



Republic of the Philippines
DEPARTMENT of AGRARIAN REFORM
ELLIPTICAL ROAD, DILIMAN, QUEZON CITY • TELS. 928-7031 TO 39

DAR MEMORANDUM CIRCULAR NO. 02
Series of 2014

**SUBJECT: CONTINUATION OF LAND ACQUISITION AND
DISTRIBUTION BEYOND 30 JUNE 2014**

DATE : 11 July 2014

All DAR officers and employees are hereby directed to proceed with the acquisition and distribution of all agricultural lands covered by the Comprehensive Agrarian Reform Program (CARP) initiated on or before 30 June 2014. The proper service of Notices of Coverage and our acceptance of Voluntary Offers to Sell are considered as initiatory acts of land acquisition and distribution (LAD).

This directive is supported by Section 30 of Republic Act (R.A.) No. 9700, which states that:

Section 30. Resolution of Case. – Any case and/or proceeding involving the implementation of the provisions of Republic Act No. 6657, as amended, which may remain pending on June 30, 2014 shall be allowed to its finality and be executed even beyond such date. (Emphasis Supplied)

The continuing processing of land acquisition and distribution initiated on or before 30 June 2014 is supported by the following¹:

1. DOJ Opinion Nos. 59 and 60, Series of 2013, which explained that the 30 June 2014 deadline indicated in R.A. No. 9700 is merely directory and not mandatory, as it simply emphasized the importance and urgency of the implementation of the CARP, ideally within the time frame provided. Furthermore, Section 30 of R.A. No. 9700 expressly allowed the continuation of pending cases and proceedings even after 30 June 2014, thus showing the practical intention of the law for continued processing of landholdings even beyond the 30 June 2014 deadline;
2. Special Provision No. 2 of the 2014 General Appropriations Act, which allowed the continued processing of all landholdings issued with NOCs but with pending cases and/or proceedings as of 30 June 2014, until registration of Certificates of Land Ownership Award (CLOAs) to the qualified agrarian reform beneficiaries.

In addition, Petitions for Coverage filed² before 30 June 2014 are to be treated as Agrarian Law Implementation (ALI) cases and, as such, Section 30 of R.A. No. 9700 will apply to these. To reiterate, Section 30 of R.A. No. 9700 states that:

¹ An additional source is the minutes of the Bi-Cameral Conference deliberation of House Bill No. 4077 and Senate Bill No. 2066 (Re: CARP Amendments), particularly with respect to Section 30, which shows that Congress intended the DAR to proceed with LAD beyond 30 July 2014 as long as the process has been initiated on or prior to that date.

Section 30. Resolution of Case. – ***Any case*** and/or proceeding involving the implementation of the provisions of Republic Act No. 6657, as amended, which may remain pending on June 30, 2014 ***shall be allowed to its finality and be executed even beyond such date.*** (*Emphasis Supplied*)

In fact, if we look back at the minutes of the deliberations of the Bi-Cameral Conference deliberation of House Bill No. 4077 and Senate Bill No. 2066, the original intention of Section 30 is to allow the execution of quasi-judicial cases, among others, beyond 30 June 2014.

In view thereof, all DAR officers and employees are directed to process Petitions for Coverage filed on or before 30 June 2014 and thereafter execute final decisions thereof, under pertinent ALI rules and guidelines.

In addition, all DAR officers and employees are directed to continue the processing of landholdings subject of NOCs and VOS, served and accepted, respectively, on or before 30 June 2014. Processing of these landholdings shall include making sure that all related cases pending before the proper DAR offices shall continue until their finality and execution. Meanwhile, the landholdings subject of NOCs shall continue to be subject to the LAD process until the issuance and registration of Certificates of Land Ownership Award (CLOAs) to qualified agrarian reform beneficiaries.

Finally, all DAR officers and employees are directed to immediately report any case or opposition filed in connection with the continuation of the LAD process of landholdings subject of NOCs or with any pending Petitions for Coverage to the Undersecretary for Legal Affairs.

For the guidance of all concerned officers.

For the Secretary:


JOSE Z. GRAGEDA
Undersecretary for Operations

² Petitions for Coverage received beyond 30 June 2014, provided it can be proven that it is sent prior to or on 30 June 2014, can still be accepted, and Section 30 of R.A. No. 9700 shall apply thereto.