

# Republic of the Philippines



Department of Agrarian Reform



Department of Justice

JOINT DAR-DOJ ADMINISTRATIVE ORDER NO. 07, Series of 2019

SUBJECT : IMPLEMENTING RULES AND REGULATIONS OF EXECUTIVE ORDER NO. 75, SERIES OF 2019

**“DIRECTING ALL DEPARTMENTS, BUREAUS, OFFICES AND INSTRUMENTALITIES OF THE GOVERNMENT TO IDENTIFY LANDS OWNED BY THE GOVERNMENT DEVOTED TO OR SUITABLE FOR AGRICULTURE FOR DISTRIBUTION TO QUALIFIED BENEFICIARIES”**

Pursuant to the authority granted under Section 5 of Executive Order (E.O.) No. 75, Series of 2019 dated February 15, 2019, the following Implementing Rules and Regulations (IRR) are hereby prescribed, promulgated and adopted:

## **RULE I GENERAL PROVISIONS**

**Section 1. Coverage.** These rules and regulations shall govern the identification, validation, segregation, transfer and distribution of all government-owned lands (GOLs), devoted to or suitable for agriculture and which are no longer actually, directly and exclusively used or necessary for the purpose for which they have been reserved or acquired for the purpose of eventual distribution to qualified beneficiaries in accordance with E.O. No. 75, s. 2019, and such other pertinent laws.

**Section 2. Role of DAR as Lead Agency** – The Department of Agrarian Reform (DAR) shall provide central direction and coordination to the agrarian reform program to ensure the effective implementation of E.O. No. 75, s. 2019.

## **RULE II DEFINITION OF TERMS**

**Section 3. Definition of Terms.** For purposes of this IRR, the following terms shall be defined as follows:

**3.1 Government-Owned Land (GOL)** – refers to a parcel of land owned by a department, bureau, office and/or of the government and its instrumentalities, which have been acquired by purchase or grant, or which have been reserved in their favor by virtue of a presidential proclamation, executive fiat or legislative grant, or otherwise acquired through other modes of transferring ownership.

**3.2 Coverable GOL** - refers to a GOL devoted to or suitable for agricultural purposes and no longer actually, directly and exclusively used or necessary for the purpose for which they have been reserved or acquired as indicated in the DAR inventory and/or list submitted by the different departments, bureaus, offices, and instrumentalities of the government, and subject to validation by DAR, in coordination with the Department of Agriculture (DA) and Department of Environment and Natural Resources (DENR).

**3.2.1 Actually, directly and exclusively used** – refers to land that is directly and immediately occupied, utilized and applied for the purposes for which it was reserved or acquired.

**3.2.2 Necessary for the purpose for which the coverable GOL has been reserved or acquired** – The land is indispensable for the attainment of the mandate or primary purpose of the concerned departments, bureaus, offices and instrumentalities of the government, which have been acquired by purchase or grant, or which have been reserved in their favor by virtue of a presidential proclamation, executive fiat or legislative grant, or otherwise acquired through other modes of transferring ownership.

**3.3 Deed of Transfer (DOT)** – refers to the document executed by the concerned departments, bureaus, offices and instrumentalities of the government in favor of the DAR transferring ownership and control over a validated and segregated coverable GOL.

**3.4 Request for Execution of Deed of Transfer (DOT)** - refers to the document issued by the DAR requesting the concerned departments, bureaus, offices and instrumentalities of the government to execute a DOT with respect to the validated and segregated coverable GOL.

**3.5 Notice to Proceed Acquisition (NTPA)**– refers to the document issued by the DAR expressly notifying the concerned departments, bureaus, offices and instrumentalities of the government that it shall proceed with the acquisition of the coverable GOLs in case of refusal or failure to execute the DOT, in accordance with Section 1 of E.O. No. 75, s. 2019, Republic Act (RA) No. 6657, as amended and E.O. No. 129-A, s. 1987.

**3.6 Qualified Beneficiaries** – are farmers, tillers or farmworkers who are landless or who own less than three (3) hectares of agricultural lands; Filipino citizens; residents of the barangay (or the municipality if there are not enough qualified beneficiaries in the barangay) where the landholding is located; at least fifteen (15) years of age at the time of identification, screening and selection of the farmer beneficiaries; and with willingness, aptitude, and ability to cultivate and make the land as productive as possible as provided under Section 22 of RA No. 6657, as amended.

