



Department of Agrarian Reform
Diliman, Quezon City



Land Bank of the Philippines
Malate, Manila

Joint DAR-LBP
MEMORANDUM CIRCULAR NO. 13
Series of 2004

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

SUBJECT : Generation of Land Distribution Information Schedule (LDIS) to Enhance Collection of Agrarian Reform Receivables (ARR)

I. PREFATORY STATEMENT

Republic Act (RA) 8532, entitled, "An Act Strengthening Further The Comprehensive Agrarian Reform Program (CARP), By Providing Augmentation Fund Therefor, Amending for The Purpose Section 63 Of Republic Act No. 6657, Otherwise Known As "The CARP Law of 1988", provides that the amount needed to implement the Comprehensive Agrarian Reform Program (CARP) shall be funded from the Agrarian Reform Fund (ARF). All incomes and collections arising from the agrarian reform operations, projects and programs of the CARP implementing agencies have been identified as some of the sources of funding or appropriations for the CARP.

Based on research studies initiated by the Philippine Business for Social Progress (PBSP) and other studies, land amortization payments may be facilitated and significantly increased by submitting regularly and religiously to LBP the Land Distribution Information Schedule (CARP Form No. 22) for all landholdings acquired and paid by LBP under the Voluntary Offer to Sell (VOS) and Compulsory Acquisition (CA) scheme.

In order to accelerate the generation of LDIS and to facilitate the collection of ARR, the following guidelines and procedures are hereby issued.

II. COVERAGE

These guidelines and procedures shall cover the collection of ARR from ARBs of lands acquired by DAR and paid by LBP pursuant to EO 229 and RA 6657 subject of VOS and CA.

III. GENERAL GUIDELINES

1. The following are the different types of CLOA-titles:
 - 1.1. Individual – where the CLOA-title is issued in the name of an individual ARB
 - 1.2. Collective
 - 1.2.1 Cooperative – where the CLOA-title is issued in the name of a cooperative/association/ organization with juridical personality
 - 1.2.2 Co-ownership – where the CLOA-title is issued in the names of more than one ARBs as co-owners
2. The LDIS shall be accomplished for CLOA-titles covering every landholding acquired by DAR and paid by LBP under the following conditions:
 - 2.1. If only one CLOA title will be distributed for the acquired landholding, i.e., the whole-acquired land is distributed to only one ARB; or if several CLOA titles are issued directly to the ARBs of an acquired landholding. Under this condition, the Collective CLOA Information portion of the form should not be accomplished.
 - 2.2. If the property was previously covered by a Collective CLOA that has been cancelled and replaced by individual CLOA titles issued to the ARBs. Under this condition, the Collective CLOA Information portion of the form should be filled out.
 - 2.3. If the property was issued a collective CLOA-title under co-ownership basis and no subdivision survey was made, the collective CLOA information portion of the form should not be accomplished.
3. In the case of **Cooperative CLOA-title**, the responsibility to pay for the land lies in the cooperative/association/organization in whose name the title is registered. The cooperative/association organization has its own personality distinct and separate from that of its members. Thus LBP should transact only with said cooperative/association/organization through its duly authorized officers on matters of collection of land amortization payments.

In the case of **co-ownership CLOA-title**, all co-owners are jointly and severally responsible for the payment of the entire property. LBP, therefore, may collect from any or all of the co-owners the payment not only for the respective portions or shares of the individual co-owners but also for the entire property.

When the ARBs opt for a co-ownership CLOA-title, a condition is imposed that the same would not be broken up into individual CLOA-titles unless and until the entire property is paid for in full. The DAR shall require that the formal undertaking or agreement of the ARBs to this effect includes a provision designating one or two of the co-owning ARBs that LBP collectors should coordinate and transact on matters of collection on the land amortization payments.

No certificate of Full payment shall be issued by LBP to collective CLOA-title holders unless the entire estate has been fully paid.

4. The LDIS (CARP Form No. 22) was designed to provide information for the computation of the amortization that the ARB should pay the government through LBP. The DAR Provincial Office and LBP-Agrarian Operations Center (AOC) shall be responsible for its proper accomplishment within the period indicated in Item V of this Memorandum Circular.
5. Payment by the beneficiaries shall start one year from the date of the registration of the CLOA with the Register of Deeds. Joint DAR-LBP Memorandum Circular No. 30, Series of 1997 states that in case occupancy of the land occurred before the date the CLOA is registered, then the basis for the amortization schedule would be one year from the date of CLOA registration. If the occupancy date occurred after the date of CLOA registration, then the occupancy date verified by DAR would be the basis for the amortization schedule

The abovecited conditions shall not include lands which amortization schedules had already been determined.

