



Republic of the Philippines
DEPARTMENT of AGRARIAN REFORM

ADMINISTRATIVE ORDER NO. 01
Series of 2004

SUBJECT: 2004 RULES AND REGULATIONS GOVERNING THE EXCLUSION OF AGRICULTURAL LANDS USED FOR CATTLE RAISING FROM THE COVERAGE OF THE COMPREHENSIVE AGRARIAN REFORM PROGRAM

PREFATORY STATEMENT

In the case titled, "Luz Farms versus the Honorable Secretary of the Department of Agrarian Reform" (G.R. No. 86889, 04 December 1990), the Supreme Court held that lands devoted to the raising of livestock, poultry and swine are excluded from the coverage of Republic Act (R.A.) No. 6657. Furthermore, Section 3 of R.A. No. 7881 amends Section 11 of R.A. No. 6657 by excluding, among others, commercial livestock, poultry and swine raising from the classification of commercial farms due for Comprehensive Agrarian Reform Program (CARP) coverage after the ten-year deferment period.

In order to prevent circumvention of the CARP and to protect the rights of the agrarian reform beneficiaries (ARBs), specifically against their possible unlawful ejection due to the unauthorized change or conversion, or fraudulent declaration of areas actually, directly, and exclusively used for cattle raising purposes, the following rules and regulations are hereby prescribed for the guidance of all concerned.

**ARTICLE I
GENERAL PROVISIONS**

Section 1. Coverage. This Administrative Order (A.O.) covers all applications for exclusion from CARP coverage of private agricultural lands or portions thereof actually, exclusively, and directly used for cattle raising as of 15 June 1988.

Sec. 2. Definition of Terms. For the purpose of these rules and regulations, the terms enumerated below are defined as follows:

General Terms:

- 2.1 *Agricultural Lands*, for the purpose of these rules, refer to lands that are actually, exclusively, and directly used for cattle raising based on ratios provided in Art. II, Sec. 4, Item 4.1 hereof.
- 2.2 *Farmworker* is a natural person who renders service for value as an employee or laborer in an agricultural enterprise or farm specifically devoted to cattle raising, regardless of whether his or

her compensation is paid on a weekly, monthly or "contract" 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.

- 2.3 *Infrastructure* refers to buildings and structures such as poultry houses, breeding houses, feeding troughs, furrowing pens, calving houses, feed storage, corrals, dikes, embankments, gates, paved lot, electrical installations, and other physical facilities, equipment and improvements.

Terms for Land Requirement:

- 2.4 *Animal Unit (A.U.)* refers to the unit of animal demand or potential intake of dry matter (DM) on a daily basis. It is used to express on common basis the description of grazing by different animal species on the pasture relative to the physiological state and metabolic size of the animal¹.

- 2.5 *Animal Unit Equivalent (AUE)* refers to the expression of the demand rate for forage for different classes of cattle as a fraction of one (1) animal unit (AU). Under Philippine conditions, the commonly used AUE in cattle are as follows:

Bulls	-	1.2
Cows	-	1.0
2-3 Year old cattle	-	0.75
1-2 year old cattle	-	0.5
Calves (<1 year old)	-	0.25

- 2.6 *Carrying Capacity (CC)* refers to the maximum stocking rate that will achieve a target level of animal performance, in a specified grazing method, that can be applied over a defined time period without deterioration of the ecosystem. It involves a long-term use of the resources and indicates measures on the productivity of pastures.²

- 2.7 *Stocking Rate (SR)* is a concept on the relationship between the number of animals and the grazing land. It indicates a management decision for a particular pasture community, made for a certain period of time with respect to current seasonal conditions (i.e., a particular grazing land can be grazed with high stocking rate for much shorter time period depending on the available forage or the same area can be grazed with constant number of animals on yearly basis depending on the herbage production of the area).

¹ Scarnecchia (1985)

² Caltabiano (2001)

Terms for Land Topography:

- 2.8 *Terrain* refers to the natural physical features of a tract of land, usually showing its relative position or elevation or contour.
- 2.9 *Undulating* is a layman's description of terrain that is not level. Sometimes, the term used is "rolling".
- 2.10 *Steep* is also a layman's description of terrain which one negotiates by "climbing".
- 2.11 *Slope* is the term used to measure the steepness of terrain. It is defined as the quotient of the rise of the terrain divided by the horizontal distance, times 100, expressed in percentage, or in equation form:

$$\text{Slope} = h/d \times 100$$

Where:

h = height of the terrain
d = horizontal distance

Hereunder are the standards of slope category used for land surveys:

<u>Category/Description</u>	<u>% Slope</u>
Flat or level to nearly level	0 – 3%
Nearly flat or level to gently sloping	3% - 8%
Gently sloping to undulating/rolling	8% - 18%
Rolling to hilly	18% - 30% (Agro-Forestry Areas)
Hilly	30% - 50% (Forest Sanctuaries)
Very steep to mountainous	50% and above (Wildlife Areas)

Terms for Types of Animals for Cattle:

- 2.12 *Bull* refers to the male breeding cattle of any age.
- 2.13 *Calf* is a young cattle of either sex and below one (1) year of age.
- 2.14 *Cattle* a general term for any class of animals of bovine family, *genus bos*.

- 2.15 Cow is a mature female cattle that has given birth.
- 2.16 Heifer is a young female cattle usually below three years old that has not yet given birth.
- 2.17 Herd refers to any number of cattle, carabaos, horses, sheep, goats, swine and poultry under one management, maintained in one premise and allowed to associate or come in contact with one another.
- 2.18 Steer refers to a male cattle castrated before secondary sex characteristics have developed.
- 2.19 Weanling or weaner refers to a young animal after separation from its female parent usually six (6) to twelve (12) months old.
- 2.20 Yearling refers to a large animal of either sex, usually 12 to 20 months of age.

Terms for Cattle Raising Operations:

- 2.21 Breeder Farm Operation is a type of cow-calf operation, where calves are raised for breeding purposes. A breeder farm can be maintained in the ranch (extensive) or in complete confinement (intensive).
- 2.22 Breeder Stock are animals intended for breeding purposes.
- 2.23 Cow-Calf Breeding or Operation is a type of cattle raising where cows and bulls are raised to produce calves. The calves are then raised until they are weaned at seven (7) to eight (8) months of age. After weaning, the calves are either sold as weaners or yearlings, or raised until 24 to 36 months of age as replacement stocks in the case of females, or sold as feeder stocks for both sexes.
- 2.24 Feeder Stock are cattle which are fattened before slaughtering.
- 2.25 Feedlot is an area with physical facilities used for cattle fattening.
- 2.26 Feedlot Operation (Intensive System) is a type of cattle raising where the animals are confined and are fed on a cut-and-carry basis or zero grazing. A good pasture is developed and maintained to ensure the regular supply of feeds. The feedlot operation mostly involves animals at their finishing stage two to three (2 –3) years of age.
- 2.27 Growing-Fattening Operation involves the raising of newly weaned calves or culled mature heifers until they are ready for

sale as feeder stock or for slaughter. This could be done either extensively (grazing) or intensively (cut-and-carry feeding).

- 2.28 *Ranching Operation (Extensive System)* is a system of cattle raising where animals are maintained in a vast tract of open land and animals are allowed to graze freely.

Terms for Grazing Management:

- 2.29 *Open Grazing* refers to a system of grazing where the stocks remain in the pasture area for a prolonged period. Open grazing is usually employed on native or range pastures and stocking rate is low under this type.
- 2.30 *Grazing* is the method of feeding animals by allowing them in the field to eat grass.
- 2.31 *Grazing or Pasture Areas* refer to plains, fields or seas of grass that serve as grazing area for livestock. These contain forage and are viable for the grazing activity of cattle as determined by the actual number of animal units.
- 2.32 *Rotational Grazing* refers to moving animals methodically from one paddock to another on a rotational basis. In the process, the grazed paddock is allowed time to recover. Rotational grazing is practiced on improved pastures. Stocking rate is high on each paddock on a rotation grazing system, hence the pasture is more uniformly utilized.
- 2.33 *Soiling or Zero Grazing* is a system of grazing management wherein all forages are harvested and fed to animals that are confined in a yard or shed.

Terms for Forage and Pasture:

- 2.34 *Forage* refers to any feedstuff composed primarily of aerial plant materials, legumes, grasses and trees given to all-ruminant animals.
- 2.35 *Herbage* refers to the grass and other herbaceous plants for animal feeding.
- 2.36 *Improved Pastures* are highly developed and well maintained pastures or grazing areas planted to forage crops composed of a mixture of sown grass and legumes intended as feed for ruminant animals.

- 2.37 *Native Pasture* refers to pasture lands which rely mostly on natural growth of weeds and grasses (mostly cogon) as feeds for livestock.

Sec. 3. Statement of Policies – The exclusion of private agricultural lands devoted to cattle raising shall be governed by the following policies:

- 3.1 Private agricultural lands or portions thereof actually, exclusively, and directly used for cattle raising as of 15 June 1988 shall be excluded from the coverage of CARP.
- 3.2 To prevent the circumvention of coverage under CARP, exclusion shall be granted only upon proof that the subject agricultural land or portions thereof are actually, exclusively, and directly used for cattle production (ranching or feedlot) prior to 15 June 1988 and continuously utilized or devoted for such purpose up to the time of application for exclusion.
- 3.3 Any act of a landowner (LO) to change or convert his agricultural land to cattle raising after 15 June 1988, with the intent to avoid the application of R.A. No. 6657 to his landholdings, shall be considered invalid and illegal and shall not affect the coverage of his landholding under CARP. Any diversification or change in the agricultural use of the landholding, or shift from crop production to cattle raising after the effectivity of this A.O., shall be subject to the existing DAR guidelines on land use conversion.
- 3.4 In all cases of applications for exclusion, farmers, farmworkers, agricultural lessees or actual tillers who are qualified and who will be displaced as a result of the said application shall be entitled to disturbance compensation in accordance with existing laws.
- 3.5 For purposes of informing all stakeholders and party/ies of interest on the subject landholding applied for exclusion from CARP coverage, a public notice, contained in a billboard shall be posted by the applicant in conspicuous places within the subject property.
- 3.6 Only the grazing area within the farm and the portions of the property required for infrastructure necessary for cattle raising shall be considered for exclusion from CARP coverage, based on the provisions of Art. II, Sec. 4, Item 4.1 of this A.O. All other areas within the farm which are not used and necessary for grazing, pasture or other activities related to cattle raising but are suitable for agricultural crop production shall automatically revert to the category of agricultural land and shall be covered under CARP through Compulsory Acquisition (CA).
- 3.7 Any person who will be displaced or directly affected by the exclusion application, such as farmworkers, tenants, occupants and

tillers, may file a written protest against the application for exclusion of lands utilized for cattle raising from CARP coverage.

- 3.8 At the instance of the Municipal Agrarian Reform Officer (MARO)/ Provincial Agrarian Reform Officer (PARO)/Regional Director (RD) or any party in interest, the DAR shall cancel, or revoke the Order of Exclusion from CARP coverage pursuant to Art. V, Sec. 13 of this A.O.
- 3.9 To encourage the growth of the cattle industry and to ensure the maximum utilization and the optimum productivity of the lands devoted to cattle raising and issued CARP exclusion orders, such lands will remain excluded from CARP coverage subject to the conditions provided in Art. V, Sec. 14 of this A.O.
- 3.10 If the filing of an exclusion is in response to a Notice of CARP Coverage, the DAR shall deny due course to the application if the exclusion application is filed sixty (60) days after the date of receipt by the landowner of the Notice of Coverage, pursuant to DAR A.O. No. 01, Series of 2003.
- 3.11 Only exclusion applications which are fully supported by required documents shall be accepted.

ARTICLE II PHYSICAL, DOCUMENTARY AND OTHER REQUIREMENTS

Sec. 4. Requirements. In determining the areas qualified for exclusion under this Administrative Order, the following ratios of land to cattle raising shall apply:

4.1 Physical/Land Requirements

4.1.1 Grazing/Pasture Areas

- 4.1.1.1 The required Stocking Rate (SR) for cattle, expressed as animal unit per hectare (AU/ha), in determining areas qualified for exclusion under this Administrative Order shall be case-specific (i.e., per individual farm), based on the topography of the grazing and pasture areas, using the following criteria or parameters of evaluation:

TOPOGRAPHY	STOCKING RATE (AU/HA)
1. Nearly flat or level to gently sloping lands (>50% of the entire area should be nearly flat or level to gently sloping with slopes ranging from 3% to 8%).	1.0
2. Gently sloping to undulating/rolling slopes (>50% of the area should be of gently sloping to undulating/rolling topography with slopes ranging from 8% to 18%)	0.5

4.1.2 Land/Area requirement for infrastructure or production facilities for cattle raising shall be computed based on the minimum space requirements for cattle raising per type, age and weight classification of the animals specified in LVSTK EXC Annex "C".

4.2 **Documentary Requirements** - The documents required of applicants for exclusion are as follow:

4.2.1 Duly accomplished application form for exclusion subscribed and sworn to before a Notary Public (LVSTK EXC Form No. 1);

4.2.2 Special Power of Attorney (SPA) or Affidavit of Ownership if applicant is not the registered owner;

4.2.3 Notarized Corporate/Cooperative Secretary's Certificate or Corporate/Cooperative Board Resolution authorizing the representative to file the sworn application for CARP exclusion if the applicant is a corporation or cooperative or some other juridical entity;

4.2.4 True Copy of Original Certificate of Title (OCT) or Transfer Certificate of Title (TCT) of the subject landholding, as certified by the Register of Deeds (ROD) issued not earlier than or within one (1) year prior to the filing of application for exclusion.

For untitled private agricultural lands, certification from the Department of Environment and Natural Resources (DENR) – Community Environment and Natural Resources Office (CENRO) (for administrative confirmation of imperfect title) or the Clerk of Court (for judicial confirmation of imperfect title) that the titling process or proceeding has commenced and there are no adverse claimants;

- 4.2.5 Vicinity Map, Topography Map and Sketch Plan (Lot Plan) prepared by a duly Licensed Geodetic Engineer indicating the lots being applied for exclusion, and their technical description;
- 4.2.6 Sketch plan of the area and list of the improvements and other facilities existing therein (e.g., infrastructure, pasture paddock) to include description of the nature of improvement whether constructed with strong or light materials and the date constructed;
- 4.2.7 Certification from the MARO on the ownership status, type and area of the land, presence of farmers, agricultural lessees, share tenants and occupants, and the posting of the required billboard announcement (LVSTK EXC Form No. 4);
- 4.2.8 Certificate of Ownership of large animals from the municipality indicating the average number of cattle during the last four (4) years prior to the filing of application for exclusion;
- 4.2.9 Copies of Cattle Registration for the current cattle stocks based on actual head count of cattle considered or inventoried for purposes of exclusion as of the date of filing of the application for exclusion;
- 4.2.10 True copies of Individual Income Tax Returns (BIR Form No. 1701-A), or Corporate Income Tax Returns (BIR Form No. 1702) for at least four (4) years prior to the filing of application certified by the Bureau of Internal Revenue (BIR); and
- 4.2.11 Other supporting documents or evidence which can provide proof on the use of the farm for cattle raising on or before 15 June 1988, or which are logically connected to and/or supportive of the purported land use asserted, such as, but not limited to:
 - 4.2.11.1 True Copy of Tax Declaration covering years from 1987 to the year prior to application, certified by the Municipal Assessor's Office;
 - 4.2.11.2 Recent 5R photographs of the property;
 - 4.2.11.3 True copy of business permit covering calendar years 1987 to present, certified by the concerned government agencies;
 - 4.2.11.4 Audited Financial Statements; and/or

4.2.11.5 Other similar evidence and documents of probative value i.e., affidavits, loan documents using the farm as collateral for cattle raising purposes for the said period, accreditation or permit to import live bovine animals from Bureau of Animal Industry-Department of Agriculture (BAI-DA), membership certificate or indorsement of duly registered organization (i.e., Federation of Cattle Ranchers Association of the Philippines (FCRAP), Confederation of Feedlot Association of the Philippines (CFAP)).

4.3 **Required Inspection Cost.** An inspection cost of five thousand pesos (Php5,000.00) shall be required from the LO/applicant regardless of the area and location of the landholding applied for exclusion.

ARTICLE III OPERATING PROCEDURES

The following procedures shall govern the processing of application for exclusion of agricultural lands used for cattle raising.

