



Republic of the Philippines  
**DEPARTMENT of AGRARIAN REFORM**

MEMORANDUM CIRCULAR  
NO. 06  
SERIES OF 2010

TO : All Concerned Officials and Personnel of the Department of Agrarian Reform

SUBJECT : **CLARIFICATORY GUIDELINES ON THE TRANSITORY PROVISIONS OF DAR ADMINISTRATIVE ORDER NO. 2, S. OF 2009**

Item VI. TRANSITORY PROVISION of DAR AO 2, S, of 2009 provided that:

*"With respect to cases where the Master List of ARBs has been finalized on or before July 1, 2009 pursuant to Administrative Order No. 7, Series of 2003, the acquisition and distribution of landholdings shall continue to be processed under the provisions of R.A. No. 6657 prior to its amendment by R.A. No. 9700.*

*However, with respect to land valuation, all Claim Folders received by LBP prior to July 1, 2009 shall be valued in accordance with Section 17 of R.A. No. 6657 prior to its amendment by R.A. No. 9700."*

Given the above provisions, some issues arise in the course of implementation of the above A.O., thus requiring further clarification with respect thereto.

This Memorandum Circular is, therefore, hereby issued that:

1. Under R.A. No. 9700, retention by the landowners is absolute and waiver to retain is strictly not allowed. It is mandatory that the 5-hectare retention of the landowner shall be segregated from the excess portion that shall be covered under CARP;
2. However, in cases where the Master List of ARBs has already been finalized and that the posting requirement has been complied with prior to 30 June 2009, the corresponding Claim Folder shall no longer be redocumented. This means that the requirement under R.A. No. 9700 to satisfy each ARB an award ceiling of three-hectares does not need to be complied with and segregation of the five-hectare retention of the landowner is not needed.
3. As agreed upon with the Land Bank of the Philippines (LBP) and to facilitate review of the Claim Folders being submitted to the latter, a list of CFs with

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Masterlist of ARBs finalized and complied with the posting requirement as of 30 June 2009 shall be submitted by province by region to LBP NLT 30 June 2010.

All Memorandum Circulars and other issuances inconsistent herewith are hereby amended, modified or repealed accordingly.

This Memorandum Circular shall take effect immediately

Diliman, Quezon City, 24 June 2010.



**NASSER C. PANGANDAMAN**  
Secretary

Department of Agrarian Reform  
Office of the Secretary



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