**RULE III**  
**IDENTIFICATION, VALIDATION, SEGREGATION, TRANSFER AND**  
**DISTRIBUTION**

**Section 4. *Identification and Inventory***

- 4.1** All departments, bureaus, offices and instrumentalities of the Government shall identify their coverable GOLs, and thereafter submit a list thereof to the DAR, indicating the location and area of the said lands, actual use and legal basis of ownership.
- 4.2** The DAR, in coordination with the DENR, shall cause the preparation of the total inventory of the coverable GOLs, which includes the list of lands submitted by the concerned departments, agencies and instrumentalities, and those identified by the DAR.

**Section 5. *Validation***

- 5.1** The DAR, in coordination with the DENR and the DA, shall undertake the validation of the lands listed in the inventory, taking into consideration their suitability for agricultural use, limitations on their use under existing laws and issuances, their respective metes and bounds, and such other relevant criteria provided herein.
- 5.2** The responsibilities of the agencies concerned in the conduct of validation shall be as follows:

**5.2.1 *Department of Agrarian Reform* shall:**

- A.** Confirm whether the coverable GOLs in the inventory comply with the criteria for validation as follows:
- 1.** Suitability of such area for agricultural purposes;
  - 2.** The area is no longer actually, directly, and exclusively used for the purpose for which the same has been reserved or acquired;
  - 3.** The area is no longer necessary for the purpose for which it has been reserved or acquired; that is:
    - a.** there is no approved development plan for the land specifying a period of implementation; or
    - b.** should there be an agency-approved development plan, the following requirements must be present upon the effectivity of these rules:

i. if the project is funded by the government, the corresponding proposal for funding must have been submitted to the DBM or the appropriate agency; or

ii. if the project is privately funded, there must be a firm funding commitment from the grantor;

4. Inclusion of the GOL does not violate any limitations and conditions provided under applicable laws, rules and issuances.

B. Conduct a segregation survey to delineate the validated coverable GOL from the non-coverable portion by a licensed geodetic engineer.

C. Create a Validation Committee to conduct validation of coverable GOLs in accordance with its rules and regulations.

**5.2.2 Department of Agriculture shall:**

Provide technical assistance to ascertain the suitability to agriculture of the GOL in accordance with the applicable laws and issuances, upon request by DAR.

**5.2.3 Department of Environment and Natural Resources shall:**

A. Provide maps and other tools and reference materials that shall provide technical data such as location, land classification, land use/cover, etc., that are relevant and useful in the validation of coverable GOLs; and

B. Provide technical assistance to ascertain the coverability of the GOLs in terms of land classification and slope, in accordance with existing laws and issuances, upon request by DAR.

**Section 6. Transfer of GOLs**

6.1 The DAR shall issue a Request for Execution of DOT for validated coverable GOL to the department, bureau, office or instrumentality concerned.

6.2 In case the department, bureau, office or instrumentality concerned refuses or fails to execute a DOT within fifteen (15) days from receipt of the request, the DAR shall issue an NTPA.

6.3 Upon receipt of the duly executed DOT from the DAR or upon the issuance of NTPA, the DAR shall proceed with the process of land acquisition and distribution of the subject landholding in accordance with R.A. No. 6657, as amended, other pertinent policies, rules and issuances of the DAR.

**Section 7. Distribution of GOLs** - The distribution of validated and segregated coverable GOLs shall be in accordance with RA No. 6657, as amended, and other pertinent policies, rules and issuances of the DAR.

**7.1 Identification of Qualified Beneficiaries** – The identification, screening, selection and installation of qualified agrarian reform beneficiaries (ARBs) under this IRR shall be in accordance with RA No. 6657, as amended, and other pertinent policies, rules and issuances of the DAR.

**7.2 Conduct of Subdivision Survey** – The DAR shall conduct a subdivision survey to subdivide the validated coverable GOL into sub-lots for distribution to qualified beneficiaries in accordance with R.A. No. 6657, as amended, and other pertinent policies, rules and issuances of the DAR.

#### **RULE IV PROTEST AND JURISDICTION**

**Section 8. Exclusive Jurisdiction of the Secretary of Agrarian Reform** - The Secretary of Agrarian Reform shall exercise exclusive jurisdiction over all disputes, claims, and controversies involving the coverability of GOLs in accordance with Section 50 of R.A. 6657, as amended.