Sec. 5. Filing of Applications. (See LVSTK EXC Annex "D" for the Process Flow)

5.1 The LO/applicant shall secure an application form (LVSTK EXC Form No.1) from the Regional Center for Land Use Policy Planning and Implementation (RCLUPPI) or the Center for Land Use Policy Planning and Implementation (CLUPPI) and may file the duly accomplished and notarized application forms, and the complete documentary requirements enumerated in Art. II, Sec. 4, Item 4.2 of this A.O. with the following offices:

5.1.1 The RCLUPPI, located at the DAR Regional Office, for applications involving lands with an area less than or equal to five (5) hectares. The Regional Director shall be the approving authority for such applications; and

5.1.2 The CLUPPI, located at the DAR Central Office, for applications involving lands with an area larger than five (5) hectares. The Secretary shall be the approving authority for such applications and may delegate the same authority to any Undersecretary.

5.2 The RCLUPPI or CLUPPI Secretariat shall provide the application form and require the LO/applicant to comply with the following:

- 5.2.1 Have the accomplished application form subscribed and sworn to before a Notary Public;
- 5.2.2 Secure true copy/ies of TCT/OCT and Vicinity or Directional Map of the subject landholding;
- 5.2.3 Submit the sworn application form (above documents) in three (3) sets {one (1) original set and two (2) photocopied sets}, for RCLUPPI or in four (4) sets {one (1) original set and three (3) photocopied sets} for CLUPPI and organize these in separate folders together with the required documents pursuant to Art. II, Sec. 4, Item 4.2 of this A.O.;
- 5.2.4 Post the following:
 - 5.2.4.1 Public Notice contained in billboard(s) made of strong materials such as weather-resistant plywood, galvanized iron, tin, panaflex, or other similar durable materials, measuring 1.22 meters in width and 2.44 meters in height or 4 feet by 8 feet, at the landholding itself (one (1) billboard for every twenty (20) hectares). {See LVSTK EXC Annex "A" for sample format for the billboard which essentially contains the same information in LVSTK EXC Form No. 2 of this A.O.}; and
 - 5.2.4.2 Notice in the respective barangay halls of the barangays where the landholding/s is/are located (LVSTK EXC Form No. 2).

The billboard and notice should be readable and written in the local dialect with the following information:

- Announcement that the applicant is applying for exclusion due to the land's being used for pasture and livestock raising;
- Complete name(s) of the landowner(s) and applicant(s);
- Total area and exact location of the exclusion proposal;
- Date of filing of the application for exclusion;
- Deadlines for filing of protest (pursuant to Art. IV, Sec. 9, Item 9.1 of this A.O.);

- Address of DAR Offices where oppositors may file their protests;
 - Address of the approving authority;
 - Date of ocular inspection (OCI) which shall be left blank, and which the applicant shall fill-up after the MARO determines the exact date but not later than seven (7) days before ocular inspection day; and
 - Date of approval/denial of the application which shall be left blank, and which the MARO shall fill up after approval/denial of the application.
- 5.2.5 Furnish the DAR Municipal Office (DARMO) an advance photocopy of the application, OCT/TCT, vicinity map, topography map and sketch plan of the subject property pursuant to Art. II, Sec. 4, Items 4.2.4 and 4.2.5 of this A.O. for reference during the preliminary OCI.
- 5.3 Upon receipt of the copy of the application form from the LO/applicant, pursuant to Art. III, Sec. 5, Item 5.2.5, the DARMO shall:
- 5.3.1 Verify, with the assistance of the Barangay Agrarian Reform Committee (BARC) or, in the absence thereof, the Barangay Council, the ownership, legal status, type and area of the land sought to be excluded, presence of farmers, agricultural lessees, share tenants, farmworkers, actual tillers or occupants (LVSTK EXC Form No. 3);
 - 5.3.2 Inspect the billboard and Notice on the announcement of application for exclusion; and
 - 5.3.3 Five (5) days after the verification, prepare a certification (LVSTK EXC Form No. 4) duly signed by the MARO, reporting the result of all the foregoing tasks, and make available to the LO/applicant the original copy of the said MARO Certification for inclusion in the exclusion folders. A photocopy of the Notice shall be attached to the MARO Certification.
- 5.4 The LO/applicant shall include the MARO Certification (LVSTK EXC Form No. 4) in the three (3) exclusion folders in the case of RCLUPPI applications or in the four (4) exclusion folders in the case of CLUPPI applications, and submit the same to the concerned RCLUPPI or the CLUPPI.

Sec. 6. Processing of Applications. (See LVSTK EXC Annex "E" for the Process Flow)

6.1 Filing of Application by the LO. The RCLUPPI or CLUPPI shall:

- 6.1.1 Receive the four (4) sets (in the case of the CLUPPI) and the three (3) sets (in the case of the RCLUPPI) of exclusion folders submitted by the LO/applicant and record this in the logbook. The acceptance date of which shall be the "filing date" of the application;
- 6.1.2 Review the exclusion folders for correctness and completeness;
- 6.1.3 If found complete, require the LO/applicant to pay the inspection cost to the cashier of the DAR Regional Office (DARRO) where the RCLUPPI is stationed, or at the DAR Central Office (DARCO) cashier, pursuant to Art. II, Sec. 4, Item 4.3 of this A.O. Otherwise, require the LO/applicant to submit lacking documents.

The Official Receipt (OR) shall be submitted to the RCLUPPI/CLUPPI for inclusion in the exclusion folders submitted by the LO/applicant;

6.2 In case the application is directly filed with the RCLUPPI, the following shall be undertaken:

- 6.2.1 Within five (5) days from filing date, schedule and issue to the LO/applicant a Notice to Conduct Ocular Inspection (LVSTK EXC Form No. 5), indicating the date thereof, copy furnished the DARMO;
- 6.2.2 Send Invitation Letter or Notice of Meeting (LVSTK EXC Form No. 6), through the DARMO by personal service, to the farmers, farmworkers or occupants found in the subject landholding regarding the schedule of meeting, which shall be held at least five (5) days before the conduct of ocular inspection.

The proof of service (LVSTK EXC Form No. 7) for the Invitation Letters/Notice of Meeting served by personal service and actually received by the concerned farmers, farmworkers or occupants shall be filed for reference. In case the farmers, farmworkers or occupants refuse to receive/accept the said invitations, the DARMO shall accomplish Item II of LVSTK EXC Form No. 7 for record purposes.

- 6.2.3 With the assistance of the DARMO and DARPO, and in coordination with the BARC, or in the absence thereof, the Barangay Council, conduct the meeting on the scheduled date with the farmers, farmworkers or occupants to undertake the following:
- 6.2.3.1 explain in the local dialect the salient features of this A.O. and other related information pertaining to the LO's application for exclusion of the landholding from CARP coverage;
 - 6.2.3.2 interview all farmers, farmworkers or occupants of the subject landholding to ensure that the affected farmers, farmworkers or occupants are aware and consent to the application for exclusion of the subject landholding from CARP coverage (i.e., signed waivers) and determine whether or not they qualify or are entitled to receive disturbance compensation;
 - 6.2.3.3 assist the farmers, farmworkers or occupants in case they are qualified or are entitled to avail of disturbance compensation; and
 - 6.2.3.4 inform and require the affected farmers, farmworkers or occupants to be at the site during the ocular inspection.
- 6.2.4 Record and prepare Minutes of Meeting (LVSTK EXC Form No. 8) for documentation and reference.
- 6.2.5 Conduct ocular inspection (OCI) of the subject landholding on the scheduled date, with the assistance of the DARMO, DARPO, LO/applicant or his duly authorized representative, and the farmers, farmworkers or occupants, if any, to confirm and/or validate the following.
- 6.2.5.1 Whether the land has been devoted to cattle raising as of 15 June 1988;
 - 6.2.5.2 Identity of affected farmers, farmworkers, occupants; and
 - 6.2.5.3 Other pertinent information which may be relevant to the grant or denial of the application for exclusion.

In addition to the abovementioned information, the RCLUPPI inspection team may request the assistance of the

Provincial/Regional Livestock Inspector in the concerned area to ascertain the following:

- 6.2.5.4 The actual land use/s (including area and location of pasture/grazing area and the existing infrastructure or production facilities); and
 - 6.2.5.5 The existence and number of cattle by type of animal (i.e., cow, bull, heifer, steer, weanling, yearling, etc.) in the area.
- 6.2.6 Compute the total area to be excluded from CARP coverage and attach the same to the OCI report. The sample computation for the determination of the total area (required for both pasture or grazing and the necessary area for infrastructure facilities) which shall be excluded from CARP coverage is shown in LVSTK EXC Annexes "B" and "C".
- 6.2.7 Prepare the OCI report (LVSTK EXC Form No. 3) and submit the same, together with the certification from the MARO (LVSTK EXC Form No. 4) and the Minutes of Meeting (LVSTK EXC Form No. 8), to the RCLUPPI Committee members as inputs in the deliberation of the application for exclusion.
- 6.3. In case the exclusion application is filed at the CLUPPI, pursuant to Art. III, Sec 5, Item 5.1.2, the following shall be undertaken:
- 6.3.1 The CLUPPI shall send a Memorandum (LVSTK EXC Form No. 9) duly signed by the Head of the CLUPPI Secretariat directing the concerned RCLUPPI to schedule the conduct of the meeting with the concerned farmers, farmworkers and occupants, and the OCI of the subject landholding.
 - 6.3.2 Upon receipt of the Memorandum from the CLUPPI Head Secretariat, the RCLUPPI shall organize a three-member special inspection team from the RCLUPPI_Staff or Secretariat to conduct the meeting with the concerned farmers, farmworkers and occupants, and undertake the OCI of the landholding applied for exclusion at the CLUPPI.
 - 6.3.3 Five (5) days from receipt of the instruction or directive from the RCLUPPI Chair, the concerned RCLUPPI Staff shall immediately schedule the conduct of the meeting and the OCI in accordance with the procedures prescribed in Art. III, Sec. 6, Items 6.2.1 to 6.2.6 of this A.O.
 - 6.3.4 Prepare and submit to the RCLUPPI Chair the OCI report (LVSTK EXC Form No. 3), including the Minutes of Meeting

(LVSTK EXC Form No. 8) pursuant to Art. III, Sec. 6, Item 6.2.4 of this A.O. for subsequent transmittal/ endorsement to the CLUPPI.

6.3.5 The CLUPPI Secretariat shall receive and record in the logbook the OCI report and Minutes of Meeting submitted by the RCLUPPI for endorsement to the CLUPPI Committee members to serve as inputs in the deliberation of the application for exclusion.

6.4 In the review and consideration of the application for exclusion, the RCLUPPI or CLUPPI Committee members shall:

6.4.1 Assess the merits of the application and may call the LO/applicant and/or oppositor(s), if any, for clarificatory questioning to judiciously resolve any dispute arising from the application.

The subject land applied for exclusion should meet all the conditions provided under Art. II, Sec. 4 of this A.O.

6.4.2 Prepare the draft Order.

6.4.3 Forward the exclusion folder together with the OCI report and concomitant recommendations (LVSTK EXC Form No. 3), and draft Order to the Regional Director (RD) or the DAR Secretary or his duly authorized Undersecretary, as the case may be, for final disposition.

Sec. 7. Approval of Application and Transmittal. (See LVSTK EXC Annex "F" for the Process Flow)

The RD and the DAR Secretary or his duly authorized Undersecretary, as the case may be, shall approve or disapprove the (LO's) application within thirty (30) calendar days from receipt of the exclusion folder. However, the thirty (30) day reglementary period may be extended upon due notice to the party/ies concerned in case a protest is filed, or in meritorious cases, if the RD or the DAR Secretary or his duly authorized Undersecretary thinks that more time is needed to evaluate the documents.

Sec. 8. Disturbance Compensation. In case there are farmers, farmworkers, agricultural lessees, share tenants, actual tillers and/or occupants who will be displaced as a result of the application for exclusion, the following shall be observed prior to the issuance or release of the Order to the LO/applicant. (See LVSTK EXC Annex "G" for the Process Flow)

8.1 The LO/applicant shall pay a disturbance compensation in cash or in kind, or a combination of cash and in kind to the farmers, agricultural lessees, share tenants, farmworkers, actual tillers,

and/or occupants who are qualified and who will be affected by the exclusion of the subject landholding from CARP coverage in such amounts or under such terms as the parties may mutually agree upon, *Provided* that the amount of disturbance compensation shall not be disadvantageous to the affected farmers, farmworkers agricultural lessees, share tenant, actual tillers or occupants.

Compensation in kind may consist of some or a combination of the following: housing, homelots, employment, and/or other benefits.

- 8.2 The DAR shall approve the terms of any agreement for the payment of disturbance compensation and monitor compliance thereof. In no case shall compliance with the terms and conditions thereof extend beyond sixty (60) days from the date of approval of the application for exclusion.
- 8.3 If the parties fail to agree on the amount of disturbance compensation, or raise an issue questioning the relationship or any other prejudicial issue that tends to justify non-payment of disturbance compensation, either or both parties may refer the issue to the Provincial Agrarian Reform Adjudicator (PARAD) for resolution. While the case is pending before the Adjudicator, the landowner(s)/applicant(s) shall not evict said farmers, agricultural lessees, share tenants, farmworkers, actual tillers, or occupants, until such time when the Adjudicator resolves the prejudicial issue(s) with finality.
- 8.4 The LO/applicant shall furnish the RCLUPPI or CLUPPI with proof of payment of disturbance compensation within five (5) days from receipt of payment by the farmer, farmworker, agricultural lessees, share tenants, actual tillers or occupant.

ARTICLE IV PROCEDURES FOR PROTEST/S, MOTION FOR RECONSIDERATION AND APPEALS

Sec.9. *Protest on Exclusion Applications.* (See LVSTK EXC Annex "H" for the Process Flow)

- 9.1 Any person displaced or directly affected by the exclusion application of lands actually, directly, and exclusively used for cattle raising from CARP coverage, may file a protest in writing against the application for exclusion from CARP coverage with the RCLUPPI or CLUPPI within thirty (30) days from the posting of the requisite billboards, or within fifteen (15) days from the conduct of OCI whichever comes later.

- 9.2 The RCLUPPI or CLUPPI, as the case may be, shall:
- 9.2.1 Receive and record the written protest;
 - 9.2.2 Review and evaluate the protest and determine whether or not the protest is valid;
 - 9.2.3 If protest is valid, order the concerned parties to file a comment, reply, rejoinder and such other pleadings. Otherwise, dismiss the protest and notify concerned protesting party of the decision, copy furnished the DARPO and DARMO;
 - 9.2.4 If the submitted comment, reply, rejoinder and such other pleadings warrant, conduct investigations, together with the DARPO, on the protest filed, and prepare the corresponding investigation report;
 - 9.2.5 Schedule and send notice of hearing schedule to concerned parties. The PARO and MARO concerned may be invited to participate in the deliberations or summary administrative proceedings for clarificatory questioning to judiciously resolve the protest/dispute arising from the application. The hearing shall take place not later than thirty (30) days from receipt of the protest/s;
 - 9.2.6 Conduct summary administrative proceedings on the scheduled date where the parties may present their respective evidence; and
 - 9.2.7 Prepare and submit report with the concomitant recommendation together with the pertinent documents to the RD or DAR Secretary for resolution.
- 9.3 The receiving officer of the DARRO concerned or the DARCO shall record the RCLUPPI's or CLUPPI's report and forward the same to the RD or the DAR Secretary.
- 9.4 The RD or the DAR Secretary shall:
- 9.4.1 Resolve or render his/her decision on the protest within thirty (30) days from receipt of the RCLUPPI's or the CLUPPI's report, as the case may be, and inform all the parties concerned of the decision on the protest through the RCLUPPI or CLUPPI, copy furnished the concerned DARRO, DARPO and DARMO; and
 - 9.4.2 Direct the RCLUPPI or the CLUPPI, as the case may be, to prepare the Order approving or disapproving the application

for exclusion pursuant to Art. III, Sec. 6, Item 6.4.2 of this A.O.

Sec.10. Motion for Reconsideration (MR) on the Decision, Resolution or Final Order of the RD or DAR Secretary. A party may file only one (1) motion for reconsideration on the decision, resolution or final order of the Regional Director or DAR Secretary and may do so only within a non-extendible period of fifteen (15) calendar days from receipt of the contested decision, resolution or final order. The pendency of a timely motion for reconsideration by the proper party shall stay the execution of the contested decision, resolution or final order.

