



Republic of the Philippines
DEPARTMENT of AGRARIAN REFORM

ADMINISTRATIVE ORDER NO. 10
Series of 1990

SUBJECT: RULES AND PROCEDURES IN THE DISTRIBUTION OF
PRIVATE AGRICULTURAL LANDS TO AGRARIAN REFORM
BENEFICIARIES UNDER R.A. 6657

I. PREFATORY STATEMENT

These Rules and Procedures shall apply to the distribution to agrarian reform beneficiaries (ARBs) of all private agricultural lands, the improvements thereon, and/or other facilities acquired under RA 6657 and other related issuances.

II. STATEMENT OF POLICIES

- A. Upon land acquisition, the DAR (government) shall immediately take steps to distribute the land to qualified beneficiaries and to make available the support and coordinative services to enhance productivity.
- B. In general, lands shall be distributed directly to the individual worker-beneficiaries. In case it is not economically feasible and sound to divide the land, then it shall be owned collectively by the worker-beneficiaries who shall form into a workers cooperative or association which will deal with the corporation or business association.
- C. To facilitate the distribution of lands, these shall preferably be transferred collectively to groups of farmers. The agrarian reform beneficiaries may opt for collective ownership, such as co-ownership or farmers cooperative or some other form of collective organization; Provided, That the total area that may be awarded shall not exceed the total number of co-owners or members of the cooperative or collective organization multiplied by the award limit of three (3) hectares, except in meritorious cases as determined by PARC. Title to the property shall be issued in the name of the co-owners or the cooperative or collective organization as the case may be.
- D. Equitable distribution of the land shall be observed subject to the following considerations:
 1. Actual occupancy of a tenant shall be the basis of the award, provided it does not exceed three hectares.

2. For untenanted land, all the farmworkers therein as qualified under Item III hereof, shall be considered as potential beneficiaries in the estate provided that the proportional share of each will not exceed three hectares; otherwise, additional ARBs shall be considered.
 3. For unoccupied lands, each identified ARB may be allowed the award ceiling of three hectares, provided there are enough lands for distribution under CARP in the barangay to accommodate others who are equally qualified but who may not have been considered as awardees in such land under acquisition;
 4. In all cases, the aggregate award to an ARB shall not exceed the limit of three hectares and his total land ownership as a result of the award shall not exceed three hectares.
- E. Land improvements and facilities such as roads, bridges, warehouses, irrigation system and the like for common use and benefit as may be defined by DAR may be transferred through Farmers Association or Cooperative, or in the absence thereof, through co-ownership as far as practicable.

III. QUALIFICATIONS

- A. The lands acquired under CARP shall be distributed as much as possible to landless residents in the same barangay, or in the absence thereof, landless residents of the same municipality in the following order of priority:
1. agricultural lessees and share tenants;
 2. regular farmworkers;
 3. seasonal farmworkers;
 4. other farmworkers;
 5. actual tillers or occupants of public lands
 6. collective or cooperatives of the above beneficiaries; and
 7. others directly working on the land.

B. Only those who meet the following qualifications shall be eligible as beneficiaries:

1. Landless as defined in R.A. 6657;
2. Filipino citizen;
3. At least fifteen (15) years of age or head of family at the time of acquisition of the property (titled in the name of the Republic of the Philippines);
4. Has the willingness, ability and aptitude to cultivate and make the land productive.

C. All agrarian reform beneficiaries who have culpably sold, disposed of or abandoned their lands are disqualified to become beneficiaries under this program.

IV. RIGHTS AND OBLIGATIONS

A. All ARB's shall exercise diligence of a good father of the family in the use, cultivation and maintenance of the land including the improvements thereon. Negligence, misuse, or unauthorized sale of the land or any support extended to an ARB shall be a ground for the forfeiture of his right as such.

B. Lands acquired by a beneficiary under this Act may not be sold, transferred or conveyed except through hereditary succession or to the Government, or to the LBP, or to other qualified beneficiaries for a period of ten (10), Provided, however, That the children or the spouse of the transferor shall have a right to repurchase the land from the government or LBP within a period of two (2) years.

C. The rights and responsibilities of the beneficiary as an owner shall commence from the time the land was awarded to him as evidenced by a Certificate of Land Ownership Award (CLOA). In case, however, of any standing crop at the time of acquisition, the landowner concerned shall retain his share of the harvest pursuant to Sec. 28 of RA 6657 and other related laws.

