

Balitang

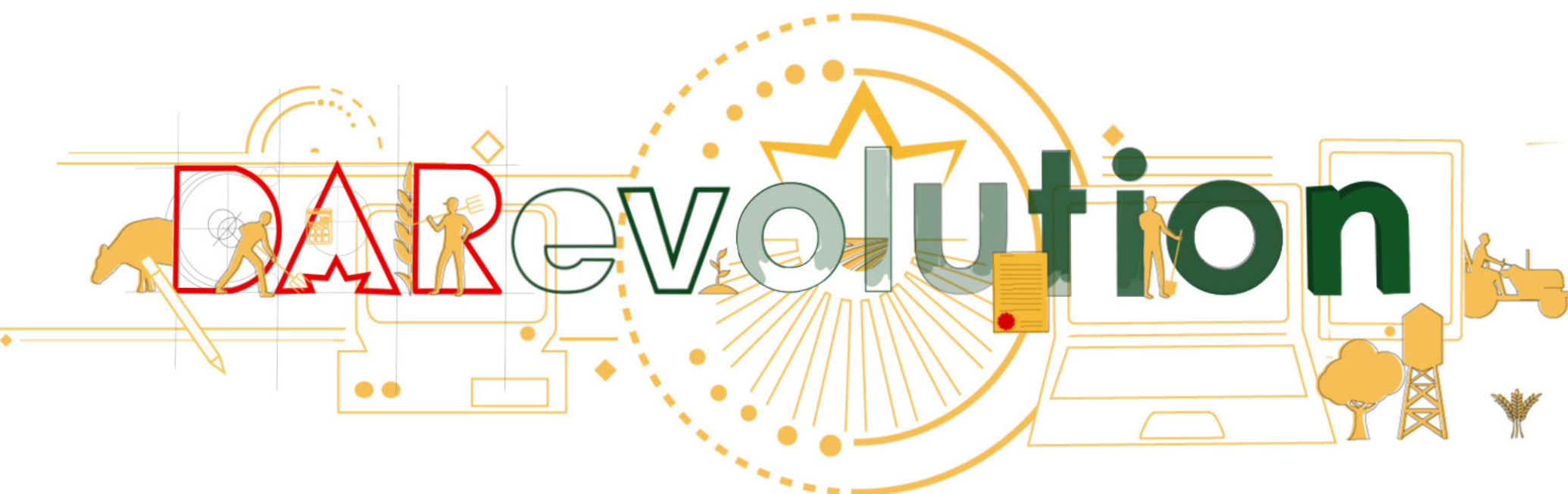


The Official Newsletter of the Department of Agrarian Reform

Special Edition

DARe2Give It All

“Bagong Batas at Serbisyo sa Pamamahagi ng Lahat ng Lupaing Agraryo”



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DAR Celebrates

— CARP's 31st YEAR —

By Resurreccion Arcaina



The Department of Agrarian Reform (DAR) celebrated last August the 31st year of the Comprehensive Agrarian Reform Program (CARP) implementation by lining up various activities at the DAR compound.

CARP is a social justice government program initiative that aims to grant landless farmers and farm workers ownership of agricultural lands. It is implemented through Republic Act No. 6657 signed by former President Corazon Aquino in 1988.

With the theme “DARe2Give It All: Simula ng Ika-2 Yugto ng Repormang Agraryo. Bagong Batas at Serbisyo ang Kailangan sa Pamamahagi ng lahat ng lupaing Agraryo”, DAR appeals for the continued implementation of the CARP.

Agrarian Reform Secretary John R. Castriciones said the agency’s fast-tracking of land acquisition and land distribution is in line with the President’s directive to hasten the implementation of CARP.

“The DAR’s mandate is to distribute land to the landless farmers because the root of poverty among our farmers is the insufficient lands to till,” Castriciones said.



Kicking off the celebration was a fun run led by Castriciones. Participants included CARP farmer-beneficiaries, employees of the DAR and other CARP-implementing agencies. The event signified the farmers’ appeal for the continued provision of support services by the DAR.

A human chain formation followed as the DAR’s response, signifying the department’s unity to continue providing assistance to the farming sector.

Oath-taking of newly promoted DAR Officers and Officials with Secretary Castriciones with Undersecretary for Support Services Office (SSO) Emily O. Padilla and Quezon City Mayor Josefina “Joy” Belmonte was also conducted during the opening ceremony.

The highlight of the day was the mass distribution of land titles to farmer-beneficiaries led by President Rodrigo Roa Duterte, together with Secretary Castriciones, at the DAR gymnasium.

To acknowledge the active role and contribution of the youth for the desired success of agrarian reform in the country, the DAR also held an on-the-spot poster making contest joined by young farmers and agriculture students.

Other highlights of the celebration included a Young Farmers’ Forum and an orientation on the Magna Carta of the Poor. 🌱

DUTERTE GRACES 31ST CARP’S ANNIVERSARY, DISTRIBUTES LAND TITLES TO BENEFICIARIES

By Richard B. Gallardo

MORE than 46,000 agrarian reform beneficiaries were freed from the bondage of the soil last August after President Rodrigo Roa Duterte distributed 47,377 land titles, covering 71,198.35 hectares of agricultural land, at the Department of Agrarian Reform (DAR) central office in Quezon City.

Agrarian Reform Secretary John R. Castriciones described the land distribution of the Philippines as “very special” after it marked the 31st anniversary of the world’s longest running land reform program.

More than half or 24,605 of the 46,338 farmer-beneficiaries were from Central Luzon, 11,859 from Calabarzon, and 9,874 from Mimaropa.

The farmer-beneficiaries from Mimaropa, however, get the lion’s share of the distributed farmlands at 29,095.45 hectares. Central Luzon farmer-beneficiaries received 20,982.96 hectares and Calabarzon, 21,119.94 hectares.

President Duterte has previously directed all government agencies to turn over to the DAR all government-owned farmlands and place them under CARP coverage for distribution to landless farmers.

“Instead of keeping them idle, we might let the farmers till them and make them productive,” Duterte was quoted as saying.

The CARP is the only land reform program that is being implemented democratically, for which it earned the distinction of being the world’s longest running land reform program.



Secretary Castriciones explained that the country’s land reform program is unique in the sense that it respects the right of the landowners to due process: “To contest in court the coverage of their lands under CARP, much unlike in other countries where they were confiscatory in nature.”

The CARP is also regarded as a complete program as it does not end in the distribution of agricultural lands to landless farmers, but it also provides various forms of support services – basic rural infrastructures, livelihood and entrepreneurial skills, and farm technology transfer, among others, to make the farmlands more productive. 🌱



FREE FARMLANDS IN PROPOSED LAND REFORM BILL

By Richard B. Gallardo

FREE agricultural lands await potential agrarian reform beneficiaries (ARB) if and when the proposed bill for the second phase of the country's land reform program passes the scrutiny of the Congress.

"So far, the signal on the ground looks positive in so far as the House of Representatives is concerned," Undersecretary Luis Meinrado Pangulayan of DAR's Legal Affairs Office said in November 7, shortly after a hearing called by the House Committee on Agrarian Reform inside the Batasang Pambansa Complex in Quezon City.

Pañgulayan headed the team of the DAR officials and employees, including Undersecretaries Lucius "Junjun" Malsi of the Finance, Management and Administration Office, and Virginia Orego of the Policy, Planning and Research Office, who attended the organization meeting and orientation on the latest updates in the land reform program.

Pañgulayan said Committee

Chairman, Ifugao Rep. Solomon Chungalao and the rest of the committee members have expressed their all-out support to the said proposed bill.

"The committee chairman (Chungalao) and all the members have agreed in principle to act as principal authors of our proposed bills," Pañgulayan said.