- 10.1 At the level of the ~~Regional Director~~, if the motion for reconsideration is denied, the movant may perfect an appeal before the Secretary only within the remainder of said non-extendible period of fifteen (15) calendar days. If the motion for reconsideration is granted, resulting to the reversal of the original decision, the aggrieved party may perfect an appeal before the Secretary within a full but non-extendible period of fifteen (15) calendar days from receipt of the reversed resolution.
- 10.2 If the motion for reconsideration is denied at the level of the Office of the Secretary, the movant may perfect an appeal before the Office of the President (OP) within fifteen (15) calendar days from receipt of the resolution denying the motion for reconsideration.

Sec. 11. Appeals on the Decision, Resolution or Final Order of the RD or DAR Secretary.

- 11.1 Only the aggrieved party or parties who is/are either the applicant(s) or protestor(s)/oppositor(s), or their successor(s)-in-interest, may appeal the decision, resolution or final order of the Regional Director or the DAR Secretary within fifteen (15) days from receipt thereof. The appellant(s) shall furnish copies of the appeal pleadings to all parties and to the RCLUPPI, Regional Director, CLUPPI and DAR Secretary. The appellant(s) may perfect his/their appeal within a non-extendible period of fifteen (15) calendar days from receipt of the decision, resolution or final order of the approving authority. The moment the DAR loses jurisdiction over a case by virtue of an appeal to the OP, the applicable rules of the OP shall govern the appeal.
- 11.2 Appeals shall be filed with the following Approving Authorities:
 - 11.2.1 Appeal on the decision, resolution or final order of the Regional Director to the DAR Secretary shall be made by filing a Notice of Appeal before the Office of the Regional Director of origin, furnishing copies thereof to all adverse parties, if any, together with payment of the requisite appeal

fees to the cashier of the Regional Office of origin, pursuant to existing DAR rules on agrarian law implementation (ALI) cases.

- 11.2.2 Appeal on the decision, resolution or final order of the Secretary shall be made by filing a notice of appeal before either the office of the Bureau of Agrarian Legal Assistance (BALA) Director, or directly at the OP, furnishing copies thereof to all adverse parties, if any, together with payment of the requisite appeal fees to the cashier of either the DAR or OP.
- 11.2.3 Appeal on the decision, resolution or final order of the Secretary may be taken to the Court of Appeals by certiorari in accordance with Section 54 of R.A. No. 6657.
- 11.3 For appeals on the decision of the Regional Director to the Secretary, the following procedures shall apply:
 - 11.3.1 The appellant shall submit an appeal brief with the BALA within fifteen (15) days from perfection of the appeal, furnishing a copy thereof to all parties and to the RCLUPPI, Regional Director, CLUPPI and DAR Secretary or his duly authorized Undersecretary.
 - 11.3.2 The appellee may submit a comment within ten (10) days from receipt of the appeal brief, furnishing a copy thereof to the appellant and to the RCLUPPI, Regional Director, CLUPPI and DAR Secretary or his duly authorized Undersecretary.
 - 11.3.3 Within fifteen (15) days from filing of appellee's comment, the BALA shall issue a preliminary order stating that either:
 - The pleadings on record need further clarification and the conduct of a clarificatory hearing is necessary. Ten (10) days after the termination thereof, the parties may be ordered to simultaneously file their respective appeal memorandum.
 - The pleadings on record are insufficient for a proper determination of the issues raised and so the parties shall simultaneously file their respective appeal memorandum within ten (10) days from receipt of order for simultaneous filing.
 - 11.3.4 Upon submission of sufficient pleadings, the BALA Director shall submit his recommendation to the deciding authority.

11.4 Execution Pending Appeal.

11.4.1 Appeal from the Regional Director – the appeal shall stay the execution of the decision, resolution or final order of the Regional Director unless the Secretary directs execution pending appeal when the exceptional nature and circumstances of the case so requires (E.O. 292 – 1987, Book VII, Chapter 4, Section 21).

11.4.2 Appeal to the OP – the appeal shall stay execution of the decision, resolution or final order of the Secretary unless the OP directs execution pending appeal upon such terms and conditions as it may deem just and reasonable (OP – AO – 18 – 1987 Section 4).

Sec. 12. Finality of Order. The Order of Exclusion or Denial shall become final and executory after the lapse of fifteen (15) calendar days from date of receipt, provided no Motion for Reconsideration or Appeal has been filed. The head of the Legal Division of the Regional Office or the BALA Director shall issue the appropriate certificate of finality.

ARTICLE V **REVOCAION/CANCELLATION OF EXCLUSION ORDER** (See LVSTK EXC Annex "I" for the Process Flow)

Sec. 13. Revocation/Cancellation of Exclusion Order

13.1 At the instance of the RD/PARO/MARO or any party in interest may file a petition to revoke or cancel, the exclusion order before the RD or DAR Secretary within ninety (90) days from discovery of facts warranting revocation or cancellation based on the following grounds:

13.1.1 Misrepresentation or concealment of facts material to the grant of exclusion;

13.1.2 Any other serious violations of DAR rules and regulations and agrarian laws; and

13.1.3 Other substantial grounds as the DAR field officials may deem appropriate.

13.2 The RD or the DAR Secretary or his duly authorized Undersecretary shall:

13.2.1 Order the respondent(s) to file a comment within fifteen (15) days from receipt of the petition;

- 13.2.2 Undertake ocular inspection of the landholding in question and may invite witnesses for clarificatory questioning;
- 13.2.3 Render a decision on the case within thirty (30) days from the time the case is deemed submitted for resolution; and
- 13.2.4 Notify the parties concerned of the decision through the DARPO and DARMO. Upon revocation or cancellation of the exclusion order, the subject landholding or portions thereof shall revert to the status of agricultural land and shall be immediately covered under CARP.

The above proceedings shall be non-litigious in nature.

Sec. 14. Permanent/Continuous Exclusion of Lands Devoted to Cattle Raising Issued Exclusion Orders by the DAR. Lands devoted to cattle raising which have been issued exclusion orders by the DAR may be permanently excluded from the coverage of the CARP, subject to the following conditions:

- 14.1 The subject lands which have been excluded must be continuously utilized for cattle production; or
- 14.2 The Stocking Rate (SR) should not fall below the prescribed SR. SR is considered below the prescribed ratios when:
 - There is a decrease in the actual SR for more than a period of 24 months; or
 - If the number of breeding female animals or cows is less than 50% of the original number inventoried at the time exclusion was applied for under Art. III, Sec. 6, Item 6.2.5.5 of this Order for a period of one (1) year.
- 14.3 The landowner shall submit, under oath, an annual report on the status of compliance with the conditions imposed under this Section to the MARO, copy furnished PARO and DAR Regional Office covering the subject property.

ARTICLE VI SANCTIONS

Sec. 15. Any person who knowingly or willfully violates or prevents the implementation of these rules and regulations, shall be liable under Section 74 of R.A. 6657 and other penalties provided for by law. If the offender is a corporation or association, the officer responsible therefore shall be criminally liable.

All parties concerned are advised to report such cases to the MARO covering the area or to any office of the DAR for proper action.

**ARTICLE VII
FINAL PROVISIONS**

Sec. 16. *Transitory Provisions.* This Order shall apply to all applications filed upon its effectivity. All other applications filed previous thereof shall be governed by the pertinent administrative orders or issuances in force at the time of filing of said application.

Sec. 17. *Repealing Clause.* This Order amends pertinent provisions of DAR Administrative Order No. 9, Series of 1993 and all issuances inconsistent hereof.

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

Diliman, Quezon City, August 10, 2004.


JOSE MARI B. PONCE
OIC-Secretary

Published in two (2) national newspapers
of general circulation:

1. MALAYA
2. Manila Bulletin

Date of Publication - September 3, 2004

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM
Quezon City

DOC. No. 00-00-00-0000
(FOR USE OF CLUPPI/RCLUPPI)

**SWORN APPLICATION FOR EXCLUSION
FROM CARP COVERAGE
(Lands Used for Cattle Raising)**

Date: _____

Pursuant to the decision of the Supreme Court in the case titled, "Luz Farms versus the Honorable Secretary of the Department of Agrarian Reform" (G.R. No. 86889, 04 December 1990), may I/we apply for exclusion of my/our landholding(s), as stated hereunder, from coverage or land acquisition and distribution under the Comprehensive Agrarian Reform Law (CARL).

The exclusion of the following parcel/s of land are hereby applied for:

Owner/s

Street / Road / Access:

Sitio / Purok / Vicinity:

Barangay:

Municipality:

Province / City:

Area in Hectares:

In support of this application, I/we hereby submit the following information under oath (including all appurtenant documents):

I. APPLICANT'S PERSONAL CIRCUMSTANCES

1. INDIVIDUAL LANDOWNER

If the applicant is the landowner

Name: _____

Address: _____

Telephone: _____ Fax: _____

Mobile Phone: _____ E-mail: _____

1.a CORPORATION/PARTNERSHIP/CO-OWNERSHIP/GOVERNMENT ENTITY

Name: _____

Address: _____

Telephone: _____ Fax: _____

E-mail: _____

1.b PRESIDENT OR HEAD OF CORPORATION OR GOVERNMENT ENTITY

Name: _____

Telephone: _____ Fax: _____

Mobile Phone: _____ E-mail: _____

1.c FOR CO-OWNERSHIP:

Number of co-owners: _____

Co-owner's Name: _____

Address: _____

Co-owner's Name: _____

Address: _____

Co-owner's Name: _____

Address: _____

Check/tick mark the appropriate brackets "[]". Any false statement in this application or attachments hereto shall be a ground for outright denial of the application and criminal prosecution. Any portion left blank is equivalent to a sworn statement by the applicant that the information for the blank line is "Not Applicable" (N/A), which, if found to be otherwise, shall be interpreted as concealment of material facts.

Co-owner's Name: _____

Address: _____

Co-owner's Name: _____

Address: _____

2. REPRESENTATIVE
If applicant is not the landowner

Name: _____

Address: _____

Telephone: _____ Fax: _____

Mobile Phone: _____ E-mail: _____

BASIS OF AUTHORITY:

Special Power of Attorney Board Resolution

II. LANDHOLDING/S AND BUSINESS PROFILE

1. OWNERSHIP TITLES/DOCUMENTS

TITLED PROPERTY/IES (Certified true copy or copies of OCT/TCT attached)

UNTITLED PROPERTY/IES

Tax Declaration as of 15 June 1987 (photocopy attached):

Latest Tax Declaration (photocopy attached)

Year _____
Number _____

Department of Environment and Natural Resources (DENR) Certification that land is alienable and disposable

DENR Certification (CENRO) pending Administrative Confirmation of Imperfect Title

When Filed: _____
Where Filed: _____
Case Number: _____

Clerk of Court Certification that land has no pending Judicial Confirmation of Imperfect Title

When Filed: _____
Where Filed: _____
Case Number: _____

Check/tick mark the appropriate brackets "[]". Any false statement in this application or attachments hereto shall be a ground for outright denial of the application and criminal prosecution. Any portion left blank is equivalent to a sworn statement by the applicant that the information for the blank line is "Not Applicable" (N/A), which, if found to be otherwise, shall be interpreted as concealment of material facts.

Certification from the DAR Adjudication Board (DARAB) or other Courts that the subject property/ies is/are subject of any case filed with the DARAB or other Courts

Name(s) of Adverse Claimant(s) (If any):

2. BUSINESS PERMITS/DOCUMENTS

Ownership documents and other "muniments" of title of the aforementioned landholding(s) together with other requirements, supporting this request for exclusion

Certified true copy of business permit issued by the concerned government agency

Certified true copy of the Certificate of Registration issued by the Securities and Exchange Commission or SEC (if applicant is a corporation)

True copy of the Certificate of Registration from SEC and Cooperative Development Authority (CDA) and By-Laws if corporation or cooperative

Certified true copy of the Registration of Individual Large animal indicating marking of each animal categorized by type of animal (i.e., cow, bull, heifer, steer, etc.)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Certificate of Ownership of large animals from the municipality indicating the average number of cattle during the last four (4) years prior to the filing of application for exclusion

3. AREA PER LAND TITLE AS OF 15 JUNE 1988 AND SPECIFIC AREA APPLIED FOR PER LAND TITLE

(Use separate sheet if necessary)

Registered Owner	Lot Survey Number	Original Certificate of Title or Transfer Certificate of Title (OCT or TCT number)	Area in Hectares (per title)	Location (Barangay, Municipality/ City, Province)	Area Applied for Exclusion

Check/tick mark the appropriate brackets "[]". Any false statement in this application or attachments hereto shall be a ground for outright denial of the application and criminal prosecution. Any portion left blank is equivalent to a sworn statement by the applicant that the information for the blank line is "Not Applicable" (N/A), which, if found to be otherwise, shall be interpreted as concealment of material facts.

4. LAND USE OF APPLIED AREA

DOMINANT LAND USE			
Lot No.	Area (Hectares)	Type of Crops/Grass Planted, Structure/s Constructed	Remarks (Specify crops, productivity level, other pertinent information on agricultural production on subject land)

TOTAL AREA: _____ (Hectares)

OTHER LAND USE/S			
Lot No.	Area (Hectares)	Type of Crops/Grass Planted, Structures Constructed	Remarks (Specify crops, productivity level, other pertinent information on agricultural production on subject land)

TOTAL AREA: _____ (Hectares)

Check/tick mark the appropriate brackets "[]". Any false statement in this application or attachments hereto shall be a ground for outright denial of the application and criminal prosecution. Any portion left blank is equivalent to a sworn statement by the applicant that the information for the blank line is "Not Applicable" (N/A), which, if found to be otherwise, shall be interpreted as concealment of material facts.

SURROUNDING LAND USE/S			
Adjacent to:	Area (Hectares)	Type of Crops/Grass Planted, Structures Constructed	Remarks (Specify crops, productivity level, other pertinent information on agricultural production on subject land)
North			
North East			
East			
South East			
South			
South West			
West			
North West			

TOTAL AREA: _____ (Hectares)

5. TERRAIN / TOPOGRAPHY:

Topography:	Hectares:	Slope:
<input type="checkbox"/> Flat or level to nearly level	_____	<input type="checkbox"/> 0% - 3%
<input type="checkbox"/> Nearly flat or level to gently sloping	_____	<input type="checkbox"/> 3% - 8%
<input type="checkbox"/> Gently sloping to undulating/rolling	_____	<input type="checkbox"/> 8% - 18%
<input type="checkbox"/> Rolling to hilly	_____	<input type="checkbox"/> 18% - 30% (Agro Forestry Area)
<input type="checkbox"/> Hilly	_____	<input type="checkbox"/> 30% - 50% (Forest Sanctuaries)
<input type="checkbox"/> Very steep to mountainous	_____	<input type="checkbox"/> 50% and above (Wildlife Areas)

Check/tick mark the appropriate brackets "[]". Any false statement in this application or attachments hereto shall be a ground for outright denial of the application and criminal prosecution. Any portion left blank is equivalent to a sworn statement by the applicant that the information for the blank line is "Not Applicable" (N/A), which, if found to be otherwise, shall be interpreted as concealment of material facts.

6. ACCESSIBILITY (Approximate distance in kilometers)

Barangay Road	_____	Barangay Center	_____
Municipal Road	_____	Municipal Hall	_____
Provincial Road	_____	Provincial Capitol	_____
National Highway	_____		
Public Market	_____		
School	_____		
Other Landmarks	_____	Specify:	_____

Remarks (specify type of road, means of access, others):

7. CURRENT LIVESTOCK/CATTLE INVENTORY BY ANIMAL CLASS/CATEGORY AND AGE

Animal Class/Category	Approximate Age	Number of Heads
Cows ¹	above 3 years	
Bull	above 3 years	
Heifers/Steers	2-3 years	
Yearling Steers	1-2 years	
Yearling Heifers	1-2 years	
Yearling Bulls	1-2 years	
Calves	1 year	
Growers/Fatteners		
Other Animals ² (specify):		
TOTAL		

8. LIST OF INFRASTRUCTURE/PRODUCTION FACILITIES

Type of Infrastructure/ Production Facility/ies	Number	Actual Area Occupied (Sq. Meter)	Present Condition
Holding pen			
Crowding pen			

¹ Including pregnant cows

² Include other animals that are needed by the farm in its operation such as horses.

Check/tick mark the appropriate brackets "[]". Any false statement in this application or attachments hereto shall be a ground for outright denial of the application and criminal prosecution. Any portion left blank is equivalent to a sworn statement by the applicant that the information for the blank line is "Not Applicable" (N/A), which, if found to be otherwise, shall be interpreted as concealment of material facts.