**Section 9. Pre-condition to the filing of Protest Action** - No protest action involving the coverability of any GOL under these rules shall be filed or instituted before the Secretary of Agrarian Reform unless there have been conciliation proceedings between the parties before the Dispute Resolution Committee and that no settlement has been reached as certified by the DRC.

**Section 10. Creation of a Dispute Resolution Committee** – A Dispute Resolution Committee (DRC) shall be created to act as the conciliation body.

The DRC shall be composed of three (3) members from the DOJ to be designated by the Secretary of Justice.

**Section 11. Request for Conciliation** - Any department, bureau, office or instrumentality of the government who disputes the NTPA may file a request for conciliation before the DRC within fifteen (15) days upon receipt of such NTPA.

**Section 12. Conciliation Proceedings** - The following procedures shall be adopted for the settlement of disputes, claims and controversies concerning the coverability of GOLs:

**12.1** Upon receipt of the request for conciliation, the DRC shall conduct mandatory conciliation conferences to discuss the possibility of entering into an amicable settlement or compromise agreement.

**12.2** The representative of the parties shall be equipped with the necessary written authority to bind their principal in entering into such settlement agreement.

**12.3** The DRC shall conduct a maximum of three (3) conciliation conferences within the period of thirty (30) days from the filing of the request. The DRC together with the parties shall endeavor to arrive at a settlement agreement at the soonest possible time. The settlement agreement shall be signed by the members of the DRC and the duly authorized representatives of the department, bureau, office or instrumentality of the government in accordance with Section 12 (b). The settlement agreement shall be implemented immediately by DAR.

**12.4** Upon the lapse of the thirty (30) day period, without a settlement agreement being reached, the DRC shall issue a certificate of no settlement of the parties.

**Section 13. *Filing of Protest*** – Any department, bureau, office or instrumentality of the government may file a verified petition with the Secretary of Agrarian Reform within fifteen (15) calendar days from the receipt by the party concerned of the certification of no settlement from the DRC. The certificate of no settlement shall be attached to the petition protesting coverage of the GOL.

**Section 14. *Application of Agrarian Law Implementation (ALI) Rules*** – Pertinent rules and regulations of the DAR governing Agrarian Law Implementation (ALI) cases shall apply with respect to the resolution of protests of coverability of GOLs.

**Section 15. *Period to Decide*** – The Secretary of Agrarian shall resolve all disputes, claims and controversies arising from the implementation of E.O. No. 75, s. 2019 within thirty (30) days from the time the same are submitted for resolution.

**Section 16. *Appeal*** - Appeals from the decision of the Secretary of Agrarian Reform may be taken to the OP within fifteen (15) days from receipt thereof.

**Section 17. *Continuing Character of Proceedings*** - The identification, validation, segregation, transfer and distribution of coverable GOLs shall proceed despite the filing of a protest.

## **RULE V MISCELLANEOUS PROVISIONS**

**Section 18. *Compensability of GOLs*** – All transferred GOLs which were acquired by a department, bureau, office or instrumentality of the government through purchase shall be subject to payment of compensation or reimbursement in accordance with the rules and guidelines to be formulated by the Department of Budget and Management, Department of Finance and the Land Bank of the Philippines.

**Section 20. Monitoring and Reporting.** The DAR shall submit a report regarding the implementation of EO No. 75, series of 2019 to the Office of the President (OP) within ninety (90) days after the effectivity of this IRR and every quarter thereafter or as often as may be required by the OP.

**Section 21. Repealing Clause.** - All other issuances or parts thereof that are inconsistent with the provisions of this IRR are hereby repealed or modified accordingly.

**Section 22. Separability Clause.** Any provision of this IRR or any part hereof which may be declared invalid, illegal, or unconstitutional, shall not affect the validity of the remaining provisions of these guidelines.

**Section 23. Effectivity.** - This IRR shall take effect ten (10) days from its publication in two (2) newspapers of general circulation.

Diliman, Quezon City,     MAY 31    , 2019.