The DAR undersecretary stressed, however, that the benefits to be gained from the proposed bill are not only for potential beneficiaries.

"There are also for those who have already been awarded with farmlands," Pañgulayan said.

Under the bill, state subsidy shall be extended to ARBs with still unpaid amortizations and interest charges, while those who have fully paid the 30-year amortization shall be given preference in new package of support services – access to credit facilities and automatic qualification to various support services, such as, housing and education, among others. 🌱

Congress nod for transformation of DAR to rural development agency sought

By Richard B. Gallardo

THE Department of Agrarian Reform (DAR) recently sought the help of Congress in its bid to expand its role from being the sole agency responsible for distributing agricultural lands to landless farmers to the leading agency in charge for spurring rural development.

DAR Secretary John R. Castriciones said a still unnumbered proposed bill, was already handed to the House Committee on Agrarian Reform, seeking the transformation of the DAR into the Department of Rural Development.

He stressed that the proposed bill is necessary "to promote social justice and move the nation toward sound rural development and industrialization, and the establishment of owner-cultivatorship of economic-size farms."

"The promotion of social justice in all phases of national development is the primordial responsibility of the State. It includes the commitment to create economic opportunities based on freedom of initiative and self-reliance," Castriciones said, quoting a provision of the proposed bill, "An Act Transforming the Department of Agrarian Reform into the 'Department of Rural Development,' Mandating its Functions and Providing Funds Therefore and for Other Purposes."

Earlier, the House committee, headed by Chairman Solomon Chungalao, expressed their all-out support to the proposed bill, as well as, to another pertaining to the second phase of the country's land reform program.

Among the notable provisions in the proposed bill for the second phase of the land reform program is the free distribution

of agricultural lands to potential agrarian reform beneficiaries, provision of subsidy to those with still unpaid amortizations and interest charges, and preferential accommodation in the provision of new package of support services to those who already paid in full the 30-year amortization.

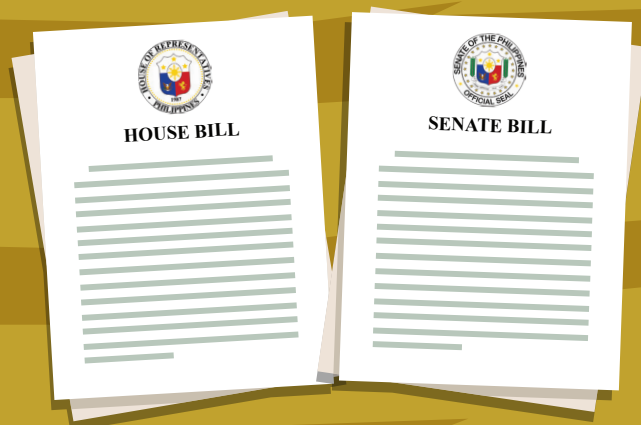
Among the new packages of support services for farmer-beneficiaries are access to credit facilities and automatic qualification to various support services, such as, housing and education, among others.

"The committee chairman (Chungalao) and all the members even agreed in principle to act as principal authors of our proposed bills," Pangulayan said shortly after the meeting between the house committee and DAR officials.

Castriciones said the pursuit of rural development strategy through land tenure improvement and provision of essential support services seeks the end goal of improving agricultural productivity and farm income of small farmers.

"It optimizes the productive potentials of the agricultural sector, alleviates poverty and curtails lawlessness in the countryside through equal access to productive assets like land, provisions of new packages of support services and marketing assistance of produce from awarded lands," he said.

Castriciones added: "The success and sustainability of the agrarian reform program is determined by the increased productivity and economic growth of beneficiaries, and the maintenance of awarded land ownership within the beneficiaries or its immediate family members." 🌱



**READ THE FULL TEXT OF PROPOSED
LEGISLATION IN PAGES 10 AND 11**

ANTI-RED TAPE AUTHORITY LAUDS STREAMLINED SERVICES

By Pinky F. Roque

The Department of Agrarian Reform (DAR) was recently applauded by the Anti-Red Tape Authority (ARTA) for the streamlining and improvement of its critical services.

In a letter dated July 4, 2019, Director General Ernesto V. Perez, officer-in-charge of ARTA “commend(ed) the efforts of DAR” to speed up and simplify its processes.

“We commend the efforts of DAR in implementing changes in support of the implementation of R.A. 11032 or the ‘Ease of Doing

We commend the efforts of DAR in implementing changes in support of the implementation of R.A. 11032 or the ‘Ease of Doing Business and Efficient Delivery of Government Services Act of 2018.’

Business and Efficient Delivery of Government Services Act of 2018.” Perez wrote Undersecretary Lucius Jun-Jun G. Malsi of DAR’s Finance, Management and Administration Office.

The actions required in availing of DAR’s critical services in its central and regional offices have been cut by up to eight steps which results to faster turn arounds by up to 65 days.

Steps in the application for land use conversion under the Regional Land Use Conversion Committee of DAR’s Regional Offices have been reduced by half, down to eight from 16. Expected

completion is now pegged at 26 days from 42.

Meanwhile, the processing of land use conversion for lots that are more than five hectares, which is under the Bureau of Agrarian Legal Assistance of the Central Office, shall now take only 30 days from 90.

R.A. 11032, which amends R.A. No. 9485 or the Anti-Red Tape Act of 2007, aims to reduce processing time, cut bureaucratic red tape, and also eliminate corrupt practices.

The Anti-Red Tape Authority, under the Office of the President, is the key implementer of the law and tasked to monitor the compliance of agencies. 🌱

DAR SECRETARY JOHN R. CASTRICIONES’ STATEMENT ON THE ANTI-RED TAPE AUTHORITY’S COMMENDATION

The Department of Agrarian Reform is very pleased that the measures the agency has placed to streamline its services have been noticed and commended by the Anti-Red Tape Authority.

DAR has been hard at work to respond to the needs of our farmer-beneficiaries and the directives of President Duterte.

Our compliance with Republic

Act No. 11032, known as the “Ease of Doing Business and Efficient Government Service Delivery Act of 2018” is only one of DAR’s steps to ensure easier and faster delivery of quality services to the public.

A ZERO-BACKLOG program has been launched this year by DAR’s Agrarian Legal Sector to tackle cases that have accumulated during the previous administrations. I have challenged the

Central and Field Offices to resolve all pending cases before 2022.

For the first semester of 2019, a total of 905 cases have been resolved by the DAR Adjudication Board, while 9,896 cases were resolved by the Field Offices. The Cordillera Administrative Region and Region II are the top performers with a perfect accomplishment rate of 100 percent, followed by Region I with 93.75 percent, Region IV-B with 90.9 percent, and Region VII with 78.98 percent.

In total, DAR’s overall accomplishment for this semester is

Our compliance with Republic Act No. 11032, known as the “Ease of Doing Business and Efficient Government Service Delivery Act of 2018” is only one of DAR’s steps to ensure easier and faster delivery of quality services to the public.

54.9 percent, receiving a total caseload of 4,187 cases, and resolving 2,297 legal agrarian cases from the same.

Moreover, the DAR Land Use Cases Committee (LUCC) was formed this year to act on all applications for land use conversion

or exemption from the coverage of the Comprehensive Agrarian Reform Program (CARP).

We believe that more than any recognition, the satisfaction of our farmer-beneficiaries continues to be DAR’s best reward. 🌱

AGRARIAN REFORM

IN THE

DUTERTE ADMINISTRATION

By Usec. Luis Meinrado C. Pañgulayan

The evaluation of the current land acquisition and distribution (LAD) record under the Comprehensive Agrarian Reform Program (CARP) must be viewed in context, to see the true picture of CARP in this administration.