Working chute with straight sides			
Working chute with sloping sides			
Holding chutes/squeeze: <ul style="list-style-type: none"> o With straight sides o With v-shaped sides 			
Shed or barn			
Feeding corral			
Feedlot			
Other facilities: (Pls. specify)			

III. CARP COVERAGE INFORMATION

1. PROGRAM/CLASS CATEGORY

- With Notice of Coverage/Memorandum of Valuation (CAVOS)
Date issued: _____
- With perfected Deed of Voluntary Land Transfer/Direct Payment Scheme (VLT/DPS)
Date registered: _____
Date issued: _____
- With approved Stock Distribution Option (SDO)
Date issued: _____
- With Leasehold Contract (LHC)/Provisional Lease Rental (PLR)
Date registered (LHC)/Date of PARO's Decision (PLR): _____
Date issued: _____
- Within landed estate (LE)/resettlement
- Not covered by any of the above

2. FARMERS/OCCUPANTS PRESENT IN THE LANDHOLDING

- | | Number |
|---|--------|
| <input type="checkbox"/> Agricultural lessee(s) | _____ |
| <input type="checkbox"/> Share tenant(s) | _____ |
| <input type="checkbox"/> Regular farmworker(s) | _____ |
| <input type="checkbox"/> Seasonal farmworker(s) | _____ |
| <input type="checkbox"/> Other farmworker(s) | _____ |
| <input type="checkbox"/> Actual tiller(s) | _____ |
| <input type="checkbox"/> Occupant(s) | _____ |

Check/tick mark the appropriate brackets "[]". Any false statement in this application or attachments hereto shall be a ground for outright denial of the application and criminal prosecution. Any portion left blank is equivalent to a sworn statement by the applicant that the information for the blank line is "Not Applicable" (N/A), which, if found to be otherwise, shall be interpreted as concealment of material facts.

- Others (pls. specify) _____
- None _____

3. OCCUPANCY INFORMATION (individual)
Use separate sheet if necessary

Name of Occupant	Classification/Type of Occupancy (Use the classification given on the previous page)	Crops Grown/ Existing Structures Used (Specify crops, productivity level, other pertinent information on agricultural production on subject land)

IV. DOCUMENTS

1. REQUIRED DOCUMENTS

- Sketch Plan of the area and list of the improvements and infrastructure/production facilities therein, by type of infrastructure/facility and date erected/constructed
- True Copy of Income Tax Return (BIR Form No. 1701-A) or Corporate Income Tax Returns (BIR Form No. 1702) for at least four (4) years prior to the filing of application, certified by the BIR
- Vicinity Map, Topography Map and Sketch Plan (Lot Plan) indicating the lots being applied for exclusion, including the technical description
- Certification from Municipal Agrarian Reform Officer (MARO) on the ownership status, type and area of the land, presence of farmers, agricultural lessees, share tenants and occupants, and the posting of the required Billboard and Notices

2. OTHER SUPPORTING DOCUMENTS

- Loan documents using the farm as collateral for cattle raising purposes
- Accreditation or Permits to Import Live Bovine Animals from Department of Agriculture – Bureau of Animal Industry (DA-BAI)
- Membership Certificate or Endorsements of duly Registered Organization

Check/tick mark the appropriate brackets "[]". Any false statement in this application or attachments hereto shall be a ground for outright denial of the application and criminal prosecution. Any portion left blank is equivalent to a sworn statement by the applicant that the information for the blank line is "Not Applicable" (N/A), which, if found to be otherwise, shall be interpreted as concealment of material facts.

- True Copy of Tax Declaration covering years from 1987 to the year prior to application, certified by the Municipal Assessor's Office
- Recent 5R photographs of the property
- True copy of business permit covering calendar years 1987 to present, certified by the concerned government agencies
- Audited Financial Statements
- Other similar evidence and documents of probative value (please specify)
 1. _____
 2. _____
 3. _____

VERIFICATION

That I/we, _____ of legal age, Filipino,
 _____ LO/applicant
 married/single, resident of _____ under
 oath, hereby depose and say:

That I/we am/are applying/filing for exclusion from CARP coverage of the subject landholding;

That I/we have caused the application/filing of the same; and

That the statement/s, data and information contained herein, including the attached documents are true and correct to the best of my knowledge and belief.

IN WITNESS WHEREFORE, I/we have hereto affix my/our signature this day of _____
 200__ at _____

 Landowner/Applicant
 TIN: _____
 Community Tax Certificate
 Number: _____
 Place: _____
 Date: _____

 Landowner/Applicant
 TIN: _____
 Community Tax Certificate
 Number: _____
 Place: _____
 Date: _____

 Landowner/Applicant
 TIN: _____
 Community Tax Certificate
 Number: _____
 Place: _____
 Date: _____

 Landowner/Applicant
 TIN: _____
 Community Tax Certificate
 Number: _____
 Place: _____
 Date: _____

Check/tick mark the appropriate brackets "[]". Any false statement in this application or attachments hereto shall be a ground for outright denial of the application and criminal prosecution. Any portion left blank is equivalent to a sworn statement by the applicant that the information for the blank line is "Not Applicable" (N/A), which, if found to be otherwise, shall be interpreted as concealment of material facts.

Witness

Witness

SUBSCRIBED and SWORN to before me this _____ day of _____ 200 _____
at _____ LO/applicant(s) personally
appeared to me to be the person(s) who executed this sworn application for exclusion after
exhibiting to me his/her/their respective Tax Identification Number (TIN) and Community Tax
Certificate, and he/she/they acknowledge/s the voluntary execution of this sworn application and
full comprehension of its legal consequences.

NOTARY PUBLIC

Doc. No. _____
Page No. _____
Book No. _____
Series of 200 _____

This portion is to be filled up by RCLUPPI/CLUPPI. -----

V. DATE OF FILING BY LO/APPLICANT AND ACCEPTANCE OF RCLUPPI/CLUPPI

Received by:

Date

Signature Over Printed Name

Designation

Copy Distribution:

If filed at the CLUPPI: {four (4) sets}

Original	-	CLUPPI
Photocopies:		
1	-	RCLUPPI
2	-	DARPO
3	-	DARMO

If filed at the RCLUPPI: {three (3) sets}

Original	-	RCLUPPI
Photocopies:		
1	-	DARPO
2	-	DARMO

PAHAYAG PANGMADLA*
(NOTICE OF APPLICATION FOR EXCLUSION FROM CARP)

Para sa Kinauukulan:

Ipinabatid namin sa inyong kaalaman na ang nakalagdag pangalan sa ibaba ay nagsumite ng aplikasyon sa Center for Land Use Policy Planning and Implementation (CLUPPI) ng Department of Agrarian Reform Central Office (DARCO)/DAR Regional Center for Land Use Policy Planning and Implementation (RCLUPPI) ng Rehiyon Blg. _____, upang hindi mapasakop sa Komprehensibong Programa sa Repormang Pansakahan o Comprehensive Agrarian Reform Program (CARP) ang pansakahan lupain na pag-aari at nakarehistro sa pangalan ni Ginoo/Ginang _____ na may titulo blg. _____ at may kabuuang sukat na _____ (metro kuwadrado), humigit kumulang, na matatagpuan sa _____ dahil sa ito ay ginagamit bilang rantso.

Ipinabatid din po namin ang mga sumusunod:

1. Isinumite ang nasabing aplikasyon sa di Pagsakop (Exclusion) sa CLUPPI ng DARCO/DAR RCLUPPI ng Rehiyon Blg. _____, noong ika _____ (petsa);
2. Ang kinatawan ng CLUPPI ng DARCO/DAR RCLUPPI ng Rehiyon Blg. _____, ay nakatakdang magsagawa ng Ocular Inspection (OCI) sa ika _____ (petsa) upang masiyasat at patotohanan ang aktuwal na kalagayan ng nasabing pansakahan lupain;
3. Ang sinuman na magsasaka/umuukupa ng nasabing pansakahan lupain na hindi sumasang-ayon ay maaring maghain ng protesta sa CLUPPI ng DARCO/DAR RCLUPPI ng Rehiyon Blg. _____, na matatagpuan sa _____, sa loob ng tatlumpung (30) araw mula sa pagkapaskil nitong "PAHAYAG PANGMADLA"; at
4. Ang nasabing aplikasyon ay napagtibay/di napagtibay ni Sekretaryo _____ ng Kagawaran ng Repormang Pansakahan, na ang tanggapan ay nasa _____, o si DAR Regional Director _____ ng Rehiyon Blg. _____, na ang tanggapan ay nasa _____, noong ika _____.

Lagda at Pangalan ng Aplikante

* Photocopy to be attached to the MARO Certification pursuant to Section 5, Item 5.3.3 of this A.O.

Republic of the Philippines
Department of Agrarian Reform
Municipality of _____
Province of _____

**OCULAR INSPECTION REPORT (OCI) ON LANDHOLDING SUBJECT OF
EXCLUSION FROM CARP COVERAGE***
(Lands Utilized for Cattle Raising)

Barangay : _____
City/Municipality: _____
Province : _____

A. APPLICANT'S PROFILE:

1. FOR INDIVIDUAL LANDOWNER

1.a IF THE APPLICANT IS THE LANDOWNER

Name: _____
Address: _____
Telephone: _____ Fax: _____
Mobile _____
Phone: _____ E-mail: _____

1.b AUTHORIZED REPRESENTATIVE:

Manager: _____
 Corporate Secretary: _____
 Legal Counsel: _____

BASIS OF AUTHORITY:

Special Power of Attorney (SPA): _____
 Board Resolution: _____
 Others (specify): _____

* To be prepared in 4 copies if application is filed at the CLUPPI and 3 copies if filed at the RCLUPPI

OWNERSHIP STATUS

- Absolute Owner
- Co-Owner

MODE OF ACQUISITION OF PROPERTY

- Purchase
- Exchange
- Inheritance
- Others (specify) _____

Date Acquired: (if applicable): _____

Registered Owner/s: (if deceased, indicate name of heirs):

2. FOR CORPORATION/PARTNERSHIP/CO-OWNERSHIP/GOVERNMENT ENTITY

Name: _____

Address: _____

Telephone: _____ Fax: _____

E-mail: _____

2.a PRESIDENT OR HEAD OF CORPORATION OR GOVERNMENT ENTITY

Name: _____

Telephone: _____ Fax: _____

Mobile Phone: _____ E-mail: _____

2.b FOR CO-OWNERSHIP:

Number of co-owners: _____

Co-owner's Name: _____

Address: _____

Co-owner's Name: _____

Address: _____

Co-owner's Name: _____

Address: _____

Co-owner's Name: _____

Address: _____

Co-owner's Name: _____

Address: _____

B. DESCRIPTION OF THE SUBJECT LANDHOLDING

1. TECHNICAL DESCRIPTION

OCT/TCT No.	Area in Hectares per Title	Tax Dec. No	Lot No.	Survey No.
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

2. SPECIFIC AREA OR AREAS APPLIED FOR EXCLUSION
(Use separate sheet if necessary)

Registered Owner	Lot No.	Area (has)	Survey No.	OCT/TCT	Tax Dec. No.	Location of Property

TOTAL _____

3. LAND USE OF APPLIED AREA AS OF _____

DOMINANT LAND USE			
Lot No.	Area (Hectares)	Type of Crops/Grass Planted, Structures Constructed	Remarks (Specify crops, productivity level, other pertinent information on agricultural production on subject land)

TOTAL AREA: _____ (Hectares)

OTHER LAND USE/S			
Lot No.	Area (Hectares)	Type of Crops/Grass Planted, Structures Constructed	Remarks (Specify crops, productivity level, other pertinent information on agricultural production on subject land)

TOTAL AREA: _____ (Hectares)

SURROUNDING LAND USE/S			
Adjacent to:	Area (Hectares)	Name of Crop/Grass Planted, Structure Constructed	Remarks (Specify crops, productivity level, other pertinent information on agricultural production on subject land)
North			
North East			
East			
South East			
South			
South West			
West			
North West			

TOTAL AREA: _____ (Hectares)

4. TERRAIN/TOPOGRAPHY (Check appropriate box)

Topography	Hectares	Slope
<input type="checkbox"/> Flat or level to nearly level	_____	<input type="checkbox"/> 0%-3%
<input type="checkbox"/> Nearly flat or level to gently sloping	_____	<input type="checkbox"/> 3%-8%
<input type="checkbox"/> Gently sloping to undulating/rolling	_____	<input type="checkbox"/> 8%-18%
<input type="checkbox"/> Rolling to hilly	_____	<input type="checkbox"/> 18%-30% (Agro-Forestry Areas)
<input type="checkbox"/> Hilly	_____	<input type="checkbox"/> 30%-50% (Forest Sanctuaries)
<input type="checkbox"/> Very steep to mountainous	_____	<input type="checkbox"/> 50% and above (Wildlife Areas)

5. ACCESSIBILITY

5.1 Appropriate distance from:

Barangay Road _____
Municipal Road _____
Provincial Road _____
National Highway _____

Other Landmarks (Please specify the type and area):

Public Market _____
 School _____
 Barangay Center _____
 Municipal Hall _____
 Provincial Capitol _____

5.2 Transportation:

Bus Boat/Banca Others
 Jeep Tricycle _____

5.3 Water Supply

NIA Others
 Deep Well _____
 Communal _____

6. EXISTING OR CURRENT CATTLE INVENTORY

Animal Class/Category	Approximate Age	Number of Heads
Cows ¹	above 3 years	
Bull	above 3 years	
Heifers/Steers	2-3 years	
Yearling Steers	1-2 years	
Yearling Heifers	1-2 years	
Yearling Bulls	1-2 years	
Calves	1 year	
Growers/Fatteners		
Other Animals ² (specify)		
TOTAL		

7. EXISTING INFRASTRUCTURE/S

Type of Infrastructure/ Production Facility(ies)	Number	Approximate Area Occupied (Sq. Meter)	Present Condition
Holding pen			
Crowding pen			

¹ Including pregnant cows

² Include other animals that are needed by the farm in its operation such as horses.

Working chute with straight sides			
Working chutes with sloping sides			
Holding chutes/squeeze <ul style="list-style-type: none"> ▪ With straight sides ▪ With v-shaped sides 			
Shed or barn			
Feeding corral			
Feedlots			
Other facilities (Pls. specify):			

C. CARP COVERAGE INFORMATION:

1. PROGRAM/CLASS CATEGORY

- With Notice of Coverage/Memorandum of Valuation (CA/VOS)
Date issued: _____
- With perfected Deed of Voluntary Land Transfer/Direct Payment Scheme (VLT/DPS)
Date registered: _____
Date issued: _____
- With approved Stock Distribution Option (SDO)
Date issued: _____
- With Leasehold Contract (LHC)/Provisional Lease Rental (PLR)
Date registered (LHC)/PARO's Decision (PLR): _____
Date issued: _____
- Within landed estate (LE)/resettlement
- Not covered by any of the above

2. FARMERS/OCCUPANTS PRESENT IN THE LANDHOLDING

- | | Number |
|---|--------|
| <input type="checkbox"/> Agricultural lessee(s) | _____ |
| <input type="checkbox"/> Share tenant(s) | _____ |
| <input type="checkbox"/> Regular farmworker(s) | _____ |
| <input type="checkbox"/> Seasonal farmworker(s) | _____ |
| <input type="checkbox"/> Other farmworker(s) | _____ |

- Actual tiller(s) _____
- Occupant(s) _____
- Others (pls. specify) _____
- None _____

3. OCCUPANCY INFORMATION (individual)
Use separate sheet if necessary

Name of Occupant	Classification/Type of Occupancy (Use the classification given on the previous page)	Crops Grown/ Existing Structures Used

D. LIENS/ENCUMBRANCES ANNOTATED ON THE TITLE:

OCT/TCT No.		Entry No.		Nature

E. RECOMMENDED TOTAL AREA FOR GRAZING/PASTURE AND REQUIRED INFRASTRUCTURE TO BE EXCLUDED: _____

F. REMARKS/COMMENTS/RECOMMENDATIONS (Add more sheets if necessary)

F. CERTIFICATION

We hereby certify that the information and data contained in this report are based on ocular inspection of the subject property, actual examination of pertinent documents, and the results of validation, data gathering, and that the same are true and correct to the best of our knowledge.

