



Department of Agrarian Reform
Eliptical Road, Diliman, Quezon City



Land Registration Authority
East Ave., Diliman, Quezon City

**JOINT DAR-LRA
MEMORANDUM CIRCULAR NO. 09
Series of 2012**

**TO : ALL CONCERNED OFFICIALS AND PERSONNEL of the
Department of Agrarian Reform (DAR) and
Land Registration Authority (LRA)/ Register of Deeds (RODs)**

**SUBJECT: CLARIFICATORY GUIDELINES IN THE DOCUMENTATION
AND REGISTRATION OF CERTAIN LAND TRANSACTIONS
UNDER THE COMPREHENSIVE AGRARIAN REFORM
PROGRAM**

I. PREFATORY STATEMENT

Section 78 of DAR Administrative Order No. 07, series of 2011 on the “Revised Rules and Procedures Governing the Acquisition and Distribution of Private Agricultural Lands under Republic Act (RA) No. 6657, as Amended” provides that:

x x x “The LBP shall issue to the PARO a COD upon its receipt of the Order to Deposit Landowner’s Compensation. Within ten (10) days from the PARO’s receipt from the LBP of a copy of the COD, he/she shall immediately transmit the COD, together with a copy of the ASP and a written request for the issuance of a TCT in the name of the Republic of the Philippines (RP Title), to the ROD.”

Furthermore, Section 106 of same AO provides that:

“It is the ministerial duty of the ROD to:

1. Issue the title of the land in the name of the Republic of the Philippines, after the LBP has certified that the claim proceeds have been deposited in the name of the LO constituting full payment in cash and bonds, with due notice to the LO;
2. Register the CLOA generated by DAR;
3. Cancel previous titles pertaining thereto; and
4. Issue title for the LO’s retained area and other non-CARPable areas.

In connection with the implementation of the CARP pursuant to RA 6657, as amended by RA 9700, the DAR, LRA and its Registers of Deeds (RODs) are closely collaborating with each other in the preparation and registration of CARP-related documents, deeds and other instruments. LRA is now implementing and using the Philippine Land Registration and Information System (PHILARIS) for the electronic registration of titles and deeds involving the CARP under the Joint DAR-LRA Memorandum Circular No. 03, Series of 2012.

II. POLICY STATEMENTS

1. CARP implementation is an exercise of both police power and eminent domain of the State. Compliance of all landowners whose lands are covered by CARP is mandated by law.
2. Land acquisition is implemented through the following modes: Compulsory Acquisition (CA), Voluntary Offer to Sell (VOS) and Voluntary Land Transfer (VLT). Under RA 9700, VLT applications submitted as of June 30, 2009 and with Certificate of Landownership Award (CLOA) issued and registered by the ROD as of June 30, 2012 shall be allowed. Tenanted rice and corn lands covered under Operation Land Transfer (OLT) pursuant to PD 27/EO 228 provided under Phase 1 of RA 9700 shall be documented and processed pursuant to this JMC in the generation and registration of Emancipation Patents (EPs).
3. In the claim folder documentation, the DAR has prescribed the same documentary requirements for CA or VOS, the difference lies with the sending of a Notice of Coverage (NOC) for CA, while an Acceptance Letter is sent to the landowner (LO)-offeror by the PARO for a duly accepted letter-offer. The acceptance letter is tantamount to an NOC, in case the LO-offeror fails to comply with the documentary requirements. An additional cash payment of five percent (5%) is given to LO under VOS scheme.
4. In case of rejection of the value initially determined by the LBP whether under CA, VOS, or OLT, a summary administrative proceeding is conducted by the DAR Adjudication Board (DARAB), with the value initially determined by LBP deposited in the account of the LO concerned.
5. The LBP upon receipt of the PARO's Order to Deposit LO's compensation, issues a Certification of Deposit (COD), which is transmitted by the PARO to the Register of Deeds (ROD) with a request to issue a TCT in the name of the Republic of the Philippines (RP) or CLOA/EP in favor of the ARBs. The surrender of the LO's Owners' Duplicate Copy (ODC) is dispensed with considering the exercise of police power and eminent domain of the CARP regardless of whether the mode of acquisition is CA or VOS.
6. The LBP shall release the LO compensation upon surrender of the ODC of title and other muniments of title.