Previous administrations boast of high LAD performance simply because CARP during the earlier periods focused on alienable and disposable lands of the public domain (A&D lands), and unused agricultural government-owned lands (GOLs). These types of lands subjected to CARP were unopposed. Private agricultural lands (PALs) occupy the last rung in the implementation ladder. PALs are difficult to cover under CARP due to the resistance of landowners. The challenges from landowners have the net effect of

dragging, if not altogether halting, CARP implementation.

Republic Act No. 9700 (CARP Extension with Reforms or Carper) sets June 30, 2014, as the deadline for the issuance of the notice of coverage (NOC), which is the first legal step in the LAD activity. Congress wanted to complete LAD by 2014, subject to a master plan to be formulated by the Presidential Agrarian Reform Council (PARC). It did not come to fruition because no plan was formulated. PARC was in hiatus for 10 years (2006 to 2016) when the Carper deadline took effect.

The majority of agrarian reform titles issued under the CARP were collective certificates of land ownership award (CLOAs). The collective title is far



easier to issue than individual titles. The DAR simply cancelled the certificate of title and substituted it with a collective CLOA. There was no field investigation and no partitioning of the awarded land. In other words, CARP coverage, via the issuance of collective Cloas, provided a “shortcut” to CARP implementation.

Despite the difficulties, the CARP under President Duterte is in a period of reawakening. This is the second phase of agrarian reform.

President Duterte reactivated the PARC on Sept. 12, 2016. The PARC immediately revoked stock distribution option plans and agribusiness venture arrangements, which ran counter to the provisions of agrarian reform laws. Aware of the restrictions imposed by the CARPER deadline, the President issued Executive Order No. 75, Series of 2019, to cover unused GOLs, thus making available at least 300,000 hectares to our landless farmers and farmworkers. The inventory includes the Yulo King Ranch or YKR in Busuanga, Coron in Palawan (8,000 hectares), the Davao Penal Colony or DAPECOL in Davao del Norte (5,000 hectares) and the Aurora State College of Technology or Ascot in Baler, Aurora (110 hectares).

The President mandated the DAR to parcelize all collective CLOAs, and provided funding for this parcelization through the use of government and international funding facilities. He also

directed the DAR to complete the LAD process by 2022.

The President is focusing on the distribution of CLOAs to agrarian reform beneficiaries (ARBs) nationwide. Agrarian reform cooperatives and the unbanked segment of the ARBs have increased credit access through the Land Bank of the Philippines.

The Duterte administration is heir to an agrarian reform program with several shortcomings. While it is a fact that 4.8 million hectares of agricultural lands have been distributed to 2.7 million ARBs, there is still a lack of sufficient support services to ARBs and their dependents. The lack of support services is the proximate cause why ARBs engage in illegal sales or lease transactions.

The CARP in the Philippine setting has a mixed record. We have successful agrarian reform cooperatives. Inversely, there are ARBs who are still waiting to be installed despite the fact that CLOAs have been issued to them. We have ARBs in possession of their awarded titles who have been removed from what they already own through violent means.

These are the challenges in CARP under the current administration. These problems have been in existence since the previous administrations. What sets the Duterte administration apart from its predecessors is the fact that this presidency has agrarian reform in its heart. 🌱



CARP ANNIVERSARY CELEBRATION IN THE REGIONS

Contributed by regional and provincial information officers



REGION I

Ilocos Region celebrated the 31st CARP anniversary by highlighting various ARC sites in the region through a media tour. The media group were from PTV 4-Ilocos, Philippine News Agency, Radyo Pilipinas, Banat newspaper, bloggers from La Union, DAZTP, and DZNL through the support of the Philippine Information Agency-Region 1.



REGION VI

The DAR-Western Visayas gathered in San Jose, Antique in July 15 for the official kickoff of the regional office's Employees' Day in line with the 31st CARP Anniversary Celebration. The three-day activity commenced with a thanksgiving mass followed by a foot parade, fun run, Hataw, and sportsfest. The celebration was capped with a fiesta themed culminating activity which highlighted the giving of service awards and the ARB Composo Contest, among others.



REGION VII

A distribution of land titles, held August 8, at the Multi-purpose Hall in Poblacion, Balamban town, was one of the highlights in celebrating the 31st year of the Comprehensive Agrarian Reform Program (CARP) implementation in Central Visayas. A photo exhibit, showcasing different agri-products of the agrarian reform beneficiaries' organizations was also displayed during the celebration.





REGION VIII

The Eastern Visayas region celebrated the 31st CARP anniversary by holding different events, including a mini trade fair, Gabi ng Parangal, tree planting, laro ng lahi and a fun run.

REGION XIII

The DAR-Caraga celebrated the 31st anniversary of the Comprehensive Agrarian Reform Program with the public as it opened its information and photo gallery, dubbed "Ani at Biyaya ng Repormang Agraryo," on June 18, 2019 at the South Atrium of the Robinsons Mall in Butuan City.



REGION XI

One of Davao Region's activities to mark the 31st CARP anniversary was planting Bougainvillea flowers around the DAR Provincial Office.

FULL TEXT OF PROPOSED LEGISLATION

“AN ACT TRANSFORMING THE DEPARTMENT OF AGRARIAN REFORM INTO “DEPARTMENT OF RURAL DEVELOPMENT”, MANDATING ITS FUNCTIONS AND PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES”

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

Section 1. – Book IV, Title XI, of Executive Order No. 292, The Administrative Code of 1987 is hereby amended to read as “Rural Development”. All reference under this law pertaining to the Department of Agrarian Reform shall henceforth be transformed into the “Department of Rural Development” (DRD).

Section 2 – Section 2 of Republic Act No. 6657, as amended, is hereby further amended to read:

“Section 2. **Declaration of Principles and Policies** – It is the policy of the State to pursue a Comprehensive Agrarian Reform Program (CARP). The welfare of the landless farmers and farmworkers will receive the highest consideration *to promote social justice and to move the nation toward sound rural development and industrialization, and the establishment of owner-cultivatorship of economic-size farms* as the basis of Philippine Agriculture.

The promotion of social justice in all phases of national development is the primordial responsibility of the State, which includes the commitment to create economic opportunities based on freedom of initiative and self-reliance.

The Comprehensive Agrarian Reform Program (CARP) has been the Philippine Government’s principal area-based rural development program. With CARP as both social justice and poverty alleviation program, the pursuit of rural development strategy through land tenure improvement and provision on essential support services seeks the end goal of improving agricultural productivity and farm income of small farmers.

In line with this, the State recognizes that rural development is an effective tool for social equity strategy in ensuring participative and broad based growth among the marginalized and rural sector. It promotes optimizing the productive potentials of the agricultural sector and in alleviating poverty and curtailing lawlessness in the countryside through equal access to productive assets like land, provisions for necessary support

services packages to its beneficiaries and marketing assistance of produce from awarded lands.

Agrarian reform being among the component elements of rural development, the State acknowledges that the provision of support services to agrarian reform beneficiaries is critical to the success and sustainability of the purposes for which agrarian reform has been institutionalized. The incorporation in the mandate on the provision of housing facilities to qualified agrarian reform beneficiaries is identified as among the highlighted component in the provision of support services to ARBs beneficiaries.

The success and sustainability of the agrarian reform program is determined by the increased productivity and economic growth of beneficiaries, and the maintenance of awarded land ownership within the beneficiaries or its immediate family members subject to qualification criteria set forth under applicable laws. The transferability of awarded lands outside of the immediate family members of the beneficiary, is restricted.

It is further the mandate of the State to sustain rural development along with the attainment of the purposes of the agrarian reform program. Corollary therefore, the mandate of the DRD needs parallel track geared towards rural development, particularly on areas where land distribution are completed.

Incorporating rural development on Land Acquisition and Distribution (LAD) free area is primarily the key component in preserving the gains that were derived in the implementation of agrarian reform program. Towards this end, the State shall utilize such tangible gains as platform to rural development.