Signature Over Printed Name of OCI Team Member	Date Signed
Signature Over Printed Name of OCI Team Member	Date Signed
Signature Over Printed Name of OCI Team Member	Date Signed
Signature Over Printed Name of OCI Team Member	Date Signed

NOTED AND REVIEWED BY:

Signature Over Printed Name of RCLUPPI Committee Member	Signature Over Printed Name of RCLUPPI Committee Member
Date Signed	Date Signed

 Signature Over Printed Name of
 RCLUPPI Committee Head

 Date Signed

Copy Distribution:

If filed at CLUPPI: Original - CLUPPI Photocopies : 1 - RCLUPPI 2 - DARPO 3 - DARMO	If filed at RCLUPPI: Original - RCLUPPI PHOTOCOPIES: 1 - DARPO 2 - DARMO
--	--

Republic of the Philippines
Department of Agrarian Reform Municipal Office
Municipality of _____
Province of _____

CERTIFICATION

This is to certify that this Office has undertaken the following activities on the landholding registered in the name of _____ embraced by OCT/TCT No. _____ with an area of _____ (hectares), more or less, located at _____:

- Conducted investigation of the subject landholding and verification of the status of CARP Coverage;
- Verified the presence of farmers, agricultural lessees, share tenants, farmworkers, actual tillers, or occupants; and
- Inspected the installation of the Public Notice and Billboard.

The abovementioned activities were based on the records filed and field validation conducted by this office on _____.

This certification is issued in connection with the above LO's application for exclusion from CARP coverage pursuant to Administrative Order No. _____, Series of 2004.

Done this _____ day of _____ 200_____ at _____.

Signature Over Printed Name of MARO

Copy Distribution:

If filed at the CLUPPI: {five (5) sets}

- Original - LO/applicant
- Photocopies:
 - 1 - CLUPPI
 - 2 - RCLUPPI
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 - 4 - DARMO

If filed at the RCLUPPI: {four (4) sets}

- Original - LO/applicant
- Photocopies:
 - 1 - RCLUPPI
 - 2 - DARPO
 - 3 - DARMO

Republic of the Philippines
Department of Agrarian Reform
Regional Center for Land Use Policy Planning and Implementation (RCLUPPI)
Region No. _____

NOTICE TO CONDUCT OCULAR INSPECTION (OCI)

Date

Sir / M a d a m:

Please be informed that the ocular inspection (OCI) on the property registered in your name, with an area of _____ hectares, more or less, covered by Title No./TD No. _____ and located at _____, will be conducted on _____. Your presence, or that of your authorized representative, is required. Failure on your part to participate in the said OCI will not in any way affect the conduct of the said activity.

We would appreciate your full cooperation and support. Thank you.

Very truly yours,

Name and Signature of
Chairperson, RCLUPPI

Copy Distribution:

If filed at the CLUPPI: {five (5) sets}

Original - LO/applicant

Photocopies:

1 - CLUPPI
2 - RCLUPPI
3 - DARPO
4 - DARMO

If filed at the RCLUPPI: {four (4) sets}

Original - LO/applicant

Photocopies:

1 - RCLUPPI
2 - DARPO
3 - DARMO

Republic of the Philippines
Department of Agrarian Reform
Municipality of _____
Province of _____

LIHAM PAANYAYA*

_____ Petsa

Mahal na Ginoo/Ginang:

Ipinababatid po namin sa inyong kaalaman na ang lupang pansakahan na pag-aari ni Ginoo/Ginang _____, na may titulo blg. _____, may sukat na _____ (metro kuwadrado), humigit kumulang, at matatagpuan sa _____ ay isinumite ang aplikasyon sa Center for Land Use Policy Planning and Implementation (CLUPPI) ng DAR Central Office (DARCO)/DAR Regional Center for Land Use Policy Planning and Implementation (RCLUPPI) ng Rehiyon Blg. _____, noong ika _____ (petsa) upang ang nasabing pansakahang lupa ay hindi mapasali na sakupin ng Komprehensibong Programa sa Repormang Pansakahan o Comprehensive Agrarian Reform Program (CARP).

Kaugnay po nito, kayo ay inaanyayahan na dumalo sa pulong na gaganapin sa ika _____ (petsa), _____ umaga/hapon, sa _____ (lugar) upang kayo ay makapanayam at mabigyan kaalaman tungkol sa nasabing lupang pansakahan.

Hinihiling din po naming dalhin ninyo ang mga kaukulang dokumento na maaring kayo ay makilala, tulad ng mga sumusunod:

1. Sedula;
2. ID ng Botante (Voter's ID) o sertipikadong kopya ng pagkakarehistro ng botante (Voter's registration);
3. Sertipikasyon mula sa Barangay;

* To be prepared in five (5) copies if filed at the CLUPPI and four (4) copies if filed at the RCLUPPI

4. Sertipikasyon mula sa kumpanyang pinagtatrabahuhan (kung mayroon man);
5. Resibo ng sahod (payslip) o listahan ng pasahod (payroll), kung mayroon man; o
6. Iba pang dokumento na may kaugnayan o magpapatunay na nagtrabaho o may kaugnayan sa nabanggit na lupain.

Ipinababatid namin na ang hindi ninyo pagdalo sa nakatakdang pulong/miting na ito sa anumang kadahilanan ay nangangahulugan ng inyong kawalang interes sa nasabing lupang pansakahan.

Lubos na gumagalang,

Pangalan at Lagda ng MARO

Pagbabahagi ng Sipi:

Kung nagsumite sa CLUPPI: {five (5) sets}

Orihinal - Farmer/Occupant

Xerox ng Orihinal na Sipi:

1	-	CLUPPI
2	-	RCLUPPI
3	-	DARPO
4	-	DARMO

Kung nagsumite sa RCLUPPI: {four (4) sets}

Orihinal - Farmer/Occupant

Xerox ng Orihinal na Sipi:

1	-	RCLUPPI
2	-	DARPO
3	-	DARMO

Republic of the Philippines
Department of Agrarian Reform
 Municipality of _____
 Province of _____

PROOF OF PERSONAL SERVICE

I. FOR "LIHAM PAANYAYA" RECEIVED BY FARMERS/FARMWORKERS/OCCUPANTS

I, _____, of legal age, and resident of _____ received the "Liham Paanyaya" to attend the meeting _____ on _____ at _____ regarding the agricultural land owned by and registered in the name of _____, with OCT/TCT No. _____, situated at _____, with an area of _____ 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 FARMWORKER/OCCUPANTS

This is to attest that _____, identified as one of the farmers/occupants, 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 _____ with an area of _____ hectares, more or less. The subject landholding is being applied for exclusion from coverage of the Comprehensive Agrarian Reform Program (CARP).

_____ day of _____

Signature Over Printed Name

Copy distribution:

If filed at the CLUPPI: {five (5) sets}

- Original - Farmer/Occupant
- Photocopies:
 - 1 - CLUPPI
 - 2 - RCLUPPI
 - 3 - DARPO
 - 4 - DARMO

If filed at the RCLUPPI: {four (4) sets}

- Original - Farmer/Occupant
- Photocopies:
 - 1 - RCLUPPI
 - 2 - DARPO
 - 3 - DARMO

Republic of the Philippines
Department of Agrarian Reform
Regional Center for Land Use Policy Planning and Implementation (RCLUPPI)
Region No. _____

MINUTES OF MEETING

A. Date: _____

B. Venue: _____

C. Participants:

Landowner/Applicant: _____

Tenant/s: _____

Lessee/s: _____

Regular Farmworkers: _____

Seasonal Farmworkers: _____

(Add more sheets if necessary)

BARC Chairman : _____

MARO: _____

ARPT: _____

Others: (i.e., NGO/PO or Barangay Council Representatives)

D. Agenda: _____

E. Discussion/s: _____

(Add more pages, if necessary)

F. Agreements: _____

G. Time Adjourned: _____

Prepared by:

Reviewed by:

Signature Over Printed Name
RCLUPPI Team Member

Signature Over Printed name
RCLUPPI Team Member

Date Signed

Date Signed

Noted by:

RCLUPPI Committee Member

RCLUPPI Committee Member

Copy Distribution:

If filed at the CLUPPI

Original	-	CLUPPI
Photocopies:		
1	-	RCLUPPI
2	-	DARPO
3	-	DARMO

If filed at the RCLUPPI:

Original-	RCLUPPI
Photocopies:	
1	- DARPO
2	- DARMO

Republic of the Philippines
Department of Agrarian Reform Municipal Office
Elliptical Road, Diliman, Quezon City

MEMORANDUM

FOR : _____
HEAD SECRETARIAT
Regional Center for Land Use Policy, Planning and Implementation
(RCLUPPI)
Region _____

FROM : _____
HEAD SECRETARIAT
Center for Land Use Policy, Planning and Implementation (CLUPPI)

SUBJECT : **CONDUCT OF OCULAR INSPECTION OF THE SUBJECT
LANDHOLDING APPLIED FOR EXCLUSION AT THE CLUPPI**

DATE : _____

Pursuant to Administrative Order No. _____, Series of 2004 titled, "*2004 Rules and Regulations Governing the Exclusion of Agricultural Lands Used for Cattle Raising from the Coverage of the Comprehensive Agrarian Reform Program (CARP)*", you are hereby directed to schedule and conduct a meeting with the concerned farmers, farmworkers and occupants, and an Ocular Inspection (OCI) on the subject landholding owned by _____ (name of LO), embraced by Title No. _____, with a total area of _____ hectares, more or less, located at _____.

Likewise, immediately after the conduct of the OCI, prepare and submit the OCI report (LVSTK EXC Form No. 3) on the matter including the Minutes of Meeting (LVSTK EXC Form No. 8) to this Office.

For your compliance.

Signature Over Printed Name of
Head Secretariat CLUPPI

Copy Distribution:

Original	-	RCLUPPI	
Photocopies:			
1	-	Livestock Exclusion Folder	(CLUPPI)
2	-	DARPO	
3	-	DARMO	

LVSTK EXC Annex "A"
Sample Format for the Billboard Public-Notice

PAHAYAG PANGMADLA
(NOTICE OF APPLICATION FOR EXCLUSION FROM CARP)

Para sa Kinauukulan:

Ipinababatid namin sa inyong kaalaman na ang nakatalang pangalan sa ibaba ay nagsumite ng aplikasyon sa Center for Land Use Policy Planning and Implementation (CLUPPI) ng Department of Agrarian Reform Central Office (DARCO)/DAR Regional Center for Land Use Policy Planning and Implementation (RCLUPPI) ng Rehiyon Blg. _____ upang hindi mapasakop sa Komprehensibong Programa sa Repormang Pansakahan o Comprehensive Agrarian Reform Program (CARP) ang pansakahan lupain na pag-aari at nakarehistro sa pangalan ni Ginoo/Ginang _____ na may titulo blg. _____ at may kabuuang sukat na _____ (metro kuwadrado), humigit kumulang, na matatagpuan sa _____ dahil sa ito ay ginagamit bilang rantso.

Ipinababatid din po namin ang mga sumusunod:

1. Isinumite ang nasabing aplikasyon sa di Pagsakop (Exclusion) sa CLUPPI ng DARCO/DAR RCLUPPI ng Rehiyon Blg. _____ noong ika _____ (petsa);
2. Ang kinatawan ng CLUPPI ng DARCO/DAR RCLUPPI ng Rehiyon Blg. _____ ay nakatakdang magsagawa ng Ocular Inspection (OCI) sa ika _____ (petsa) upang masiyasat at patotohanan ang aktuwal na kalagayan ng nasabing pansakahan lupain;
3. Ang sinuman na magsasaka/umuukupa ng nasabing pansakahan lupain na hindi sumasang-ayon ay maaring maghain ng protesta sa CLUPPI ng DARCO/DAR RCLUPPI ng Rehiyon Blg. _____, na matatagpuan sa _____, sa loob ng tatlumpong (30) araw mula sa pagkapaskil nitong "PAHAYAG PANGMADLA"; at
4. Ang nasabing aplikasyon ay napagtibay/di napagtibay ni Sekretaryo _____ ng Kagawaran ng Repormang Pansakahan na ang tanggapan ay nasa _____ /DAR Regional Director _____ ng Rehiyon Blg. _____ na ang tanggapan ay nasa _____, noong ika _____.

Pangalan ng Aplikante

LVSTK EXC Annex "B"

**SAMPLE ILLUSTRATION
For Determining Areas Excluded From
CARP Coverage**

I. ASSUMPTIONS:

Based on the ocular inspection (OCI), the following data and information were gathered:

- A. Name of Farm or Landowner: **OUTBACK CATTLE RANCH**
- B. Location: **BARANGAY KABBA, USON, MASBATE**
- C. Total Area: **2,304.375 has.**
- D. Elevation/Slope: **GENTLY SLOPING TO UNDULATING/ROLLING**
- E. Cattle Inventory:

Type of Animal	Average Age	Number/Inventory
Cows	-	200
Bulls	-	10
Heifers	2-3 yrs old	200
Steers	1-2 yrs. Old	250
Calves (yearling/ weaners)	7 months – 1 yr. Old	200

- G. Total Area Occupied by Existing Infrastructure and Production Facilities = **50.749 m²**

The production facilities include the following: holding pens, crowding pens, cattle sheds or barns, feeding corrals, and feedlots.

II. COMPUTE THE TOTAL AREA TO BE EXCLUDED FROM CARP COVERAGE

FORMULA:

TOTAL AREA FOR EXCLUSION = TOTAL GRAZING AREA + TOTAL AREA OCCUPIED BY INFRASTRUCTURE AND PRODUCTION FACILITIES

STEP 1: MULTIPLY THE NUMBER OF ANIMALS PER TYPE BY THE ANIMAL UNIT EQUIVALENT (AUE), THEN GET TOTAL ANIMAL UNIT (AU)

Type of Animal	Average Age	Number	AUE	AU
Cows	-	200	1.0	200
Bulls	-	10	1.2	12
Heifers	2-3 yrs old	200	0.75	150
Steers	1-2 yrs. Old	250	0.50	125
Calves (yearling/ weaners)	7 months – 1 yr. Old	200	0.25	50
TOTAL ANIMAL UNITS (AU)				537

STEP 2: BASED ON THE INFORMATION OF THE LANDHOLDING'S TOPOGRAPHY, DETERMINE THE PRESCRIBED STOCKING RATE.

- Gently sloping to undulating/rolling slope allows a stocking rate of 0.5 AU per hectare (per Art. II, Sec. 4, Item 4.1.1.1 of this A.O.).

STEP 3: DETERMINE THE GRAZING AREA BY DIVIDING THE TOTAL ANIMAL UNIT (AU) BY THE STOCKING RATE (SR). In equation:

$$\begin{aligned}
 \text{Grazing Area} &= \frac{\text{Total Au}}{\text{SR}} \\
 &= \frac{537 \text{ AU}}{0.5 \text{ AU/ha}} \\
 &= \underline{\underline{1,074 \text{ Has.}}}
 \end{aligned}$$

STEP 4: DETERMINE THE TOTAL AREA OCCUPIED BY THE EXISTING INFRASTRUCTURE AND PRODUCTION FACILITIES BASED ON SPACE REQUIREMENTS SPECIFIED IN LIVSTK EXC ANNEX "C" BY CONVERTING IT INTO HECTARES.

$$\begin{aligned}
 \text{Total Area of Infrastructure} &= \frac{50,749 \text{ m}^2}{10,000 \text{ m}^2/\text{ha}} \\
 \text{and Production Facilities} & \\
 &= \underline{\underline{5.0749 \text{ Has.}}}
 \end{aligned}$$

STEP 5: COMPUTE THE TOTAL AREA FOR EXCLUSION FROM CARP COVERAGE BY ADDING THE GRAZING AREA AND

THE AREA OF THE INFRASTRUCTURE AND PRODUCTION FACILITIES.

TOTAL AREA FOR EXCLUSION = TOTAL GRAZING AREA + TOTAL AREA OCCUPIED BY INFRASTRUCTURE AND PRODUCTION FACILITIES

= 1,074 has + 5.0 has

= 1,079 hectares RECOMMENDED AREA FOR EXCLUSION FROM CARP

LVSTK EXC Annex "C"

Table 1. Space Requirements for Cattle Raising Facilities
(Per type of production facility and weight classification of animals)

Production Facility/ies	Minimum Space Requirement Per Weight Classification of Animals		
	Up to 270 Kgs	270-540 Kgs	Over 540 Kgs
Holding Pen	1.3 m ²	1.6 m ²	1.9 m ²
Crowding Pen	0.5 m ²	0.9 m ²	1.1 m ²
Working Chute with straight side	0.45 m	0.56 m	0.71 m
Working Chute with sloping sides:*			-
▪ Width at 0.8 m height	0.45 m	0.56 m	0.71 m
▪ Width at bottom	0.36 m	0.41 m	0.71 m
Holding Chute/Squeeze			
▪ With straight sides	0.69 m	1.34 m	1.70 m
▪ With V-shaped sides	0.3 m	0.72 m	0.98 m

* Add 51 mm to all chutes to accommodate bull or large cattle and PREGNANT cows (heavy with calf).

