



Republic of the Philippines

DEPARTMENT of AGRARIAN REFORM

ELLIPTICAL ROAD, DILIMAN, QUEZON CITY TELS. 997-031 TO 39

MEMORANDUM CIRCULAR NO. 18
Series of 1996

TO: ALL DAR REGIONAL DIRECTORS (RDs), PROVINCIAL AGRARIAN REFORM OFFICERS (PAROs), MUNICIPAL AGRARIAN REFORM OFFICERS (MAROs) AND ALL CONCERNED

SUBJECT: CLARIFICATORY GUIDELINES IN THE MANNER OF GENERATING AND ISSUING EMANCIPATION PATENTS/CERTIFICATES OF LAND OWNERSHIP AWARD (EPs/CLOAs) TO QUALIFIED AGRARIAN REFORM BENEFICIARIES AND THEIR SPOUSES PURSUANT TO R.A. NO. 7192

Republic Act No. 7192, otherwise known as "An Act Promoting the Integration of Women as Full Equal Partners of Men in Development and Nation Building and for Other Purposes," provides under Section 5 (2) that "women shall have equal access to all government and private sector programs granting agricultural credit, loans and non-material resources and enjoy equal treatment in agrarian reform and land resettlement programs." In the light of this mandate and for purposes of truly effecting gender equality between spouses who are beneficiaries of the government's agrarian reform program, these guidelines are hereby prescribed. These guidelines shall operationalize the generation and issuance of Emancipation Patents or Certificates of Land Ownership Award (EPs/CLOAs) to qualified farmer-beneficiaries under any of the following situations:

1. When only one spouse (male or female) is working/cultivating the land, the present procedure shall be followed (i.e., to indicate the name of the recipient ARB followed by the phrase "married to") in accordance with Section 45 of P.D. No. 1529, known as The Property Registration Decree;
2. When both spouses are jointly working and cultivating a common tillage, the title shall be issued in the names of both spouses as co-owners (i.e., the names of both husband and the wife with the word "and" between their names) but their ownership ceiling shall not exceed three (3) hectares;



"Tulong-tulong sa pagsulong



3. When both spouses are working/cultivating separate tillages, a separate title shall be issued to each of them, pursuant to item No. II-D of Administrative Order No. 2, Series of 1993; and
4. When both spouses are working/cultivating a separate and undetermined tillage jointly with other workers/cultivators and their individual vested rights to the land have been established, the spouses' names as co-owners in their respective rights shall be indicated in the Collective CLOA. A separate title shall be issued to each of the spouses in case the co-owners of the entire landholding later opt for the issuance of individual titles.

The present judicial forms, i.e., Emancipation Patent/Certificate of Land Ownership Award (EP/CLOA) shall be used in the generation and issuance of these titles.

This Memorandum Circular shall only apply to EPs/CLOAs to be generated/issued.

These guidelines shall take effect ten (10) days after its publication in two (2) newspapers of general circulation pursuant to Section 49 of R.A. No. 6657.

Diliman, Quezon City, 08 AUGUST, 1996.


ERNESTO D. GARILAO
Secretary

Published in two (2) national newspapers
of general circulation:

1. MANILA BULLETIN
2. PHILIPPINE DAILY INQUIRER

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