The State is cognizant of the indispensable role of the Barangay Agrarian Reform Council (BARC) which shall henceforth be named Barangay Rural Development Council (BRDC) as the basic unit equipped with institutional information at the grassroots or local level. The role of the BRDC in the entire process of the implementation of this Act as well as in the alternative resolution of agrarian-related conflict is imperative to accelerate the commencement and completion of the second phase of agrarian reform program. Hence, there is a need to revitalize and

strengthen the BRDC by enabling it with corresponding organizational role, function and authority and the provision of budgetary allocation for its operation, as may be determined by the Presidential Agrarian Reform Council (PARC), which shall henceforth be named as the Presidential Rural Development Council (PRDC).

The State moreover recognizes the indispensable role of the private sector, encouragement of private enterprise, provision of incentives for necessary investments requirements, and trade policies that serves the general welfare and utilization. In pursuance therefore, all forms of agribusiness arrangements or agreements of exchange with private enterprises, investors, Provided, it is based on equality and reciprocity that is aimed for increased agricultural productivity and income of all stakeholders of agrarian reform program, as may be approved and determined by the DRD, are sanctioned by the State. The potential produce of the lands awarded to beneficiaries of agrarian reform program or the Title of ownership may be the subject of collateral for loans with private financing institution subject to certain limitations as may be provided by law.

In realization, the DAR shall be transformed into a body that shall lead in the fulfillment of the sound rural development in conjunction with LAD-free declared areas.

The State furthermore recognizes the manpower resources required to fully attain the objectives of the rural development program.

Thus, it is imperative to transform the Department of Agrarian Reform into the “*Department of Rural Development*”.

Section 3. - Section 4 of Republic Act No. 6657, as amended, is hereby further amended to read:

“**Section 4. Scope** – The rural development program shall cover all private agricultural lands and public agricultural lands with actual cultivators. It shall include:

4.1 GOVERNMENT OWNED LANDS

- (a) All alienable and disposable lands of public domain devoted to or suitable for agriculture.
- (b) All lands of the public domain in excess of the specific limits

granted by this Act.

(c) All lands or portions thereof reserved by virtue of Presidential Decrees and Proclamations, other laws and issuances for specific public uses by the government, its agencies and instrumentalities, including government-owned or controlled corporations suitable for agriculture and no longer actually, directly and exclusively used or necessary for the purposes for which they have been reserved, as determined by the DAR in coordination with the government agency or instrumentality concerned in whose favor the reservation was established.

In the case of military reservations, the determination of areas suitable for agriculture and no longer actually, directly and exclusively used or necessary for the purposes for which they have been reserved shall be based on the actual use for the military installations or facilities.

In the case of lands affected by public sector development projects located in the reservations of special economic zones, where such development projects have not started within the period of five (5) years from the grant of its use, such land or portion thereof not developed shall be covered by this Act.

(d) All agricultural land acquired by Government Financial Institution (GFI) through sale or foreclosure proceedings which have been occupied and cultivated by tillers and not have been used or remained idle for a period of more than ten (10) years or abandoned as such.

(e) All public agricultural lands granted by Congress to natural or juridical persons for specific purposes and which are no longer being used for the purposes for which it was granted and when the same are occupied and cultivated by tillers and/or when the same have remained idle for a period of more than ten (10) years or abandoned as such.

(f) All agricultural lands held by the government in a proprietary capacity and which are no longer used for the proprietary purposes for which it is being held and which are occupied and cultivated by tillers.

(g) All agricultural lands acquired by the government thru donation from private individuals, where the terms and/or conditions of the donation have not been complied by the government, when the ownership and possession thereof still remains with the government.

(h) All government lands devoted to or suitable for agriculture which are in the possession of government departments, agencies, bureaus, offices and other instrumentalities, and which are no longer actually, directly and exclusively used or necessary for the purpose for which they have been reserved or acquired and have remained idle for a period of more than ten (10) years or abandoned as such

(i) All lands of public schools, state university and colleges, presently occupied and cultivated by tillers, which are no longer actually, directly and exclusively used for educational purposes and have remained undeveloped or idle

for a period of more than ten (10) years and/or abandoned as such.

(j) All other lands owned by government devoted to or suitable for agriculture.

4.2 PRIVATE AGRICULTURAL LANDS

(a) All private agricultural lands in excess of the five (5) hectares ownership as provided for by RA 6657.

(b) All private agricultural lands identified by PD 27 and RA 6657, as amended by RA 9700, but was not covered and distributed to farmer-beneficiaries in accordance with said laws.

(c) All private agricultural lands that have been reclassified as commercial, industrial or residential lands by local government units or other agencies of government but remained undeveloped according to their reclassification program or when such reclassification is in violation of RA 6657, as amended.

(d) All private agricultural lands with approved land use conversion Order, but which lands was never used for the purposes for which conversion was granted or that such conversion was in violation of RA 6657, as amended.

In case of the foregoing, this Act hereby declares the revocation of their Conversion Order. If the development of the land has not started, the entire landholding shall be covered by this Act; otherwise only the undeveloped portion shall be covered.

(e) All lands covered by collective CLOAs, Stock Distribution Option (SDOs) or Production Sharing scheme shall be distributed individually to the farmer-beneficiaries except those lands that are not feasible for distribution because of the physical constraints of the land or by the majority vote of the farmer-beneficiary in favor of maintaining the CLOAs, Stock Distribution Option or Production Sharing scheme.

(f) Ancestral lands of Indigenous Cultural Communities/ Indigenous Peoples (ICCs/IPs) shall be covered by this Act, Provided, that their rights will be protected to ensure their economic, social and cultural well-being.

(g) All lands of private schools colleges and universities as well as Friar lands or lands owned by religious or charitable institutions, presently occupied and cultivated by tillers, which are no longer actually, directly and exclusively used for educational, religious or charitable purposes and have remained undeveloped or idle for a period of more than ten (10) years and/or abandoned as such.

(h) All private lands devoted to or suitable for agriculture regardless of the agricultural products raised or that can be raised thereon.

Section 4. – There shall be incorporated after Section 6 of Republic Act No. 6657, as amended, a new section to read as follows:

“**SECTION 6-A. Identification of Private Agricultural Lands.** – The DRD shall identify all covered private agricultural lands after the effectivity of this Act and shall ascertain the

following:

- (a) The description and location of the land;
- (b) Proof of ownership;
- (c) The names of the tenants/farmworkers therein; and
- (d) The latest market value of the land as determined by the municipal or provincial assessor.

SECTION 6-B. Identification and Inventory of Government-Owned Agricultural Lands. – All department, bureau, offices and instrumentalities of the government shall identify their lands devoted to or suitable for agriculture and no longer actually, directly and exclusively used or necessary for the purpose which they have been reserved or acquired, and thereafter submit a list thereof to the DARRD, indicating the location and area of the said lands, actual use and legal basis of ownership.

Section 5. – Additional Section after Section 35 of Republic Act No. 6657, as amended, is hereby added to read:

“Section 35-A. – Expanded Support Services Component – The provisions of support services shall not be limited to agrarian reform beneficiaries (ARBs), it shall also extend to the small-farmers in the Agrarian Reform Communities (ARCs) and non-ARCs where the LAD component is almost completed, by providing the ARBs therein the support services needed to ensure that the lands awarded to them become as productive as possible. For this purpose, the Agrarian Reform Community Connectivity and Economic Support Services (ARCESS) is hereby institutionalized. Along this thrust, the ARCESS shall be operationalized to address the support services needed by the ARBs, strengthen their organizations, enable them to consolidate their production, post-harvest, processing, logistics and marketing activities, and address problems of economies of scale through the provision of rural infrastructure, innovative financing and investment and credit support, value-adding agri-extension and agri-technology services, business development services, and common service facilities or farm equipment, and deployment of community-based enterprise organizers.