  
**JOHN R. CASTRICIONES**  
*Secretary, DAR*

**Department of Agrarian Reform**  
Office of the Secretary

ISU-19-07964

  
**MENARDO I. GUEVARRA**  
*Secretary, DOJ*

*[Faint, illegible text]*

Published in two (2) National Newspaper  
of General Publication

1. The Manila Times
2. Business World

Date of Publication: June 5, 2019



REPUBLIC OF THE PHILIPPINES


# DEPARTMENT OF AGRARIAN REFORM

Tunay na Pagbabago sa Repormang Agraryo

## CERTIFICATION

This is to certify that Joint DAR-DOJ Administrative Order No. 07, Series of 2019 entitled **IMPLEMENTING RULES AND REGULATIONS OF EXECUTIVE ORDER NO. 75, SERIES OF 2019 "DIRECTING ALL DEPARTMENTS, BUREAUS, OFFICES AND INSTRUMENTALITIES OF THE GOVERNMENT TO IDENTIFY LANDS OWNED BY THE GOVERNMENT DEVOTED TO OR SUITABLE FOR AGRICULTURE FOR DISTRIBUTION TO QUALIFIED BENEFICIARIES"** was published yesterday, 05 June 2019 in the Manila Times and Business World newspapers.

Issued this 6th day of June 2019 for whatever purpose it may serve.

  
**CLEON LESTER G. CHAVEZ**  
Director, Public Assistance and  
Media Relations Service





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Department of Justice

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Pursuant to the authority granted under Section 5 of Executive Order (E.O.) No. 75, Series of 2019 dated February 15, 2019, the following Implementing Rules and Regulations (IRR) are hereby prescribed, promulgated and adopted:

#### RULE I

##### GENERAL PROVISIONS

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**Section 2. Role of DAR as Lead Agency** – The Department of Agrarian Reform (DAR) shall provide central direction and coordination to the agrarian reform program to ensure the effective implementation of E.O. No. 75, s. 2019.

#### RULE II

##### DEFINITION OF TERMS

**Section 3. Definition of Terms.** For purposes of this IRR, the following terms shall be defined as follows:

**3.1 Government-Owned Land (GOL)** – refers to a parcel of land owned by a department, bureau, office and/or of the government and its instrumentalities, which have been acquired by purchase or grant, or which have been reserved in their favor by virtue of a presidential proclamation, executive fiat or legislative grant, or otherwise acquired through other modes of transferring ownership.

**3.2 Coverable GOL** - refers to a GOL devoted to or suitable for agricultural purposes and no longer actually, directly and exclusively used or necessary for the purpose for which they have been reserved or acquired as indicated in the DAR inventory and/or list submitted by the different departments, bureaus, offices, and instrumentalities of the government, and subject to validation by DAR, in coordination with the Department of Agriculture (DA) and Department of Environment and Natural Resources (DENR).

**3.2.1 Actually, directly and exclusively used** – refers to land that is directly and immediately occupied, utilized and applied for the purposes for which it was reserved or acquired.

**3.2.2 Necessary for the purpose for which the coverable GOL has been reserved or acquired** – The land is indispensable for the attainment of the mandate or primary purpose of the concerned departments, bureaus, offices and instrumentalities of the government, which have been acquired by purchase or grant, or which have been reserved in their favor by virtue of a presidential proclamation, executive fiat or legislative grant, or otherwise acquired through other modes of transferring ownership.

**3.3 Deed of Transfer (DOT)** – refers to the document executed by the concerned departments, bureaus, offices and instrumentalities of the government in favor of the DAR transferring ownership and control over a validated and segregated coverable GOL.

**3.4 Request for Execution of Deed of Transfer (DOT)** - refers to the document issued by the DAR requesting the concerned departments, bureaus, offices and instrumentalities of the government to execute a DOT with respect to the validated and segregated coverable GOL.

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**3.6 Qualified Beneficiaries** – are farmers, tillers or farmworkers who are landless or who own less than three (3) hectares of agricultural lands; Filipino citizens; residents of the barangay (or the municipality if there are not enough qualified beneficiaries in the barangay) where the landholding is located; at least fifteen (15) years of age at the time of identification, screening and selection of the farmer beneficiaries; and with willingness, aptitude, and ability to cultivate and make the land as productive as possible as provided under Section 22 of RA No. 6657, as amended.

#### RULE III

##### IDENTIFICATION, VALIDATION, SEGREGATION, TRANSFER AND DISTRIBUTION

###### Section 4. Identification and Inventory

**4.1** All departments, bureaus, offices and instrumentalities of the Government shall identify their coverable GOLs, and thereafter submit a list thereof to the DAR, indicating the location and area of the said lands, actual use and legal basis of ownership.

**4.2** The DAR, in coordination with the DENR, shall cause the preparation of the total inventory of the coverable GOLs, which includes the list of lands submitted by the concerned departments, agencies and instrumentalities, and those identified by the DAR.

