakot ng may-ari ng lupa upang suportahan ang karapatan ng isang panig na maisama sa paunang talaan bilang benepisaryo ng reormang agraryo;

7. Tanda ng pagkakakilanlan ng botante o kopya ng sertipikasyon ng talaan ng mga botante; at

8. Iba pang dokumento na may kaugnayan o magpapatunay na nagtrabaho o may kaugnayan sa nabanggit na lupain.

Dagdag sa mga nabanggit na dokumento, dapat din dalhin ang mga naaangkop na dokumento:

9. Original na sipi ng pagpapabaya bilang benepisaryo na pinanumpahan o tumapak na pinatunayan ng nabigyan ng kapangyarihan ng gobyerno na magtagapawala ng mga panunumpa at magpatunay sa awtensidad ng mga pirma;

10. Original o pinatunayang sipi ng utos na hatol o hukuman o malahukuman ng lupon o ahensiyang pampamahalaan;

11. Original o pinatunayang sipi ng liham sa pagbibitiw para sa mga benepisaryong manggagawa sa bukid;

12. Original o pinatunayang sipi ng pasabing pagpapawalang saysay o pagbabawas para sa mga benepisaryong manggagawa sa bukid; at

13. Ibang uri ng katibayang magpapatunay ng pagkamarapat o pagkawala ng karapatan ng inaasahang maging benepisaryo.

Lubos na gumagalang,

Fangalan at Lagda ng MARO

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DEPARTMENT OF AGRARIAN REFORM
Republic of the Philippines

Municipality of _____
Province of _____

PROOF OF PERSONAL SERVICE

I. FOR LIHAM PAANYAYA RECEIVED BY POTENTIAL ARB.

I, _____ of legal age and resident of _____ received the Liham Paanyaya to attend the meeting on _____ at _____ land owned by and registered in the name of _____ with OCT/TCT No. _____ situated at _____ hectares more or less. The said Liham Paanyaya is addressed to Mr./Ms. _____ and delivered by _____ of DAR Municipal Office of _____ Province of _____ on _____ at _____

Signature over Printed Name

II. FOR LIHAM PAANYAYA REFUSED TO BE RECEIVED BY POTENTIAL ARB.

This is to attest that _____ identified as one of the potential Agrarian Reform Beneficiaries (ARBs), refused to receive the Liham Paanyaya inviting him/her to attend the meeting on _____ at _____ regarding the agricultural land owned by _____ and registered in the name of _____ with OCT/TCT No. _____ situated at _____ hectares more or less. The subject landholding is covered under R.A. No. 6657 or the Comprehensive Agrarian Reform Law (CARL).

_____ day of _____ at _____

Signature over Printed Name of the
MARO or authorized representative

Witnessed by:

(BARC Chairman or in the absence thereof, Barangay Chairman)

Republika ng Pilipinas
KAGAWARAN NG REFORMANG PANSAKAHAN
Munisipalidad ng _____
Probinsya ng _____

**PABATID LIHAM SA MGA HINDI KWALIPIKADONG
MAGING BENEFISYARYO NG CARP
(Notice of Exclusion)**

_____ Peta

Mahal na Ginoo/Ginang:

Ipinababati po namin sa inyong kaalaman na ayon sa masuring pag-aaral at pagpapatotoo ng tanggapan ng ito sa inyong aplikasyon at mga kaukulang dokumento, kayo ay hindi maaaring maging benepisyaryo (Agrarian Reform Beneficiary or ARB) ng Comprehensive Agrarian Reform Program (CARP) sa lupang pasakahan na pag-aari ni _____ Ginoo/Ginang _____ na may Titulo Big _____ may kabuan sukat na _____ (metro kuwadrado, humigit kumulang) at matagpuan sa _____ ikinalilungkot po namin na kayo ay hindi nakapasa sa kwalipikasyon ng maring maging benepisyaryo (ARB) ng lupang sakop ng CARP na itinakda sa Seksyon 22 ng Pambansang Batas Bilang 6657 (R.A. No. 6657).

Lubos na gumagalang,

Pangalan at Lagda ng MARO

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Republika ng Pilipinas
KAGAWARAN NG REFORMANG PANSAKAHAN

Munisipalidad ng _____
Probinsya ng _____

**Pahayag ng Pangmadlang Pulong/Pagdinig
(Notice of Public Hearing)**

_____ Peta

Mahal na Ginoo/Ginang:

Ipinababati po namin sa inyong kaalaman na ang Kagawaran ng Reformang Pansakahan (DAR) ay kasalukuyang nasa unang bahagi ng pagsakop sa lupang pansakahan na pag-aari ni Ginoo/Ginang _____, na may Titulo Bilang _____, may sukat _____ na matatagpuan sa _____ (metro kuwadrado, humigit kumulang) at _____ Sa ganito pong pagkakaon, isinasagawa ng aming tanggapan ang pag-aayos ng mga naitalang pangalan sa Pang-unang Listahan (Preliminary List) ng mga aktuwal na magkasaka sa nasabing lupa o maaaring maging benepisyaryo sa lupaing iyon.

Dahil po dito, kayo ay inaanyayahang na dumalo sa pulong/pagdinig na gaganapin sa ika-_____ (peta), _____ hapon/maga, sa _____ (lugar) upang maisaayos o maiwasto ang mga impormasyon na kailangan sa Pang-unang Listahan.

_____ Pangalan at Lagda
(Beneficiary Screening Committee Chairman)

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Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM
 Municipality: _____
 Province: _____

MASTER LIST OF AGRARIAN REFORM BENEFICIARIES (ARBS)

Landowner/Landholding: _____

Total Area: _____

Location: _____

Crops planted: _____

Title No.: _____

No.	Name of ARBS	Address	Name of Spouse	Present Status 1	Position/ Designation 2	Place of Assignment 3	Activities Involved In	Length of Service 4	Remarks

- Legend:
1. Present Status (i.e., tenant, regular farmworker, seasonal farmworker, other farmworkers, actual tillers or occupants of public lands, and others)
 2. Position/Designation (i.e., Manager, Supervisor, Kapatas)
 3. Place of Assignment (i.e., Factory, Packing Plant, Processing Plant, Farm Production)
 4. Length of Service (Number of years served the company/landowner)

Prepared by: _____

Reviewed by: _____

Signature over Printed Name _____

Signature over Printed Name of MARO/BSC Chairman _____

Distribution of Copies:

- | | |
|-------------------------------------|--------------------|
| <input type="checkbox"/> Original | : DARPO |
| <input type="checkbox"/> Duplicate | : DARMO/BSC (File) |
| <input type="checkbox"/> Triplicate | : VOOCF/CACF |

Republic of the Philippines
 DEPARTMENT OF AGRARIAN REFORM
 Municipality: _____
 Province: _____

MONTHLY REPORT OF AGRARIAN REFORM BENEFICIARIES (ARBS) WITH CLOA
 For the Month of _____, 20__

Name of ARBs	Landowner/ Landholding	Location	Title No.	Lot No.	Area (sq. m.)	Crop Planted	Generation Date	Registration Date	Distribution Date

Prepared by: _____

Reviewed by: _____

Signature over Printed Name

Signature over Printed Name of MARO

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