Section 6. – Section 37 of Republic Act No. 6657, as amended, is hereby further amended to read:

“SECTION 17. Additional Support Services for the Beneficiaries – The DRD and program implementing agencies shall ensure that support services to farmers-beneficiaries are provided, and shall include:

17.1 Provisions of socialized housing projects at reasonable cost for agrarian reform beneficiaries;

17.2. The DRD shall establish and institutionalize parallel linkages and intermediaries with private financing institution allowing or accepting the produce or Title of ownership of awarded lands as the subject of collateral to secure a loan. Provided that, the proceeds from loan shall be utilized for farming and production inputs on the awarded land.”

Section 7. – Section 37 of Republic Act No. 6657, as amended, is hereby further

amended to read:

“Section 41. – Presidential Rural Development Council – The Presidential Agrarian Reform Council (PARC) is hereby renamed as Presidential Rural Development Council (PRDC). The PRDC shall continue to perform and exercise its mandate and powers pursuant to the provisions of Republic Act No. 6657, as amended by Republic Act No. 9700, and shall further be vested with additional function as here in after provided.

Section 41-A. – Power to Declare LAD-Free Area – The PRDC shall have the exclusive authority to declare thru a Resolution a certain barangay, municipality or a cluster thereof as LAD-free. A particular barangay, municipality or cluster thereof shall be considered LAD-free if all agricultural land which are qualified for coverage by the agrarian reform program have been fully and completely issued with Titles under agrarian reform program and the land distributed to Agrarian Reform Beneficiaries, not withstanding any post LAD issues attending thereof.

Section 8. – Section 50 of Republic Act No. 6657, as amended, is hereby further amended to read:

“Section 50. Quasi-Judicial Powers of the DRD – The DRD is vested with primary and exclusive jurisdiction to determine and adjudicate agrarian reform matters and shall have exclusive original jurisdiction over all matters involving the implementation of agrarian reform, except those falling under the exclusive jurisdiction of the Department of Agriculture and the Department of Environment and Natural Resources.

The rules of procedure and evidence in courts of law and equity shall not be controlling and the DRD shall use every and all reasonable means to ascertain facts speedily and objectively, hear and decide all cases, disputes and controversies in accordance with justice and equity and the merits of the case, all in the interest of due process. Toward this end, it shall adopt a uniform rule of procedure to achieve a just, expeditious and inexpensive determination of every action or proceeding before it.

It shall have the power to summon witnesses, administer oaths, take testimony, require submission of reports, compel the production of books and documents and answers to interrogatories and issue subpoena, and subpoena duces tecum and to enforce writs through sheriffs and other deputized officers. It shall likewise have the power to punish direct and indirect contempt in the same manner and subject to the same penalties provided for the Rules of Court.

Responsible farmer leaders shall be allowed to represent themselves or their fellow farmers or organization of farmers, if duly authorized as such by the farmer/s-organization/s in any proceedings before the DRD: Provided, however, that when there are two or more representatives for any individual or group, the representatives should choose only one among themselves to represent such party or group before any DAR proceedings.

Motion for reconsideration of any decision, resolution or order of the DRD Secretary shall not be entertained except when based on palpable or patent errors; provided that the motion

is filed within **Ten (10)** calendar days from receipt of decision, resolution or order, with proof of service that a copy of the same has been furnished, within the reglementary period, the adverse party; and provided further, that only one such motion from the same party shall be entertained.

Any order, ruling or decision shall be final after the lapse of **ten (10)** days from receipt of a copy thereof by all of the parties to the case or their representatives.

The Decision of the DRD is final and immediately executory, except when an injunction is issued by Court the Court of Appeals”

“Section 50-A. Reconstitution of Titles – The reconstitution of lost or destroyed registered owner’s duplicate copy of Original Certificate of Title/ Transfer Certificate of Title (OCT/ TCT) of lands which are identified for coverage under this Act, as well as Certificate of Land Ownership Award (CLOA) or Emancipation Patent (EP), and other titles of ownership issued under the agrarian reform program, shall be vested under the exclusive and primary jurisdiction of the DRD Adjudication Board (DRDAB) formerly the DARAB.

Section 9. – Section 53 of Republic Act No. 6657, as amended, is hereby further amended to read:

“Section 53. Re-institutionalization of the Barangay Agrarian Reform Council – The PRDC and the DRD shall re-institutionalize the BARDC into the Barangay Rural Development Council (BRDC) by establishing operational structure that would provide its role and functions in initial identification of potential and qualified beneficiaries and vesting upon the primary jurisdiction in settlement of agrarian disputes within Barangay level. It shall likewise institutionalize the provision of incentives to the BRDC officers in a form of honoraria or allowances, as may be determined accordingly. As such, provisions for major implementing mechanism for the program and appropriate funding for its members and regular operations shall be provided by the DRD. The BRDC shall assist in the full implementation of this Act.

Section 53-A. – Certification of the BRDC – The DRD shall not take cognizance of any agrarian dispute or controversy unless a certification has been issued by the Barangay Rural Development Council that the dispute has been submitted to it for mediation and conciliation without any success of settlement. Provided, however, that if no certification is issued by the BRDC within thirty (30) days after a matter or issue is submitted to it for mediation or conciliation, the proper DRD office may take cognizance on the issue or dispute.”

Section 10. – Section 54 of Republic Act No. 6657, as amended, is hereby further amended to read:

“Section 54. Special Civil Action on Certiorari – Any decision, order, award or ruling of the DRD on any agrarian dispute or any matter pertaining to the application, implementation, enforcement, or interpretation of this Act and other pertinent laws on agrarian reform may be brought to the Court of Appeals by

way of Certiorari under Rule 65 of the Rules of Court.

The findings of fact of the DRD shall be final and conclusive if based on substantial evidence.”

Section 11. – Section 65 of Republic Act No. 6657, as amended, is hereby further amended to read:

“SECTION 65. Prohibition Against Land Reclassification and Land Use Conversion. – The lands covered by this Act shall not be subjected to conversion and reclassification by any government unit, agency, institutions or instrumentality.”

Section 12. – Sections 30 of Republic Act No. 9700, is hereby further amended to read:

“Section 30. Resolution of Cases – Any case and/or proceeding involving the implementation of the provisions of Republic Act No. 6657, as amended, which remains pending until the approval of this Act shall be allowed to proceed to its final determination and executed even beyond such date.”

Section 13. – The Powers and Mandates of the Department of Rural Development – The powers, functions and mandates of the Department of Agrarian Reform (DAR) under Executive Order No. 292, and other laws shall henceforth be vested upon the DRD which shall maintain and continue to perform its mandates, powers, functions as provided by laws for purposes of carrying out the objectives and purposes of this Act.

Section 14. – The Department of Rural Development – The Department shall be headed by a Secretary who shall be appointed by the President with the confirmation of the Commission on Appointments. In correlation with the existing functions and mandates in agrarian reform implementation, it shall lead, along with line agencies, in infusing rural development programs, specifically prioritizing in LAD-free declared areas. The rural development program hereinafter referred to is a post-LAD program which shall include, but not limited, to the following projects and service facilities:

(a) Infrastructure development, which includes the construction and maintenance of barangay roads and farm-to-market roads, bridges and culverts, multi-purpose pavements, irrigation and drainage, village water supply and sanitation, post-harvest storage facilities, food processing plants, and buildings and community facilities;

(b) Agricultural development, which includes farmers’ training, farm extension services, and the establishment of rural market centers;

(c) Agricultural credit and cooperative development, which includes credit extension

program and the promotion of farmers’ cooperatives;

(d) Rural electrification, which calls for the intensification of barangay electrification;

(e) Rural health service facilities, which includes the establishment of barangay health centers;

(f) Barangay education and information disseminations facilities;

(g) Land and forest development, which includes soil conversion and reforestation; and

(h) Land settlement.