###### Section 5. Validation

**5.1** The DAR, in coordination with the DENR and the DA, shall undertake the validation of the lands listed in the inventory, taking into consideration their suitability for agricultural use, limitations on their use under existing laws and issuances, their respective metes and bounds, and such other relevant criteria provided herein.

**5.2** The responsibilities of the agencies concerned in the conduct of validation shall be as follows:

###### 5.2.1 Department of Agrarian Reform shall:

**A.** Confirm whether the coverable GOLs in the inventory comply with the criteria for validation as follows:

1. Suitability of such area for agricultural purposes;
2. The area is no longer actually, directly, and exclusively used for the purpose for which the same has been reserved or acquired;
3. The area is no longer necessary for the purpose for which it has been reserved or acquired; that is:
  - a. there is no approved development plan for the land specifying a period of implementation; or
  - b. should there be an agency-approved development plan, the following requirements must be present upon the effectivity of these rules:
    - i. if the project is funded by the government, the corresponding proposal for funding must have been submitted to the DBM or the appropriate agency; or
    - ii. if the project is privately funded, there must be a firm funding commitment from the grantor;
4. Inclusion of the GOL does not violate any limitations and conditions provided under applicable laws, rules and issuances.

B. Conduct a segregation survey to delineate the validated coverable GOL from the non-coverable portion by a licensed geodetic engineer.

C. Create a Validation Committee to conduct validation of coverable GOLs in accordance with its rules and regulations.

**5.2.2 Department of Agriculture shall:**

Provide technical assistance to ascertain the suitability to agriculture of the GOL in accordance with the applicable laws and issuances, upon request by DAR.

**5.2.3 Department of Environment and Natural Resources shall:**

A. Provide maps and other tools and reference materials that shall provide technical data such as location, land classification, land use/cover, etc., that are relevant and useful in the validation of coverable GOLs; and

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7.1 **Identification of Qualified Beneficiaries** - The identification, screening, selection and installation of qualified agrarian reform beneficiaries (ARBs) under this IRR shall be in accordance with RA No. 6657, as amended, and other pertinent policies, rules and issuances of the DAR.

7.2 **Conduct of Subdivision Survey** - The DAR shall conduct a subdivision survey to subdivide the validated coverable GOL into sub-lots for distribution to qualified beneficiaries in accordance with R.A. No. 6657, as amended, and other pertinent policies, rules and issuances of the DAR.

**RULE IV**

**PROTEST AND JURISDICTION**

**Section 8. Exclusive Jurisdiction of the Secretary of Agrarian Reform** - The Secretary of Agrarian Reform shall exercise exclusive jurisdiction over all disputes, claims, and controversies involving the coverability of GOLs in accordance with Section 50 of R.A. 6657, as amended.

**Section 9. Pre-condition to the filing of Protest Action** - No protest action involving the coverability of any GOL under these rules shall be filed or instituted before the Secretary of Agrarian Reform unless there have been conciliation proceedings between the parties before the Dispute Resolution Committee and that no settlement has been reached as certified by the DRC.

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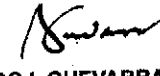
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Diliman, Quezon City, May 31, 2019.

  
JOHN R. CASTRICIONES  
Secretary, DAR

  
MENARDO I. GUEVARRA  
Secretary, DOJ

Department of Agrarian Reform  
Office of the Secretary

1511 1500 PRODUCTIONS/REPRODUCTION/REPRODUCTION/REPRODUCTION  
ISU-19-07984



Republic of the Philippines



Department of Agrarian Reform

Department of Justice

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- 3.4 **Request for Execution of Deed of Transfer (DOT)** – refers to the document issued by the DAR requesting the concerned departments, bureaus, offices and instrumentalities of the government to execute a DOT with respect to the validated and segregated coverable GOL.
- 3.5 **Notice to Proceed Acquisition (NTPA)** – refers to the document issued by the DAR expressly notifying the concerned departments, bureaus, offices and instrumentalities of the government that it shall proceed with the acquisition of the coverable GOLs in case of refusal or failure to execute the DOT, in accordance with Section 1 of E.O. No. 75, s. 2019, Republic Act (RA) No. 6657, as amended and E.O. No. 129-A, s. 1987.
- 3.6 **Qualified Beneficiaries** – are farmers, tillers or farmworkers who are landless or who own less than three (3) hectares of agricultural lands; Filipino citizens; residents of the barangay (or the municipality if there are not enough qualified beneficiaries in the barangay) where the landholding is located; at least fifteen (15) years of age at the time of identification, screening and selection of the farmer beneficiaries; and with willingness, aptitude, and ability to cultivate and make the land as productive as possible as provided under Section 22 of RA No. 6657, as amended.