Table 2. Minimum Floor Space Requirements for Cattle in a Shed or Barn
(Per class, age, and size classification of animals)

Class, Age, Size of Animal	Shed or Barn Floor Area m ² / animal
Calves (up to 3 months)	1
Calves (3-6 months)	2
Calves (7 months – 1 year)	3
Yearlings (1 –2 years)	4
Heifer/Steer (2 – 3 years)	5
Milking and dry cows	6
Cows in Maternity stall	10

Table 3. Minimum Feeding Space Requirement for Cattle
 (Per class, age and size classification of animals)

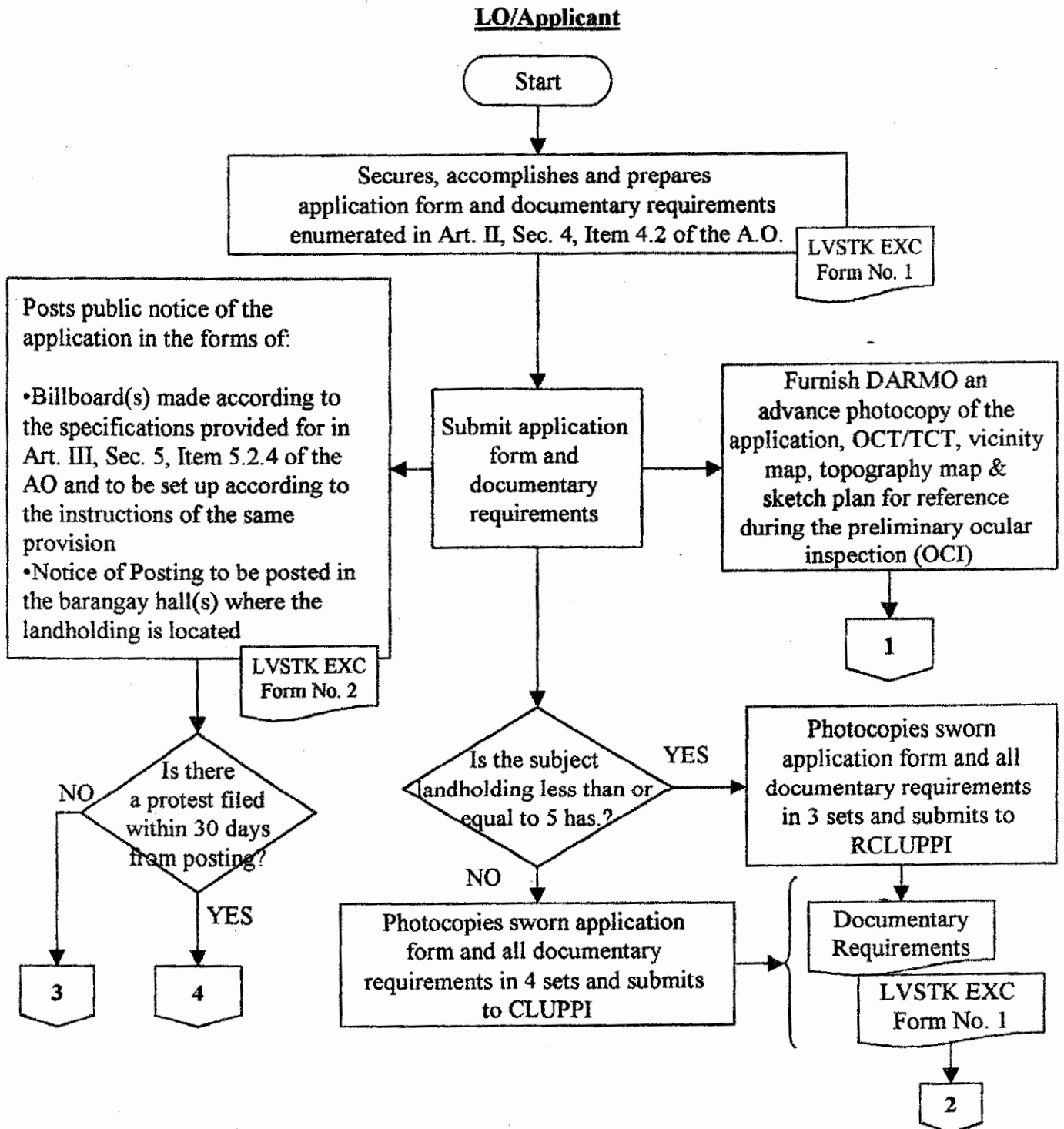
Class, Age, Size of Animal	Linear Feeding Space mm / animal
Calves (3-6 months)	45
Calves (7 months – 1 year)	50
Yearlings, Heifer, milking and dry cows in maternity stall	75

Table 4. Minimum Floor Space Requirement for Cattle Under Feedlot

Area	Floor Space m² / animal
Shed area	4
Loading area	5

Operating Procedures on the Exclusion of Agricultural Lands Used For Cattle Raising from CARP Coverage

A. Filing of Application

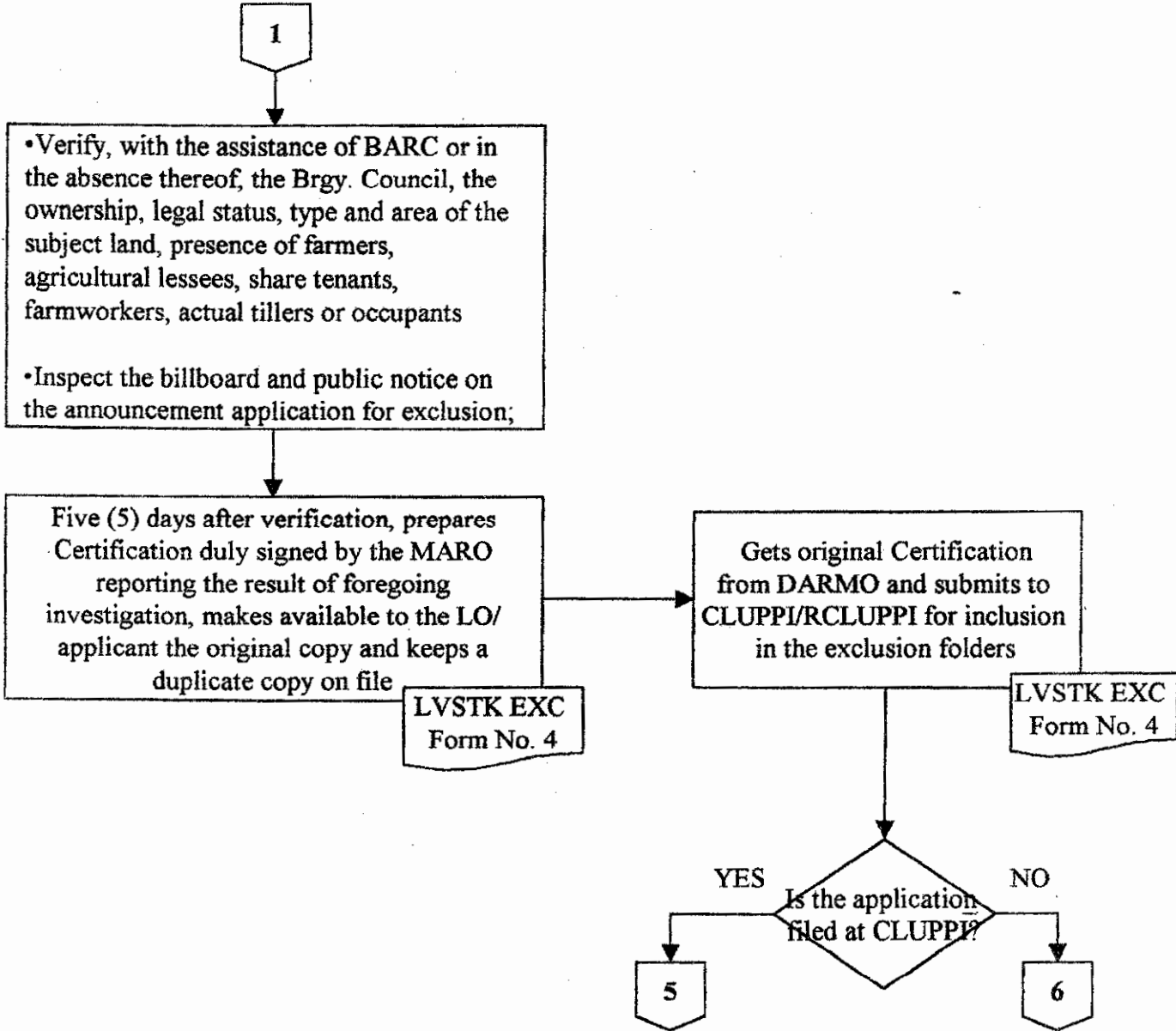


Operating Procedures on the Exclusion of Agricultural Lands Used For Cattle Raising from CARP Coverage

A. Filing of Application

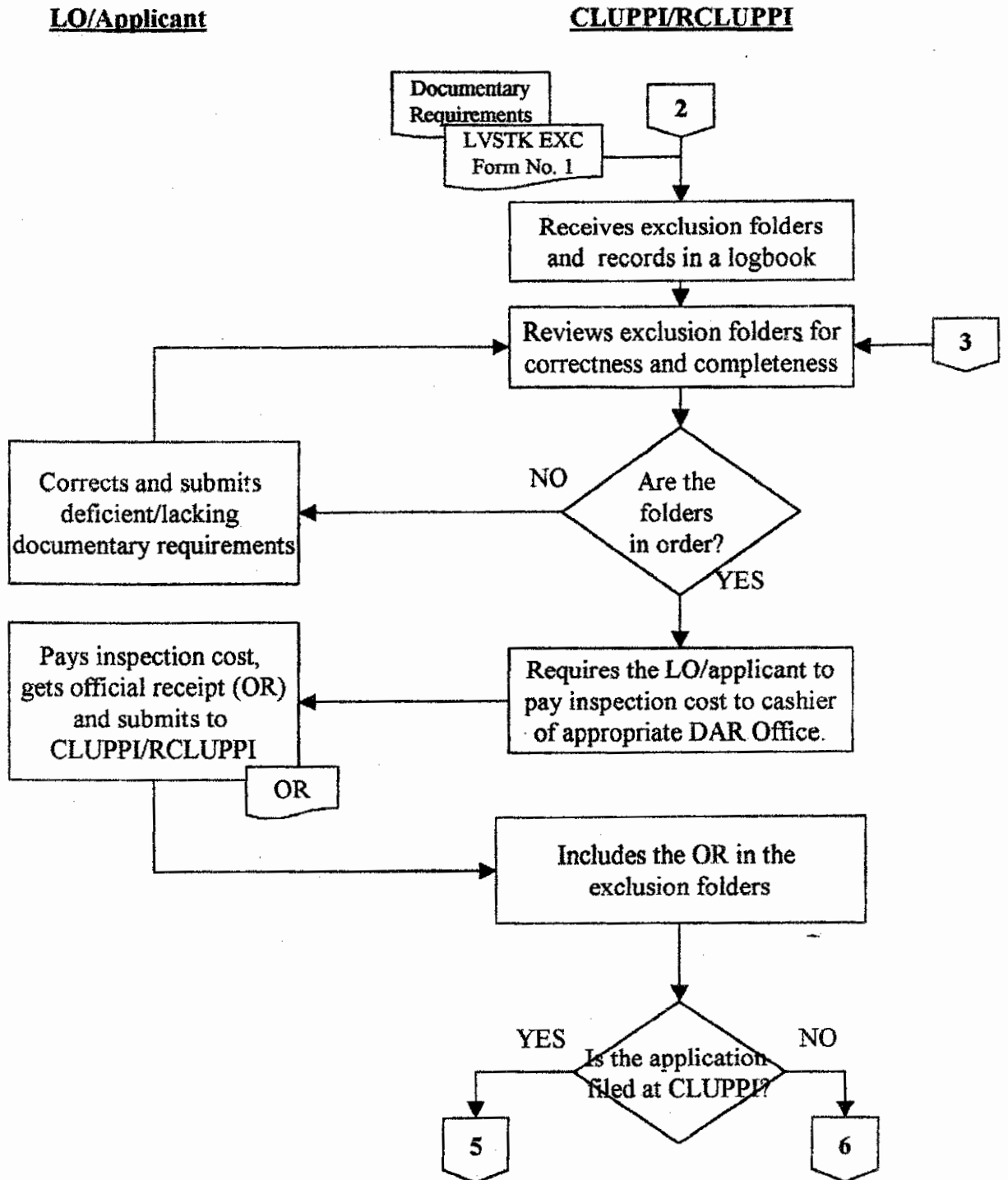
DARMO

LO/Applicant



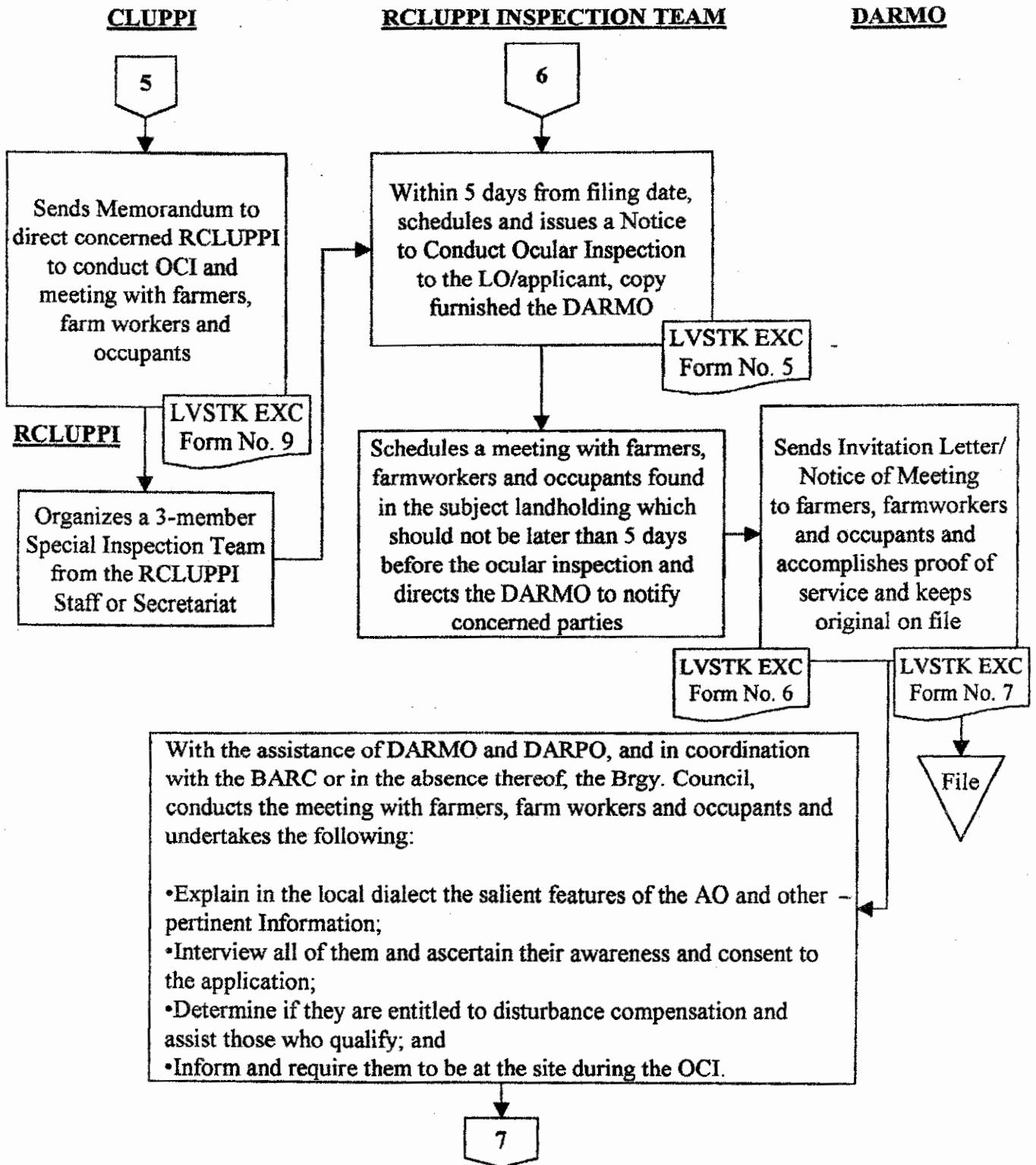
Operating Procedures on the Exclusion of Agricultural Lands Used For Cattle Raising from CARP Coverage