Section 15. – Office of Undersecretary for Support Services Development – There is hereby created an Office of Undersecretary for Support Services Development with staff complement. The office shall be headed by an Undersecretary who shall assist the Secretary in implementing the mandates and functions of the Department of Rural Development. The Undersecretary shall be appointed by the President upon the recommendation of the Secretary. The Secretary is hereby authorized to delineate, assign and/or reassign the respective functional areas of responsibility of the Undersecretaries, provided, That such responsibility shall be with respect to the mandate and objectives of the Department; and provided, Further, that the Undersecretary assigned to rural development shall possess the competence and technical expertise relevant to the mandates and functions required by the office. Furthermore, that no Undersecretary shall be assigned primarily administrative responsibilities.

The Undersecretary for Support Services Development shall be responsible for the overall direction in the implementation of support services and shall ensure that all policy directives of the Secretary are fully implemented.

Section 16. – Rural Development Support Services Office – There is hereby created a Rural Development Service Office (RDSO) with staff complement, which shall be headed by a Director III, who shall assist the Undersecretary in rural development program implementation. The Director III shall be appointed by the President upon the recommendation of the Secretary. Provided that, the Director III for RDSO shall possess the required competence and technical skills in the field of rural development. The RDSO shall be responsible in planning, policy development, coordination, implementation, and monitoring in order to carry-out rural development in identified areas.

The RDSO shall be complemented by two (2) Divisions, the Program Implementation Division and the Monitoring and Evaluation Division, which shall be headed each by a Division Chief (SG 24).

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FULL TEXT OF PROPOSED LEGISLATION

“AN ACT INSTITUTING THE SECOND PHASE OF AGRARIAN REFORM IN THE COUNTRY THEREBY COMPLETING THE COVERAGE OF AGRICULTURAL LANDS UNDER THE AGRARIAN REFORM PROGRAM, PROVIDING STATE SUBSIDY IN THE ACQUISITION AND DISTRIBUTION”

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. State Subsidy in the Acquisition and Distribution of Agricultural Lands thereby Implementing Free Land Distribution to Qualified Beneficiaries. The distribution of agricultural lands to qualified beneficiaries which shall be directly and fully subsidized by the State shall comprise the second phase of the agrarian reform program in the country. Agrarian Reform Beneficiaries shall no longer pay any amortization for their awarded lands.

Agrarian Reform Beneficiaries under the previous agrarian reform laws shall benefit from the state subsidy to the extent of the unpaid amortizations and interest charges which are due. Those who have completed payment of the thirty-year amortization schedule and the payment of interest charges shall be given preference in the award of the new package of support services which includes access to credit facilities and automatic qualification to various support services including availments for housing, education, and other loans.

SECTION 2. Resumption of the Coverage of Private Agricultural Lands Under the Comprehensive Agrarian Reform Program. The Department of Agrarian Reform (DAR) shall resume the issuance and service of the Notice of Coverage to all landowners of private agricultural lands whose ownership exceeds the five-hectare ceiling imposed by Section 6 of Republic Act (R.A.) No. 6657, as amended, and which would have been covered under the agrarian reform program were it not for the 30 June 2014 deadline imposed by R.A. No. 9700; Provided, that this Section shall not apply to retention areas of landowners who exercised such right under Presidential Decree No. 27 or other agrarian laws which granted retention areas exceeding five hectares.

Any issue, dispute, or controversy arising from the

issuance of the Notice of Coverage shall be resolved by the DAR Secretary.

SECTION 3. Resumption of the Coverage of Unused Government-Owned Lands under the Comprehensive Agrarian Reform Program. The DAR shall issue and serve the “Notice to Proceed with the Acquisition” (NTPA) to all government agencies, departments, bureaus, offices, and instrumentalities which own or are in possession of agricultural lands that are no longer actually, directly, and exclusively used or necessary for the purpose for which such lands have been reserved. All lands of the public domain which are agricultural or arable shall be turned over by the Department of Environment and Natural Resources to the DAR without delay upon issuance and service of the NTPA. Any issue, dispute, or controversy arising from the issuance of the NTPA shall initially undergo conciliation proceedings between the DAR and the concerned agency before a Dispute Resolution Committee created by the Department of Justice. In the event that the settlement is reached, the said agency may file a Petition opposing the coverage before the Secretary of Department of Agrarian Reform.

For the purpose of this Section, a landholding is deemed actually, directly, and exclusively used for the purpose of a government agency, department, bureau, office, or and instrumentality concerned when it is immediately occupied, utilized, and applied for the purpose for which it was reserved or acquired. The land is necessary for the mandate or the purpose of the said department, bureau, office, or instrumentality if the land is indispensable for the attainment of said mandate or purpose which have been reserved in its favor by virtue of a presidential proclamation, executive fiat or legislative grant, or otherwise acquired through other modes of transferring ownership.

SECTION 4. Determination of Just Compensation

Due Landowners. The fair market value shall be the value of the land at the time of the taking but the amount to be paid must be the present value of the amount that should have been paid. The amount to be paid must therefore take into consideration inflation, among other pertinent factors. The concept of just compensation in agrarian reform is the same as just compensation in all types of taking. The landowner should be paid the present value of the fair market value of the land at the time of the actual taking of the property. Just compensation is computed at the time of the taking because it replaces the value of the rights to property taken from the owner. This Section supplements the factors to be considered in determining just compensation under Section 17 of R.A. No. 6657, as amended.

For purposes of acquisition under the agrarian reform program, the land value of an agricultural land shall be computed based on its legally permissible and best use at the time of expropriation, taking into consideration inflation and the valuation factors enumerated in Section 17 of R.A. No. 6657, as amended.

The just compensation to the landowner shall be the future value of the land value determined at the time of expropriation, computed at prevailing market rates as of the time of payment, broken down into:

- (a) 30% Cash
- (b) 70% Agrarian Reform Bond with interest aligned with 91-day Treasury Bills rate; 10% of the face value of the bonds shall mature every year from the date of issuance until the 10th year

The breakdown applies regardless of the hectareage of the landholding acquired from the landowner, thereby amending the mode of compensation provided under Section 18 of R.A. No. 6657, as amended.

The just compensation shall be initially determined by the DAR with the technical assistance of the Land Bank of the Philippines. In the event that the amount is rejected

by the Landowner, an original action for the determination of the amount of the just compensation may be commenced within one (1) year from receipt by the Landowner of the Notice of the Initial Determination by the DAR before the proper Regional Trial Court designated as Special Agrarian Court.

SECTION 5. Duty of Any Court or Prosecutor to Dismiss Any Case with an Agrarian Dispute and to Automatically Refer the Case to the DAR. The DAR exercises exclusive jurisdiction in cases involving an agrarian dispute which shall refer to controversies involving any of the following:

- a) Tenurial arrangements, whether leasehold, tenancy, stewardship or otherwise, over lands devoted to agriculture.
- b) Dispute concerning farmworkers’ associations or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of such tenurial arrangements.
- c) The terms and conditions of transfer of ownership from landowners to farmworkers, tenants and other agrarian reform beneficiaries, whether the disputants stand in the proximate relation of farm operator and beneficiary, landowner and tenant, or lessor and lessee. (Section 3(d), R.A. No. 6657, As Amended)
- d) Cases when the DAR exercises quasi-judicial power as provided under Section 50 of R.A. No. 6657, As Amended.