#### RULE III

##### IDENTIFICATION, VALIDATION, SEGREGATION, TRANSFER AND DISTRIBUTION

###### Section 4. Identification and Inventory

- 4.1 All departments, bureaus, offices and instrumentalities of the Government shall identify their coverable GOLs, and thereafter submit a list thereof to the DAR, indicating the location and area of the said lands, actual use and legal basis of ownership.
- 4.2 The DAR, in coordination with the DENR, shall cause the preparation of the total inventory of the coverable GOLs, which includes the list of lands submitted by the concerned departments, agencies and instrumentalities, and those identified by the DAR.

###### Section 5. Validation

- 5.1 The DAR, in coordination with the DENR and the DA, shall undertake the validation of the lands listed in the inventory, taking into consideration their suitability for agricultural use, limitations on their use under existing laws and issuances, their respective metes and bounds, and such other relevant criteria provided herein.
- 5.2 The responsibilities of the agencies concerned in the conduct of validation shall be as follows:
  - 5.2.1 **Department of Agrarian Reform** shall:
    - A. Confirm whether the coverable GOLs in the inventory comply with the criteria for validation as follows:
      1. Suitability of such area for agricultural purposes;
      2. The area is no longer actually, directly, and exclusively used for the purpose for which the same has been reserved or acquired;
      3. The area is no longer necessary for the purpose for which it has been reserved or acquired; that is:
        - a. there is no approved development plan for the land specifying a period of implementation; or
        - b. should there be an agency-approved development plan, the following requirements must be present upon the effectivity of these rules:
          - i. if the project is funded by the government, the corresponding proposal for funding must have been submitted to the DBM or the appropriate agency; or
          - ii. if the project is privately funded, there must be a firm funding commitment from the grantor;
      4. Inclusion of the GOL does not violate any limitations and conditions provided under applicable laws, rules and issuances.

B. Conduct a segregation survey to delineate the validated coverable GOL from the non-coverable portion by a licensed geodetic engineer.

C. Create a Validation Committee to conduct validation of coverable GOLs in accordance with its rules and regulations.

**5.2.2 Department of Agriculture shall:**

Provide technical assistance to ascertain the suitability to agriculture of the GOL in accordance with the applicable laws and issuances, upon request by DAR.

**5.2.3 Department of Environment and Natural Resources shall:**

A. Provide maps and other tools and reference materials that shall provide technical data such as location, land classification, land use/cover, etc., that are relevant and useful in the validation of coverable GOLs; and

B. Provide technical assistance to ascertain the coverability of the GOLs in terms of land classification and slope, in accordance with existing laws and issuances, upon request by DAR.

**Section 6. Transfer of GOLs**

6.1 The DAR shall issue a Request for Execution of DOT for validated coverable GOL to the department, bureau, office or instrumentality concerned.

6.2 In case the department, bureau, office or instrumentality concerned refuses or fails to execute a DOT within fifteen (15) days from receipt of the request, the DAR shall issue an NTPA.

6.3 Upon receipt of the duly executed DOT from the DAR or upon the issuance of NTPA, the DAR shall proceed with the process of land acquisition and distribution of the subject landholding in accordance with R.A. No. 6657, as amended, other pertinent policies, rules and issuances of the DAR.

**Section 7. Distribution of GOLs** - The distribution of validated and segregated coverable GOLs shall be in accordance with RA No. 6657, as amended, and other pertinent policies, rules and issuances of the DAR.

7.1 **Identification of Qualified Beneficiaries** - The identification, screening, selection and installation of qualified agrarian reform beneficiaries (ARBs) under this IRR shall be in accordance with RA No. 6657, as amended, and other pertinent policies, rules and issuances of the DAR.

7.2 **Conduct of Subdivision Survey** - The DAR shall conduct a subdivision survey to subdivide the validated coverable GOL into sub-lots for distribution to qualified beneficiaries in accordance with R.A. No. 6657, as amended, and other pertinent policies, rules and issuances of the DAR.