III. OPERATING PROCEDURES

This Joint Memorandum Circular is issued to guide and provide all concerned personnel of the DAR, LRA and its RODs uniform and clear procedures and requirements in the documentation and registration of the following:

Agency/Unit Responsible	Activity	Forms/Documents (Requirements)
<p>DARPO</p>	<p>I. Transfer of Titled Private Lands from Landowner to RP</p> <p><i>A. Issuance of Transfer Certificate of Title (TCT) in the name of RP</i></p> <p>Forwards the LBP Certification of Deposit to the Register of Deeds (ROD) together with the Approved Segregation/Subdivision Plans and Technical Descriptions of the landholding (LH), and requests ROD to:</p> <ol style="list-style-type: none"> 1. Cancel LO's title for the entire LH; 2. Issue TCT to RP for each lot or parcel that will be issued CLOA; and 3. Issue new Title to the LO's retained area and other portions of the LH not covered or not acquirable, if applicable. 	<p>CARPER LAD Form No. 57 (Request to Issue TCT in the name of RP)</p> <p>CARPER LAD Form No. 55 (LBP Certification of Deposit)</p> <p>Certified copy of ASP and certified copies of technical description of the LH.</p>
<p>ROD</p>	<p>Issues TCT in the name of RP for each lot or parcel to be issued CLOA and releases the ODCs of RP Title to the PARO or his duly authorized representative.</p> <p>Issues new TCT/s in the name of LO for his/her retained area and other portions of the LH not covered or not acquirable, if applicable and releases the ODC of title/s to LO.</p>	<p>Regular Judicial Title Form for RP and LO (original and duplicate)</p> <p>Orig. Duplicate Copy (ODC) of Title in the name of RP</p> <p>ODC of TCT of the remaining retained & unacquired portions in the name of LO</p>
<p>DARPO</p>	<p>Upon receipt of the ODCs of RP Title/s from the ROD, records, makes a photocopy of the same for file/reference and forwards the ODC to LBP-AOC/HO</p>	<p>ODC of RP Title</p> <p>CARPER LAD Form No. 58 (Transmittal to LBP of copy of RP Title)</p>
<p>DARPO</p>	<p>B. Generation and Registration of CLOA-TCT</p> <p>Generates CLOA-TCT (Original and Owners' Duplicate Certificate) in the name of the ARB and inscribes the lien in favor of the LBP.</p>	<p>Judicial Form No. 140-A</p> <p>CLOA Form No. 2-A (TCT) RA 6657 (Orig. & Duplicate)</p>

Agency/Unit Responsible	Activity	Forms/Documents (Requirements)
DARPO	Transmits one (1) set of certified true copy of the ODC CLOA-TCT to the ARB.	Cert true copy of ODC CLOA-TCT
DARPO	<p>II. Distribution of Untitled Private Agricultural Lands (UPALs)</p> <p>Issuance of RP title is not necessary for UPALs. DARPO shall proceed immediately with the generation of CLOA-OCT for registration with ROD.</p> <p>Generates CLOA-OCT (original and owners duplicate certificate) in favor of ARB and inscribes the lien in favor of LBP. The annotation is same as in CLOA-TCT (I.2)</p> <p>Ensures that the generated CLOA-OCTs shall contain the annotation of lien in favor of LBP, same as in CLOA-TCT provided under I.B hereof.</p> <p>Forwards COD and requests ROD to register CLOA</p>	<p>Judicial Form No. 45-A/CLOA Form No. 1-A (OCT), RA 6657 (Original and duplicate)</p> <p>CARPER LAD Form No. 64 (Transmittal Memorandum to ROD of CLOAs for Registration)</p> <p>CARPER LAD Form No. 55 (LBP Certification of Deposit</p> <p>Certified copy of ASP and two (2) certified copies of the technical description of the LH</p>
ROD	<p>Reviews and Registers the CLOA-OCT.</p> <p>Informs DARPO that ODC of CLOA-OCT is ready for release to LBP.</p> <p>Releases ODC of CLOA-OCT to LBP Authorized Representative.</p>	<p>Same as above.</p> <p>Orig. ODC of CLOA-OCT CARPER LAD Form No. 65 (Memorandum to LBP of registered CLOAs-Titles)</p>

Agency/Unit Responsible	Activity	Forms/Documents (Requirements)
LBP	Keeps the Original ODC of the CLOA-OCT and provides the PARO two (2) sets of certified true copies of the CLOA-OCT, simulating the appearance, color, and paper of the same, to the PARO.	Orig. ODC CLOA-OCT Cert true copies of CLOA-OCT
DARPO	Receives two (2) sets of certified true copies of the CLOA-OCT and transmits one to the ARB	Cert true copy of ODC CLOA-OCT
DARPO	<p>III. Operation Land Transfer (OLT)</p> <p>A. Lands with Registered Emancipation Patent (EP) but LO not yet paid.</p> <p>Requests ROD to annotate registered EP on file at the ROD at the back of LO's Original Certificate of Title also on file at the ROD without the need of presenting LO's ODC of title.</p>	<p>OLT Form No. 13 (Request to Annotate EP-TCT on file at ROD)</p> <p>LO's Certificate of Title on File at ROD</p>
ROD	Annotates the registered EP, issues a Certified True Copy of LO's title on file at the ROD with the corresponding annotation and releases same to DARPO.	Cert. true copy of LO's Title on file at ROD with EP annotation
DARPO	<p>Receives the Certified True Copy of LO's Title with the corresponding annotation for inclusion in the claim folder whether it is still with DAR or at LBP.</p> <p>Completes OLT-CF and forwards same to LBP, if not yet forwarded.</p>	<p>Cert. true copy of LO's Title on file at ROD with EP annotation.</p> <p>OLT-CF</p>
LBP	Processes OLT-CF and issues COD to the DARPO.	CARPER LAD Form No. 55 (LBP COD)
DARPO	Forwards COD to ROD with the request to cancel LO's Title on file.	<p>CARPER LAD Form No. 55 (LBP COD)</p> <p>OLT Form No. 14 (Letter Request to Cancel LO's Title)</p>