SECTION 6. Continuing Determination of the Allowable Ceiling of Ownership of Agricultural Lands. For purposes of future legislation, the Presidential Agrarian Reform Council shall conduct a continuing study to determine the allowable ceiling of ownership for the awarded lands, as well as for the retention areas in each region taking into consideration the peculiar features of the land, the nature of the crops and the manner by which the agricultural activities in the area are being conducted.

SECTION 7. Scope of Exemption Under the Comprehensive Agrarian Reform Program. Landholdings which are exempted from the coverage of the Comprehensive Agrarian Reform Program as provided under Section 10 of R.A. No. 6657, as amended, is supplemented by the inclusion of landholdings which have been reclassified for any type of use that is not agricultural as also exempted from the coverage provided that the landholding has been reclassified before 15

June 1988. Exemption of the landholding from the coverage of the Comprehensive Agrarian Reform Program means that it is no longer subject to the application of any of the provisions of the Agrarian Reform Laws provided that the following conditions are met:

- (a) For lands exempted due to its being used for a public purpose, they shall remain exempted provided that they continue to be actually, directly, and exclusively used and found to be necessary for those uses cited under Section 10 of R.A. No. 6657, as amended. The exemption grant is revoked once said use has ceased or is proven to be non-existent.
- (b) For lands exempted due to having more than 18 degrees slope and being undeveloped, they shall remain exempted provided that they are not agriculturally developed or no agricultural activity exist therein. The exemption grant is revoked once there is agricultural development in the area.
- (c) For lands exempted for having been reclassified as non-agricultural before 15 June 1988, they shall remain exempted provided that they are neither irrigated nor irrigable. The exemption grant is revoked once there is irrigation in the area or it is determined that the area is irrigable as certified by the National Irrigation Administration.

SECTION 8. Scope of Exclusion Under the Comprehensive Agrarian Reform Program. Landholdings which have been excluded from the Comprehensive Agrarian Reform Program due to such activities as prawn farming, fish farming, aquaculture, livestock, poultry and other similar business undertakings shall be placed under the Comprehensive Agrarian Reform if such activities are no longer the main or dominant activity therein.

SECTION 9. Effects of Exclusion or Exemption Under the Comprehensive Agrarian Reform Program. Landholdings which remain excluded or exempted from the Comprehensive Agrarian Reform Program shall also be exempted from the provisions of agrarian reform cases governing transfer actions, and ownership ceiling.

SECTION 10. Scope of Conversion of Agricultural Lands Under the Comprehensive Agrarian Reform Program. Conversion grant from the DAR shall be secured even if the agricultural landholding to be used for a commercial, residential, or industrial purpose is neither an awarded land nor part of the retention area.

SECTION 11. The

Agrarian Reform Cooperatives are not Beneficiaries under the Comprehensive Agrarian Reform Program. Section 22 of R.A. No. 6657, as amended, is hereby amended by deleting paragraph "(f) Collective or cooperatives of the above beneficiaries" thereof.

SECTION 12. Broadened Scope of Support Services to Agrarian Reform Beneficiaries Under the Comprehensive Agrarian Reform Program. In addition to the support services available to the Agrarian Reform Beneficiaries under Section 37 of R.A. No. 6657, as amended, the DAR together with the Presidential Agrarian Reform Council, shall ensure that the Agrarian Reform Beneficiaries shall receive support services and assistance indispensable for the sustenance, dwelling, clothing, medical attendance, education, and transportation of the beneficiary and the immediate members of his or her family. Any form of support services rendered by any banking or financial institution for the benefit of the beneficiary and his or her family is considered a form of support under the agrarian reform program implementation.

SECTION 13. Prohibition of Courts including Special Agrarian Courts to Disrupt CARP Implementation. Section 55 of R.A. No. 6657, As Amended, is hereby further amended by adding Section 55-A to read, as follows:

Section 55-A. Except for the Supreme Court, no other court in the Philippines including those courts designated as Special Agrarian Courts, can issue any prohibitive or mandatory form of injunction whether preliminary or final, to affect in any manner any function of the Department of Agrarian Reform or any stage of the land acquisition and distribution process.

SECTION 14. Intent is Immaterial in the Crime of Illegal Conversion. Section 73 (c) of R.A. No. 6657, As Amended, is hereby modified, as follows:

"The conversion of any agricultural land which is either irrigated or irrigable to non-agricultural use without approval from the DAR."

SECTION 15. Acceptability of Agrarian Reform Titles as Collaterals for Certain Loans. Certificates of Land Ownership Award or Emancipation Patents shall be allowed as collaterals for a loan; provided, that the loan is secured to finance an agricultural project addressing the needs of the beneficiary or to fund the support services for the beneficiary which includes anything indispensable to the sustenance, dwelling, clothing, medical attendance, education, and transportation of the beneficiary or his family.

SECTION 16. Revival of the Congressional Oversight Committee on Agrarian Reform. The Congressional Oversight Committee on Agrarian

Reform or COCAR is hereby revived to perform the duties and responsibilities as stated under Sections 26, 27, and 28 of R.A. No. 9700.

SECTION 17. Appropriation of Funds for Land Distribution. Section 63 of R.A. No. 6657, As Amended, is hereby further amended to read as follows:

Additional amounts are hereby being authorized to be appropriated in order to provide funds for the acquisition of private and other agricultural lands for distribution to the agrarian reform beneficiaries.

SECTION 18. Implementing Rules and Regulations (IRR). The DAR shall, within sixty (60) days from the effectivity of this Act, formulate the necessary Implementing Rules and Regulations (IRR).

For this purpose, the following agencies shall participate in the formulation of the IRR: Department of Environment and Natural Resources, Department of Agriculture, Department of National Defense, Department of Justice, Department of Budget and Management, Department of the Interior and Local Government, Department of Public Works and Highways, Department of Trade and Industry, Department of Finance, Department of Labor and Employment, National Economic and Development Authority, National Irrigation Administration, Land Bank of the Philippines, Commission on Higher Education, and the National Commission on Indigenous Peoples.

SECTION 19. Agency Support. All other government offices and agencies are directed to render such prompt and necessary assistance, subject to applicable laws, rules and regulations, to fully implement the provisions of this Act.

SECTION 20. Funding. The amount necessary for the initial implementation of this Act shall be charged against sources to be identified by Department of Budget and Management. Thereafter, the funding requirements for the implementation of this Act shall be included in the annual budget of the concerned agencies.

SECTION 21. Repeal. In the event that any provision of this Act or any part hereof is declared invalid, illegal, or unconstitutional, the provisions not thereby affected shall remain in full force and effect.

SECTION 22. Separability. All issuances or parts thereof that are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 23. Effectivity. This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of national circulation.

APPROVED. 🌿

Continued from page 9

"AN ACT TRANSFORMING THE DEPARTMENT OF AGRARIAN REFORM INTO "DEPARTMENT OF RURAL DEVELOPMENT", MANDATING ITS FUNCTIONS AND PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES"

The respective Divisions shall be complemented each by one (1) Supervising Rural Development Officer (SG 22), two (2) Senior Rural Development Officers (18), three (3) Rural Development Officers II (SG 15), and two (2) Administrative Assistants (SG 8). Provided that, the two (2) Division Chiefs and respective technical staff shall possess the required competence and relevant qualification standard as prescribed in the implementing guidelines of this Act.

Section 17. - Policy Development, Research and Legislative Liaison Service – There is hereby created a Policy Development, Research and Legislative Liaison Service (PDRLLS) which shall be headed by Director IV and assisted by Director III, both shall be appointed by the President upon the recommendation of the Secretary. The PDRLLS shall be complemented by three (3) Divisions, the Policy Division, Research Division, and Legislative Liaison and External Affairs Division, with respective staff complements. The PDRLLS shall be responsible for policy formulation and monitoring, conduct of research, studies, and coordination with legislative bodies and stakeholders on all matters pertaining to the mandates and objectives of the Department.