**RULE IV**

**PROTEST AND JURISDICTION**

**Section 8. Exclusive Jurisdiction of the Secretary of Agrarian Reform** - The Secretary of Agrarian Reform shall exercise exclusive jurisdiction over all disputes, claims, and controversies involving the coverability of GOLs in accordance with Section 50 of R.A. 6657, as amended.

**Section 9. Pre-condition to the filing of Protest Action** - No protest action involving the coverability of any GOL under these rules shall be filed or instituted before the Secretary of Agrarian Reform unless there have been conciliation proceedings between the parties before the Dispute Resolution Committee and that no settlement has been reached as certified by the DRC.

**Section 10. Creation of a Dispute Resolution Committee** - A Dispute Resolution Committee (DRC) shall be created to act as the conciliation body.

The DRC shall be composed of three (3) members from the DOJ to be designated by the Secretary of Justice.

**Section 11. Request for Conciliation** - Any department, bureau, office or instrumentality of the government who disputes the NTPA may file a request for conciliation before the DRC within fifteen (15) days upon receipt of such NTPA.

**Section 12. Conciliation Proceedings** - The following procedures shall be adopted for the settlement of disputes, claims and controversies concerning the coverability of GOLs:

12.1 Upon receipt of the request for conciliation, the DRC shall conduct mandatory conciliation conferences to discuss the possibility of entering into an amicable settlement or compromise agreement.

12.2 The representative of the parties shall be equipped with the necessary written authority to bind their principal in entering into such settlement agreement.

12.3 The DRC shall conduct a maximum of three (3) conciliation conferences within the period of thirty (30) days from the filing of the request. The DRC together with the parties shall endeavor to arrive at a settlement agreement at the soonest possible time. The settlement agreement shall be signed by the members of the DRC and the duly authorized representatives of the department, bureau, office or instrumentality of the government in accordance with Section 12 (b). The settlement agreement shall be implemented immediately by DAR.

12.4 Upon the lapse of the thirty (30) day period, without a settlement agreement being reached, the DRC shall issue a certificate of no settlement of the parties.

**Section 13. Filing of Protest** - Any department, bureau, office or instrumentality of the government may file a verified petition with the Secretary of Agrarian Reform within fifteen (15) calendar days from the receipt by the party concerned of the certification of no settlement from the DRC. The certificate of no settlement shall be attached to the petition protesting coverage of the GOL.

**Section 14. Application of Agrarian Law Implementation (ALI) Rules** - Pertinent rules and regulations of the DAR governing Agrarian Law Implementation (ALI) cases shall apply with respect to the resolution of protests of coverability of GOLs.

**Section 15. Period to Decide** - The Secretary of Agrarian shall resolve all disputes, claims and controversies arising from the implementation of E.O. No. 75, s. 2019 within thirty (30) days from the time the same are submitted for resolution.

**Section 16. Appeal** - Appeals from the decision of the Secretary of Agrarian Reform may be taken to the OP within fifteen (15) days from receipt thereof.

**Section 17. Continuing Character of Proceedings** - The identification, validation, segregation, transfer and distribution of coverable GOLs shall proceed despite the filing of a protest.

**RULE V**

**MISCELLANEOUS PROVISIONS**

**Section 18. Compensability of GOLs** - All transferred GOLs which were acquired by a department, bureau, office or instrumentality of the government through purchase shall be subject to payment of compensation or reimbursement in accordance with the rules and guidelines to be formulated by the Department of Budget and Management, Department of Finance and the Land Bank of the Philippines.

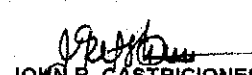
**Section 20. Monitoring and Reporting.** The DAR shall submit a report regarding the implementation of EO No. 75, series of 2019 to the Office of the President (OP) within ninety (90) days after the effectivity of this IRR and every quarter thereafter or as often as may be required by the OP.

**Section 21. Repealing Clause.** - All other issuances or parts thereof that are inconsistent with the provisions of this IRR are hereby repealed or modified accordingly.

**Section 22. Separability Clause.** Any provision of this IRR or any part hereof which may be declared invalid, illegal, or unconstitutional, shall not affect the validity of the remaining provisions of these guidelines.

**Section 23. Effectivity.** - This IRR shall take effect ten (10) days from its publication in two (2) newspapers of general circulation.

Diliman, Quezon City, May 31, 2019.

  
JOHN R. CASTRICIONES  
Secretary, DAR

  
MENARDO I. GUEVARRA  
Secretary, DOJ

Department of Agrarian Reform  
Office of the Secretary  
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