D. Pending the award of the CLOA and for the purpose of establishing usufructuary rights, the DAR at the time it takes actual possession of the land, shall immediately inform the ARBs that they have been identified and qualified to receive the land.

- E. Lands awarded pursuant to this Act shall be paid for by the beneficiary to the Land Bank of the Philippines (LBP) in thirty (30) annual amortization at six percent (6%) interest per annum unless the ARB opts to accelerate payment.

V. OPERATING PROCEDURES

Upon receipt of the Memorandum of the Regional Director to take possession of the property, together with the copy of the TCT in the name of the Republic of the Philippines and copy of Deed of Transfer or Proof of Trust Deposit, as the case may be, the PARO shall direct the MARO to proceed with the land distribution.

A. MUNICIPAL AGRARIAN REFORM OFFICER (MARO)

1. Upon receipt of the PARO's directive to take possession of the land, conduct verification and validation of the list of ARBs included in the claim folder of the subject landholding.
2. Upon verification and validation based on the Application to Purchase and Farmers Undertakings (FUs), inform the qualified ARBs or the Farmer's Cooperative/Association, as the case may be, that they have been identified to receive the land to give them usufructuary rights over the property (CARP Form No. 19).
3. Consult the ARBs as to their preference on the scheme of ownership --- whether individual, collective or co-ownership.
4. Assist ARBs in the accomplishment of CLOA Application Form (CARP Form No. 18).
5. Prepare the Land Distribution Folder (LDF) on the basis of the ARBs preference on the scheme of ownership. The LDF shall contain the following documents:
 - a. CLOA Application Form (CARP Form No. 18)
 - b. Copy of the letters to the qualified ARB (CARP Form No. 19)
 - c. Certification by the MARO (CARP Form No. 20)
 - d. Copy of Approved Survey Plan or Plan of the Property prepared and approved by a licensed Geodetic Engineer.

- e. Copy of TCT in the name of the Republic of the Philippines
 - f. Copy of Deed of Transfer or Proof of Trust Deposit, as the case may be
6. Forward the Land Distribution Folder (LDF) to PARO.
- a. In case of collective ownership, facilitate the organization and registration of the association or cooperative in coordination with the appropriate government and non-government agencies. In addition to the requirements mentioned above, submit the following documents:
 - Board Resolution authorizing any member of the association or cooperative to sign the application form in behalf of the association or cooperative.
 - Articles of Incorporation and By Laws of the Cooperative or Association.
 - Certified copy of the title (in lieu of the technical description)
 - b. In case no cooperative, association or any formal organization has been formed, the land subject of distribution shall be governed by the laws on co-ownership.

B. PROVINCIAL AGRARIAN REFORM OFFICE (PARO)

1. Review all documents contained in the LDF.
2. If in order, generate one "Mother" CLOA (Original and Owner's Duplicate Certificate and as many Co-owner's Duplicate Certificate) for the whole landholding in favor of the Farmers' Cooperative or Association, or co-ownership. In case of individual ownership, generate CLOA (Original and Owners Duplicate Certificate) in the name of each ARBs. All CLOAs shall contain the following annotation of lien in favor of LBP:

A N N O T A T I O N

The parcel of land described in this Certificate of Land Ownership Award (CLOA) is encumbered in favor of :

LAND BANK OF THE PHILIPPINES

to ensure full payment of its value pursuant to RA 6657 by the agrarian reform beneficiaries/Farmer's Cooperative or Farmer's Association named herein.

Date: _____ Provincial Agrarian Reform Officer

3. In the case of individual ownership, request DENR to conduct subdivision survey and submit the documents as may be required.
4. On the basis of the CLOA generated, prepare the corresponding CLOA Recording Sheet.
5. Initial Owner's/Co-owner's Duplicate CLOA and forward LDF containing the supporting documents to RARO.

C. REGIONAL AGRARIAN REFORM OFFICE (RARO)

1. Review the LDF and initial the Owner's/Co-owner's Duplicate CLOA.
2. If in order, transmit the CLOA and the corresponding CLOA Recording Worksheet to BLAD-DARCO (using CARP Form No. 21), otherwise return CLOA to PARO for any correction/ replacement.

D. BLAD-DARCO

1. Review and evaluate CLOAs.
2. If in order, cause the signing of the CLOA by the Secretary and affix DAR Seal, otherwise return CLOA to RARO for correction/replacement.
3. Forward signed and sealed CLOA to RARO with the corresponding Transmittal Memo.
4. Monitor the generation and distribution of CLOAs.