Section 18. - Section 63 of Republic Act No. 6657, as amended, is hereby further amended to read:

"Section 63. Funding Source – The initial amount needed to implement this Act shall be funded from the Agrarian Reform Fund created under Sections 20 and 21 of Executive Order No. 229.

Additional amounts are hereby authorized to be appropriated as and when the needed to augment the Agrarian Reform Fund in order to fully implement the provisions of this Act.

Sources of funding or appropriations shall include the following:

- Proceeds of the sales of the Privatization and Management

Office (PMO);

- All receipts from assets recovered and from sale of ill-gotten wealth recovered through the Presidential Commission on Good Government excluding the amount appropriated for human rights violations under applicable law;

- Proceeds of the disposition and development of properties of the Government in foreign countries, for the specific purposes of financing production credits, infrastructure and other support services required by this Act;

- All income and collections of whatever form and nature arising from the agrarian reform operations, projects and programs of the DAR and other agrarian reform implementing agencies;

- Portion of amounts accruing to the Philippines from all sources of official foreign aid grants and concessional financing from all countries, to be used for the specific purposes of financing production credits, infrastructures, and other support services required by this Act;

- Yearly appropriations of no less than Billion pesos from the General Appropriations Act;

- Gratuitous financial assistance from legitimate sources; and

- Other government funds not otherwise appropriated.

All funds appropriated to implement the provisions of the Act shall be considered continuing appropriations; Provided, that if the need arises, specific amounts for bond redemptions, interest payments and other existing obligations arising from the implementation of the program shall be included in the annual General Appropriations Act: Provided, further, That all just compensation payments to landowners, including execution judgments therefore, shall only be sourced from the Agrarian Reform Fund; Provided, however, that just compensation payments that cannot be covered within the approved annual budget of the program shall be chargeable against the debt service program of the national government, or any unprogrammed item in the General Appropriations Act: Provided,

finally, that after the completion of the land acquisition and distribution component of this Act, the yearly appropriation shall be allocated fully to support services, agrarian justice delivery and operational requirements of the DAR and other agrarian reform implementing agencies."

Section 19. - Section 64 of Republic Act No. 6657, as amended, is hereby further amended to read:

"Section 64. Financial Intermediary for Rural Development – The Land Bank of the Philippines shall continue to be the financial intermediary for the agrarian reform program and rural development in the Philippines, and shall insure that the social justice objectives of this Act shall enjoy preference among its priorities."

Section 20. - Sections 31 of Republic Act No. 9700, is hereby further amended to read:

"Section 31. Implementing Rules and Regulations – The PRDC and the DRD shall formulate and provide the necessary implementing rules and regulations within One Hundred and Eighty (180) days from approval of this Act. Such rules and regulations shall take effect ten (10) days after its publication in a newspaper of general circulation."

Section 21. - Repealing Clause -Republic Act No. 3844, as amended and Republic Act No. 6657, as amended, and all laws, decrees, executive orders, issuances, rules and regulations, or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

Section 22. - Separability clause – If for any reason any section or provision of this Act is declared unconstitutional or invalid, the other sections or provision hereof not affected thereby shall remain in full force and effect.

Section 25. - Effectivity clause - This Act shall take effect upon approval hereof and shall be published in at least two (2) newspapers of general circulation.



CASTRICIONES TO LEAD DAR IN THE 2ND PHASE OF AGRARIAN REFORM

By Pinky F. Roque with reports from Resurreccion F. Arcaina and Medel T. Mercado



SEC JHON CASTRICIONES

The Department of Agrarian Reform (DAR) will step up the distribution of land covered by the Comprehensive Agrarian Reform Program (CARP), as it gears up for the implementation of the program's second phase under President Rodrigo Roa Duterte's administration.

According to the agency's records, the land acquisition and distribution (LAD) balance as of June 2019 was 561,000 hectares.

With an annual target distribution of 50,000 hectares, the DAR will need at least 10 years to complete the distribution. But with Duterte's order to complete the LAD process before the end of his term, the leading CARP-implementing agency is preparing to taken on the challenge.

Agrarian Reform Secretary John R. Castriciones, who will lead the agency in this new frontier, urged officials and employees of the agency to be more proactive not only in the distribution of land but in providing much-needed support services to agrarian reform beneficiaries (ARB) as well.

Castriciones said foremost in his directive for the department is to increase the issuance of certificates of land ownership award (CLOA) and to speed up the provision various support services to ARBs.

"It's foolishness to ever state that farmers or farm workers do not want to

own land. There is no such reason for the slow distribution of land next year. That's why we are streamlining procedures on land distribution to hasten the processes in acquisition and distribution of lands and land use conversion," Castriciones said.

In April 2019, the Department issued Administrative Order No.1, containing guidelines and procedures to streamline the tedious process for land use conversion.

Certain provisions of A.O. No. 1, series of 2002, are amended to ensure the speedy disposition of land conversion. An example is that no application shall now be accepted, docketed and processed unless the documentary requirements for conversion grant are complete and sufficient in form and substance.

The DAR is also focusing on Executive Order (EO) 75 where it is ordered to distribute all government-owned lands devoted to or suitable for agriculture but are no longer actually, directly, and exclusively used for the purpose for which they have been reserved so they can be distributed to qualified beneficiaries.

"This EO will be a boost to CARP. It will fast-track the distribution of lands, particularly government-owned lands, to qualified beneficiaries," Castriciones said.

In February, the DAR has released the implementing rules and regulations of the EO, signed by Castriciones and Justice

Secretary Menardo Guevarra.

"Since its release, we are now proceeding with the process of land acquisition and distribution of government-owned lands," Castriciones said.

In May, the President has also ordered DAR to facilitate the survey and re-documentation of collective land titles to individual CLOAs. The directive was given by the President during the 36th Cabinet Meeting held on April 1, 2019 at the Malacañan Palace.

To accomplish this, the DAR has issued guidelines and procedures on the parcellation of landholdings with collective certificates of landownership award (CCLOA) through AO No. 2, series of 2019, which seeks to stabilize ownership, tenure and control of the lands awarded to ARBs.

Castriciones said pursuant to Section 25 of the Republic Act (RA) 5567, as amended by Section 10 of RA 9700, the DAR is mandated to immediately undertake the parcellation of CCLOAs over lands that are not collectively farmed or operated in an integrated manner.

In the past decades, many landholdings were awarded to ARBs under a collective and non-subdivided form of ownership wherein qualified beneficiaries may opt for collective ownership, through farmers' cooperatives, associations or some other form of organizations for the issuance of CCLOAs.

"There are reports from field implementers and civil society organizations regarding disputes or controversies among ARBs with existing CCLOAs due to boundary conflicts, inclusions and exclusions of ARBs, and other conflicts resulting to the splitting of groups into

sub-groups and co-owners opting for individual ownership," Castriciones said.

He said that through parcellation, the DAR will subdivide and determine the exact meters and bounds of the areas, allocate lots for each ARB in a CCLOA, identify common use areas and portions with common service facilities, and establish areas capable of being alienated and disposed by the government.

Meanwhile, the Court of Appeals ruled in September affirming the original and exclusive power of the DAR on the LAD process and the issuance of CLOAs.

“It's foolishness to ever state that farmers or farm workers do not want to own land. There is no such reason for the slow distribution of land next year.”

"This is a legal victory for DAR," said Undersecretary for Legal Affairs Atty. Luis Meinrado C. Pañgulayan on the decision that also upheld the agency's quasi-judicial powers. Pañgulayan headed the legal team that won for DAR this agrarian case.

"This brings to an end the 20-year preliminary injunction issued against the DAR and the beneficiaries of the CARP processes and the agrarian reform titles," Pañgulayan added. 🌱