B. Processing of Application



Operating Procedures on the Exclusion of Agricultural Lands Used For Cattle Raising from CARP Coverage

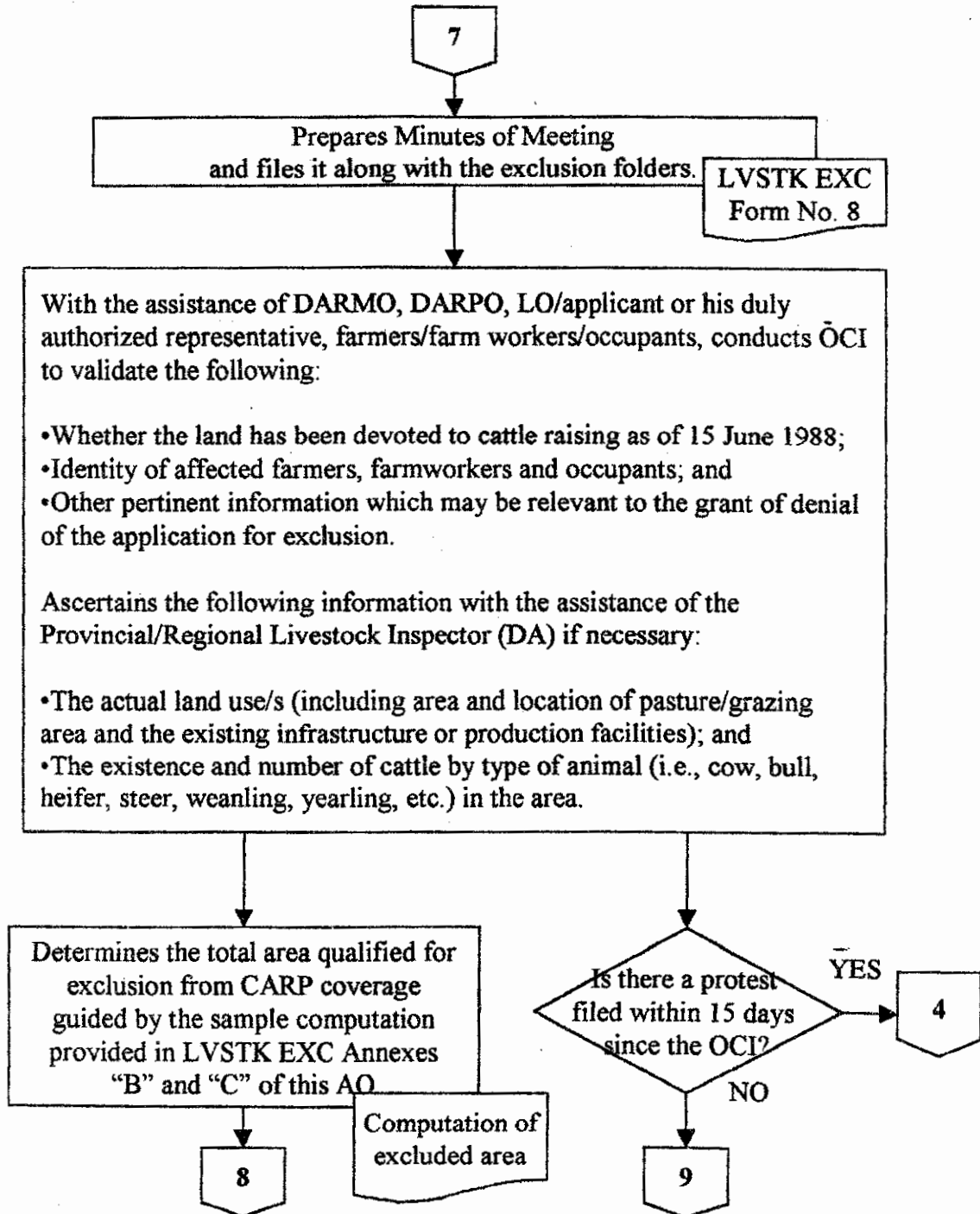
B. Processing of Applications



Operating Procedures on the Exclusion of Agricultural Lands Used For Cattle Raising from CARP Coverage

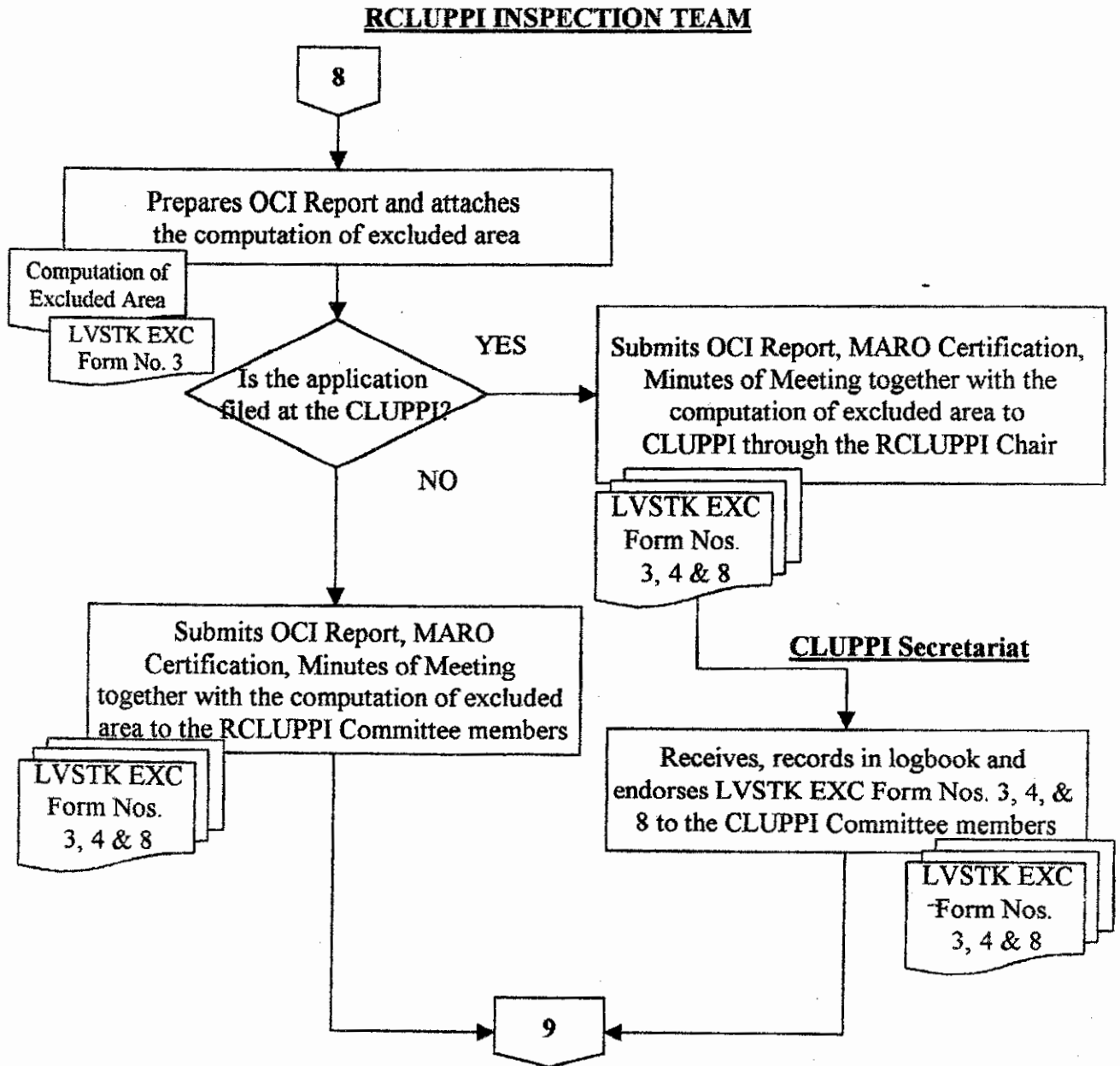
B. Processing of Applications

RCLUPPI INSPECTION TEAM



Operating Procedures on the Exclusion of Agricultural Lands Used For Cattle Raising from CARP Coverage

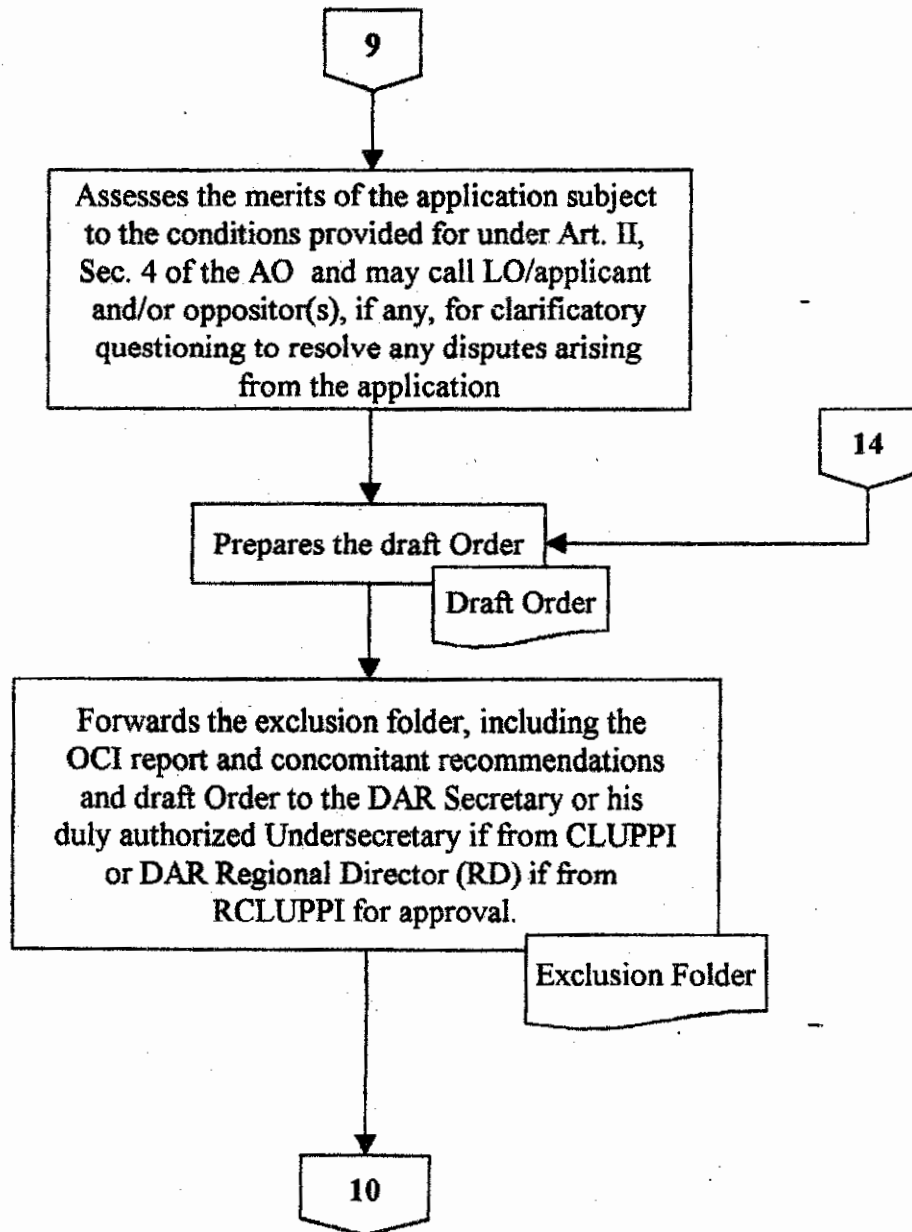
B. Processing of Applications



Operating Procedures on the Exclusion of Agricultural Lands Used For Cattle Raising from CARP Coverage

B. Processing of Applications

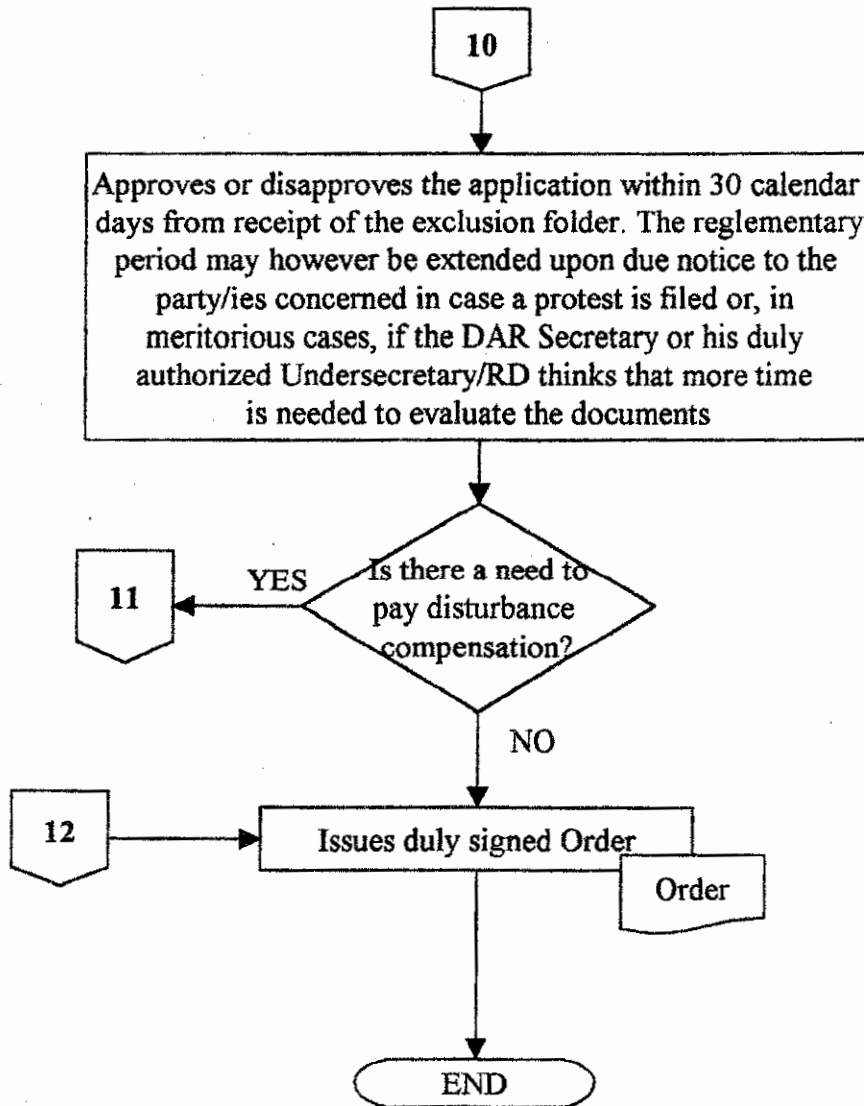
CLUPPI/RCLUPPI Committee



Operating Procedures on the Exclusion of Agricultural Lands Used For Cattle Raising from CARP Coverage