Agency/Unit Responsible	Activity	Forms/Documents (Requirements)
		In case of partial coverage, certified copy of ASP and two (2) certified copies of TD.
ROD	Cancels LO's Title on file at ROD. In case of partial coverage, issues separate title in the name of LO for the uncovered area.	Cancelled LO's title filed at ROD Separate Title in the name of LO for the uncovered area (Regular judicial form)
DARPO	<p align="center">B. OLT Lands Without Registered EP</p> <p>Completes OLT-CF and forwards same to LBP pursuant to pertinent rules and regulations.</p> <p>Generates EP-TCT or EP-OCT and inscribes the annotation of lien in favor of LBP stipulating the ff:</p> <p align="center">ANNOTATION</p> <p><i>The parcel of land described in this EP is encumbered in favor of:</i></p> <p align="center">LAND BANK OF THE PHILIPPINES</p> <p><i>to ensure full payment of its value pursuant to PD 27/EO 228, by the tenant farmer beneficiaries named herein.</i></p> <p>Date _____</p> <p>_____ Name and Signature Provincial Agrarian Reform Officer</p>	<p>OLT-CF</p> <p>EP-TCT Judicial Form No. 109-F (Original & Duplicate for titled LHs) or</p> <p>EP-OCT Judicial Form No. 109-E (Original & Duplicate for untitled LHs)</p>
LBP	Processes OLT-CF and issues COD to the DARPO.	<p>OLT-CF</p> <p>CARPER LAD Form No. 55 (LBP COD)</p>
DARPO	Forwards COD to ROD with the request to cancel LO's Title on file and register the EPs.	OLT Form No. 14 (PARO Request to Cancel LO's Title on file at ROD)

Agency/Unit Responsible	Activity	Forms/Documents (Requirements)
	<i>Note: No need to surrender LO's ODC of title.</i>	CARPER LAD Form No. 55 (LBP COD) In case of partial coverage, certified copy of ASP and two (2) certified copies of TD. EP (Original and Duplicate)
ROD	Cancels LO's Title on file at ROD and registers the EPs. In case of partial coverage, issues separate title in the name of LO for the uncovered portions. Informs DARPO that ODC of EP is ready for release to LBP Releases ODC of EP title to LBP Authorized Representative.	Cancelled LO's Title on file at ROD Registered EPs (Orig. & duplicate) Original ODC of EP
LBP	Keeps the Original ODC of the EP and provides the PARO two (2) sets of certified true copies of the EP, simulating the appearance, color, and paper of the same, to the PARO.	Original ODC of EP Two (2) sets of certified true copies of EP.
DARPO	Receives two (2) sets of Certified true copies of EP and transmits one to the ARB.	Certified true copies of ODC EP.

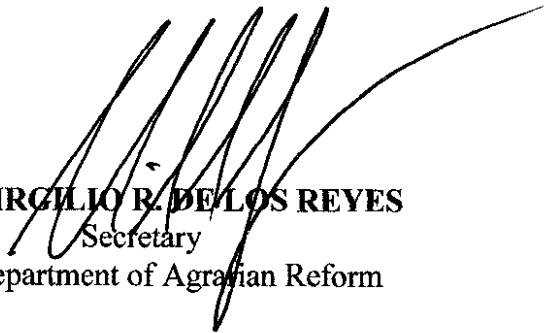
IV. APPLICABILITY


This JMC shall apply to all CARP transactions submitted to and to be submitted to the ROD relative to the acquisition and distribution of titled or untitled private agricultural lands, under OLT, CA or VOS by landowners, government financing institutions (GFI), corporations or partnerships, whether the land compensation is accepted or rejected.

This JMC hereby amends all issuances inconsistent herewith.

Please be guided accordingly.

Diliman, Quezon City, November 20, 2012.


VIRGILIO B. DE LOS REYES
Secretary
Department of Agrarian Reform


EULALIO C. DIAZ III
Administrator
Land Registration Authority