IV. REQUIRED DOCUMENTS

The DAR shall submit the following documents to LBP-AOC, in cases where the following conditions exist:

Condition ...	What to submit ...
a) If a replacement CLOA title is issued to a new FB-Awardee due to the cancellation of a CLOA title.	Copy of DAR Order re: Transfer Action
b) If a single CLOA-title is issued to a Cooperative, to a registered farmer's association, or to a group of farmers who agree that property will not be subdivided among them	Copy of registered CLOA and date of occupancy. Additional requirement in the case of farmer-group: Certification signed by all FB members that the property will not be subdivided and that they shall be liable jointly and severally for the land amortization due.

V. PROCEDURES

Office	Activity
DARMO	<p>Accomplishes and submits to DARPO four (4) copies of LDIS form (CARP Form No. 22) within twenty (20) days after receipt of registered CLOA-titles</p> <p>Duly accomplished LDIS copies will be distributed as follows:</p> <p>Copy No. 1 for the DAR Provincial Office (partially filled-up form)</p> <p>Copy No. 2 for the LBP-AOC</p> <p>Copy No. 3 for the DAR Provincial Office (completely filled-out form)</p>
DARPO	<p>Submits copies No. 2, 3 and 4 of the accomplished form to LBP-AOC within ten (10) days.</p>
LBP-AOC	<p>Receives from DARPO three (3) copies of the partially filled-up form.</p> <p>Fills up the remaining portion of copies No. 2, 3 and 4 of the form within fifteen (15) days upon receipt from DARPO</p> <p>Thereafter, transmits copy No. 3 to DARPO</p>
DARPO	<p>Prepares Quarterly LDIS Accomplishment Report (CARP Form No. 22.a) in five copies. Distribution of final report shall be as follows:</p> <p>Copy No. 1 DARPO Copy No. 2 LBP-AOC Copy No. 3 DARRO Copy No. 4 LBP Head Office Copy No. 5 DARCO-BLAD</p> <p>Submits to LBP-AOC the properly filled up upper portion of the LDIS Accomplishment Report Copy no. 2 to 5 within five (5) days from end of reference quarter.</p>
LBP-AOC	<p>Receives from DARPO four (4) copies of the partially filled up LDIS Accomplishment Report. Accomplishes the lower portion of the above within ten (10) days from receipt thereof. Forwards copy No. 1, 3 and 5 of the completed LDIS Accomplishment report to DARPO.</p> <p>Note: The DARPO and LBP-AOC should reconcile the figures before transmitting the completed copies to the concerned officials.</p>
DARPO	<p>Provides copies of the completed LDIS Accomplishment Report, to wit:</p> <p>Copy No. 1 DARPO Copy No. 3 DARRO Copy No. 5 DARCO-BLAD</p>

VI. MONITORING AND REPORTING PROCEDURES

1. The DAR Provincial Agrarian Reform Officers and the LBP-AOC Heads shall be responsible in the proper accomplishment of CARP Form No. 22.a on a quarterly basis.
2. The report should be submitted by the DARPO and LBP-AOC to the concerned officials on or before the end of the ensuing month.
3. The DARPO and the LBP-AOC shall establish an information system to support the abovesited reports

VII. SANCTIONS

Under this Joint Memorandum Circular, the Provincial Agrarian Reform Officers, LBP-AOC Heads and/or others concerned designated to prepare said reports shall be held administratively liable as to the accuracy and timeliness of their submission.

VIII. SUPPLETORY CLAUSE

This Joint Memorandum Circular supplements the Joint DAR-LBP Memorandum Circular No. 30, S. 1997, LBP Executive Order No. 02, S. 1998, Joint DAR-LBP Memorandum Circular No. 08, S. 2003 and other issuances not inconsistent therewith.

IX. EFFECTIVITY

This Joint Memorandum Circular takes effect immediately.

Metro Manila, 7/16 2004.


JOSE MARI B. PONCE
OIC-Secretary, DAR



MARGARITO B. TEVES
President & CEO, LBP