C. Approval of Application and Transmittal

DAR Secretary or Duly Authorized
Undersecretary/Regional Director

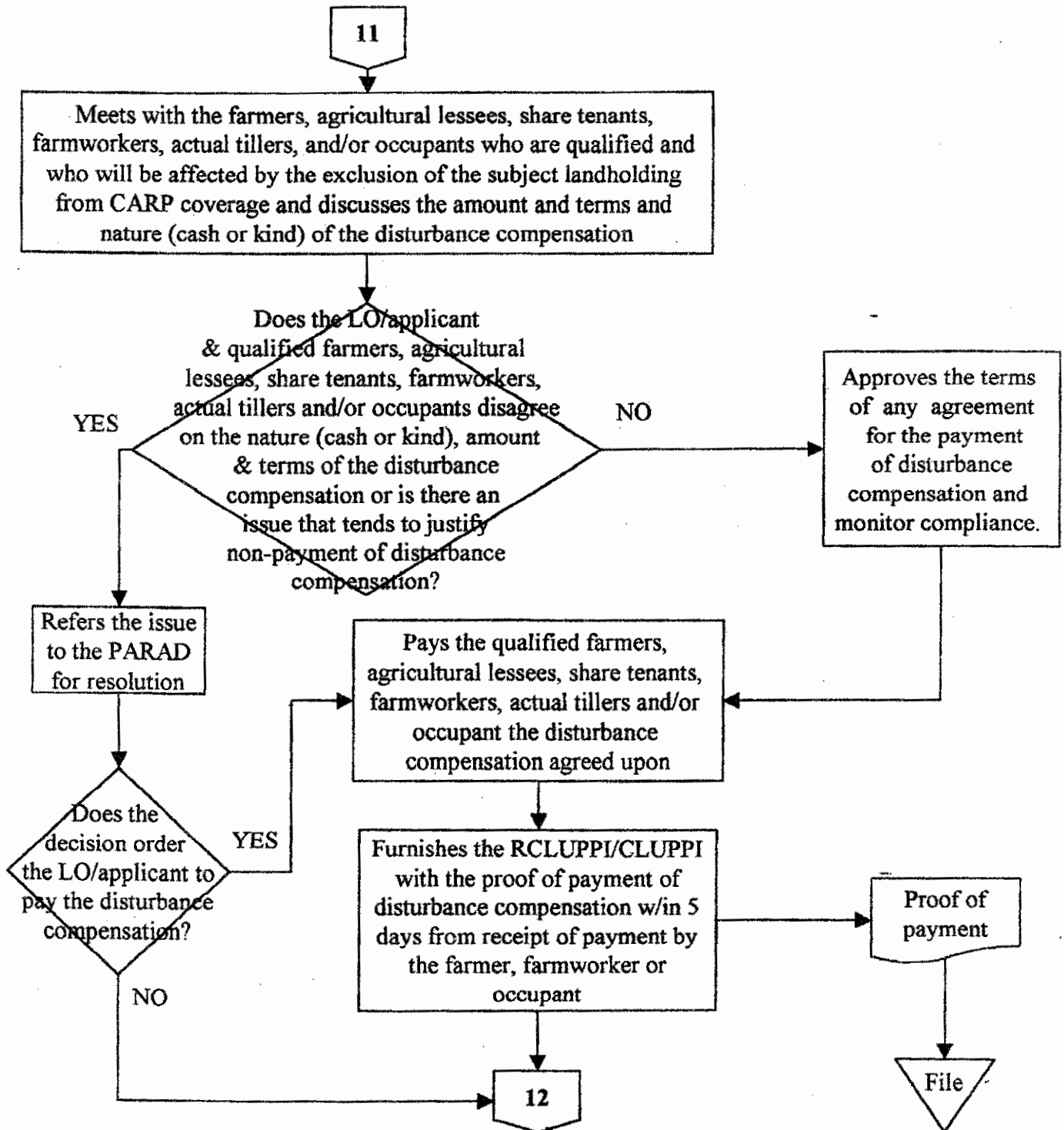


Operating Procedures on the Exclusion of Agricultural Lands Used For Cattle Raising from CARP Coverage

A. Disturbance Compensation

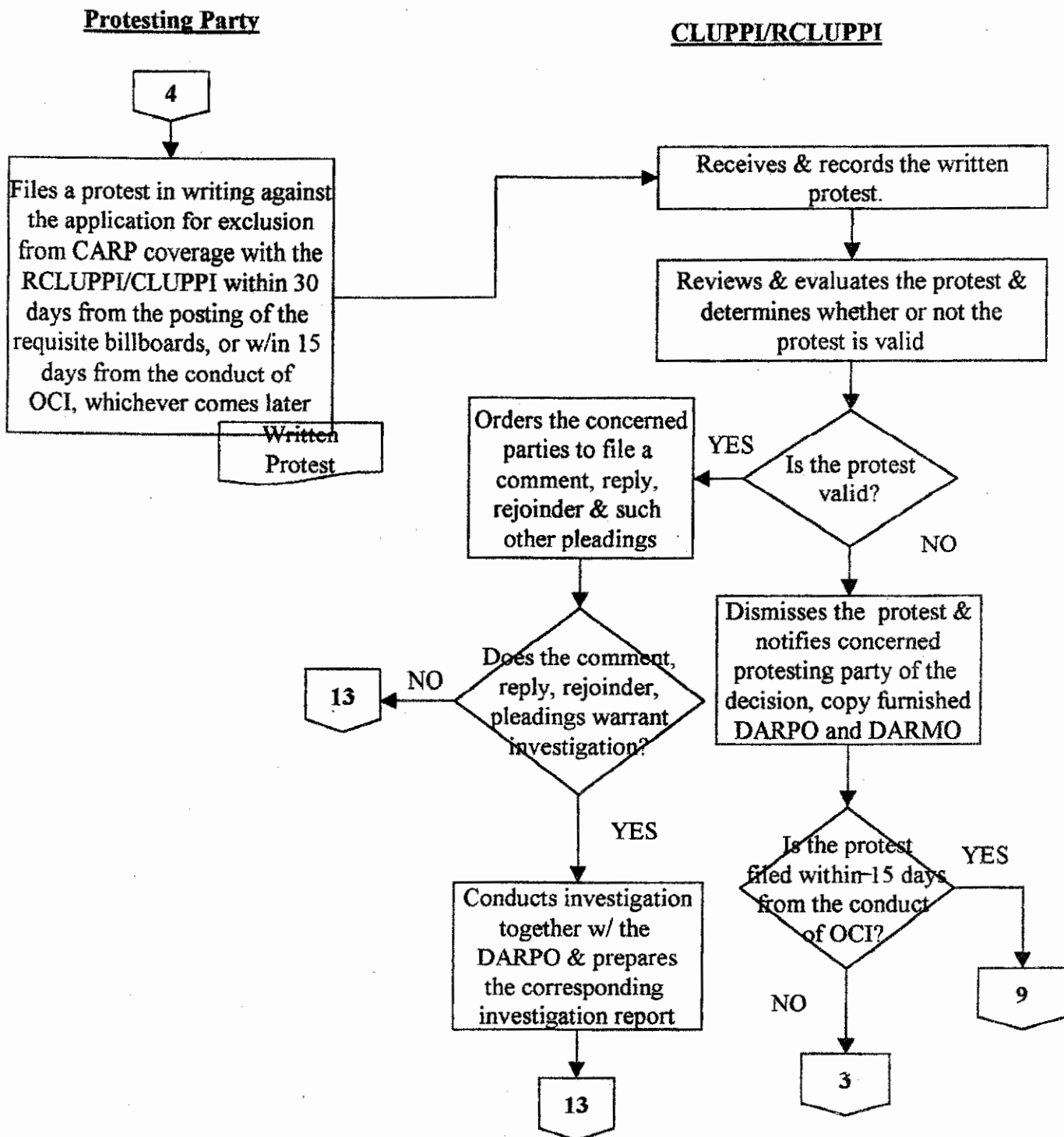
LO Applicant

DAR



Operating Procedures on the Exclusion of Agricultural Lands Used For Cattle Raising from CARP Coverage

A. Protest on Exclusion Applications



Operating Procedures on the Exclusion of Agricultural Lands Used For Cattle Raising from CARP Coverage

A. Protest on Exclusion Applications

CLUPPI/RCLUPPI

DARCO/DARRO

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Schedules and sends notice of hearing schedule to concerned parties. The PARO & MARO concerned may be invited to participate in the deliberations or summary administrative proceedings for clarificatory questioning to judiciously resolve the protest/dispute arising from the application. The hearing shall take place not later than 30 days from receipt of the protest/s

Conducts summary administrative proceedings on the scheduled date where the parties may present their respective evidence

Prepares & submits report with the concomitant recommendation together with the pertinent documents to the RD/DAR Secretary for resolution

Report and Recommendation
Documents

The receiving officer of the DARRO concerned or DARCO records the RCLUPPI's/CLUPPI's report & forwards the same to the RD or the DAR Secretary

RD/DAR Secretary:

- resolves or renders his/her decision on the protest w/in 30 days from receipt of the RCLUPPI's or the CLUPPI's report, as the case may be;
- informs all the parties concerned of the decision on the protest through the RCLUPPI or CLUPPI, copy furnished the concerned DARRO, DARPO & DARMO;
- Directs the RCLUPPI or the CLUPPI, as the case may be, to prepare the Order approving or disapproving the application for exclusion pursuant to Art. III, Sec. 6, Item 6.4.2 of the AO

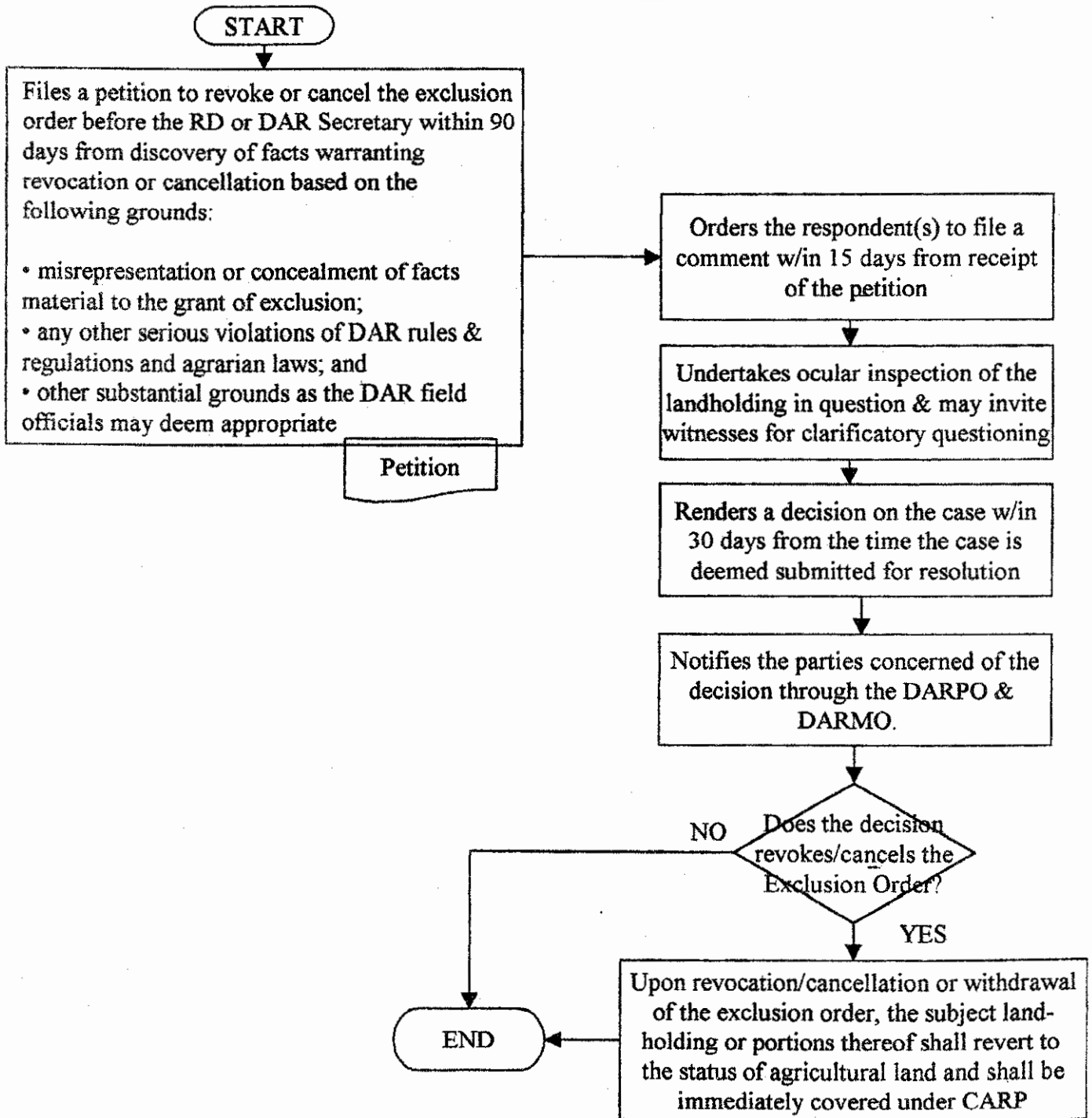
14

Operating Procedures on the Exclusion of Agricultural Lands Used For Cattle Raising from CARP Coverage

A. Revocation and Cancellation of Exclusion Order

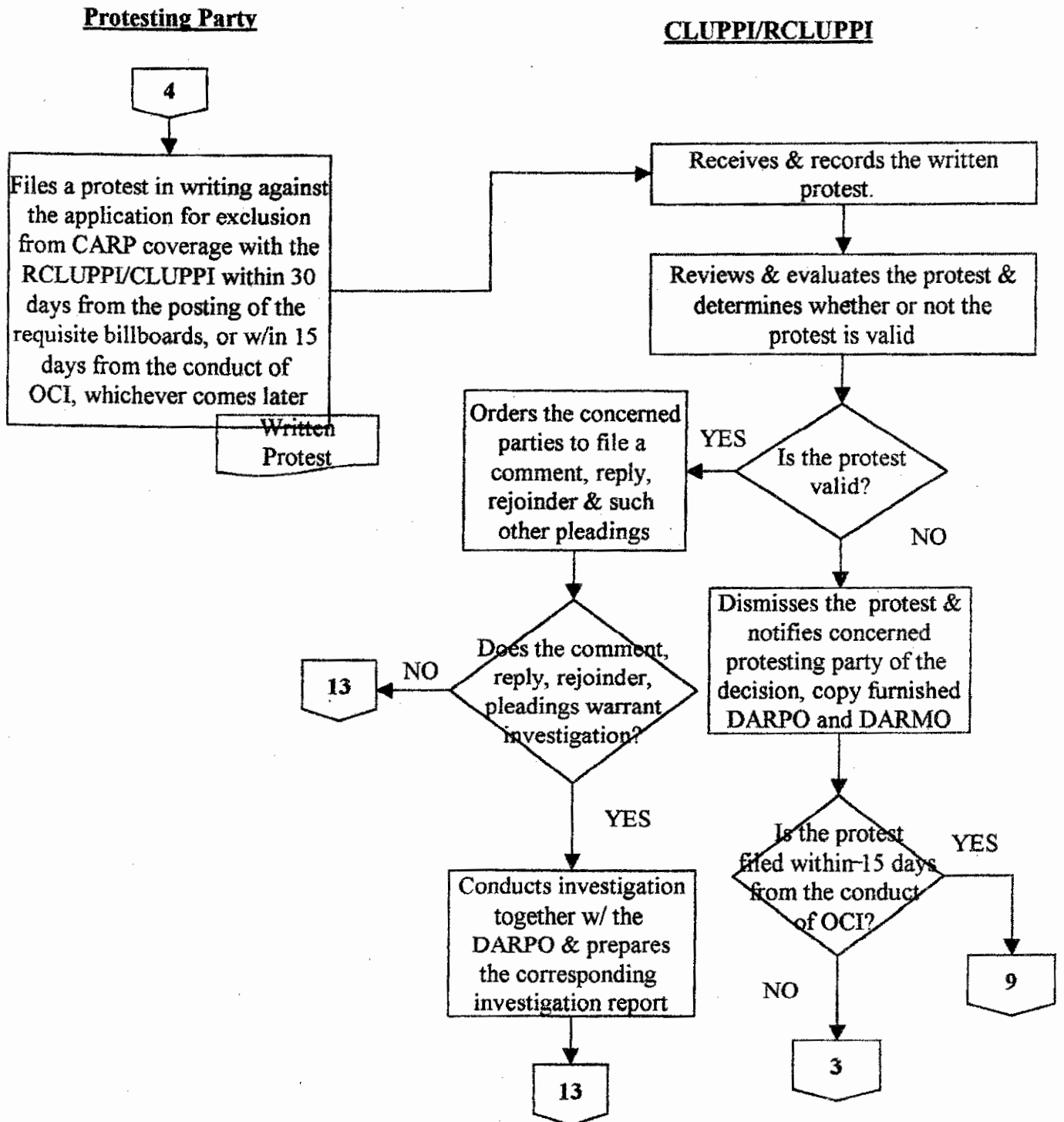
RD/PARO/MARO/
Party in Interest

DAR Secretary or his Duly
Authorized Undersecretary/RD



Operating Procedures on the Exclusion of Agricultural Lands Used For Cattle Raising from CARP Coverage

A. Protest on Exclusion Applications



Operating Procedures on the Exclusion of Agricultural Lands Used For Cattle Raising from CARP Coverage

A. Protest on Exclusion Applications

CLUPPI/RCLUPPI

13

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Report and
Recommendation

Documents

14

DARCO/DARRO

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