E. REGIONAL AGRARIAN REFORM OFFICE (RARO)

1. Receive and index CLOAs and enter the same in the CLOA Registry Book by province.
2. Transmit approved CLOA to PARO.
3. Submit periodic report on CLOA generated, registered and distributed to the DAR Secretary copy furnish the BLAD-DARCO.

F. PROVINCIAL AGRARIAN REFORM OFFICE (PARO)

1. Record signed and sealed CLOAs and enter the same in the CLOA Registry Book.
2. Cause the registration of the CLOA with the Register of Deeds (ROD).
3. After registration, reflect Title number and date of registration in the CLOA Registry Book.
4. Transmit Owner's/Co-owner's Duplicate Certificates/Titles to MARO.

G. MUNICIPAL AGRARIAN REFORM OFFICE (MARO)

1. Receive and record Owner's/Co-owner's Duplicate Certificates of Title.
2. Distribute Owner's/Co-owner's Duplicate Certificate of Title to ARBs, or Cooperative/Association.
3. Maintain a Log Book of all CLOAs/Titles issued within the Municipality and prepare Index Card for individual ARBs.
4. Assist ARBs in securing corresponding Tax Declaration from the Assessor's/Treasurer's Office.

IV. EFFECTIVITY

This Order shall take effect ten (10) days after its publication in two (2) national newspapers of general circulation pursuant to Section 49 of R.A. 6657. All orders, circulars, rules, and regulations inconsistent herewith are hereby revoked, amended, or modified as the case may be.

Diliman, Quezon City Aug. 30, 1990.


BENJAMIN J. LEONG
Secretary

ADDRESS _____

DATE: _____

The Honorable Secretary
Department of Agrarian Reform
Diliman, Quezon City
(Thru Channels)

S i r :

Pursuant to the provisions of Republic Act No. 6657, dated June 10, 1988, and other implementing rules and regulations promulgated thereunder, I have the honor to request for the issuance of the corresponding CERTIFICATE OF LAND OWNERSHIP AWARD covering the parcel of land awarded to me. In support hereof, I most respectfully state:

(a) That my full name is _____, Filipino, single/widow/widower/married to _____ with residence and postal address at _____.

(b) That I have been awarded a parcel of land covering the land acquired by the Government pursuant to RA 6657 containing an area of _____ () square meters, more or less, and situated at _____.

(c) As a CICA recipient, I shall make the land awarded to me as productive as possible and that I am aware that any beneficiary guilty of negligence or misuse of the land or any support extended to him shall forfeit his rights to continue as a beneficiary.

I trust that this request will merit your immediate attention and due consideration.

Very respectfully,

(Printed Name and Signature)
Agrarian Reform Beneficiary

COMMENT/RECOMMENDATION: _____

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF AGRARIAN REFORM
Region Office No. _____

Dear:

Pursuant to Administrative Order No. _____, Series of 1990 and on the basis of the Application to Purchase and Farmers undertaking which you have signed, you are hereby notified that you have been identified as the qualified beneficiary of a portion of a parcel of land containing an area of _____ (ha.) more or less, and located at _____ (Barangay)

(Municipality) (Province)
The said portion is part of the subject parcel of land more particularly bounded and described, thus:

with TCT/OLT No. _____ Tax Declaration No. _____ issued at _____, dated _____.
That by authority of the provisions of Republic Act No. 6657, this instrument hereby grants you all the rights and privileges and obliges you all the duties and responsibilities appurtenant to the portion awarded in your favor.

(Name and Signature)
Municipal Agrarian Reform Officer

Prepare in Four Copies:

/_/_	Original	:	Beneficiary
/_/_	Duplicate	:	PARO
/_/_	Triplicate	:	RARO
/_/_	Quadruplicate	:	MARO

CARP FORM No. 20

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM
Office of the Municipal Agrarian Reform Officer

CERTIFICATION

TO WHOM IT MAY CONCERN:

This is to certify that the following are the FB applicants of the landholding registered in the name of _____ covered by OCT/TCT/TD No./s _____ with a total area of _____ () hectares, more or less, to wit:

Name of FB-applicants	Age	Area Subject for Distribution
1)		
2)		
3)		
4)		
5)		
6)		
7)		
8)		
9)		
10)		

It is further certified that the above-named FB-applicants have met all the qualifications for qualified beneficiaries under Section 22 of RA 6657.

DONE and GIVEN this _____ day of _____ 1990.

MARO
Name & Signature

CONFIRMED:

PARO
Name & Signature