



**MEMORANDUM CIRCULAR NO. 23
SERIES OF 2020.**

**SUBJECT: GROUND PREPARATIONS FOR THE TURNOVER OF EP/CLOAS AND
THE INSTALLATION OF ARBS**

Section 16 of Republic Act (R.A.) No. 6657, as amended, provides that upon receipt by the landowner of the corresponding payment, or in case of rejection, or no response from the landowner, upon the deposit with an accessible bank designated by the Department of Agrarian Reform (DAR) of the compensation in cash, or in Land Bank of the Philippines (LBP) bonds in accordance with R.A. No. 6657, the DAR shall take immediate possession of the land and shall request the proper Register of Deeds to issue a Transfer Certificate of Title (TCT) in the name of the Republic of the Philippines. Thereafter, the DAR shall proceed with the redistribution of the land to qualified beneficiaries.

Section 24 of R.A. No. 6657, as amended, provides that the rights and responsibilities of the agrarian reform beneficiary (ARB) commence upon his or her receipt of the emancipation patent (EP) or the certificate of land ownership award (CLOA), and upon his or her actual physical possession of the awarded land. The DAR is given one hundred eighty (180) days from the date of registration of the title of the covered landholding in the name of the Republic of the Philippines (RP Title) to award the agrarian title and install the ARB.


The following steps must be undertaken upon the receipt by the landowner of the payment for just compensation, or upon the issuance by the LBP of a Certificate of Deposit, evidencing that the payment for just compensation has been deposited in the account of the landowner at the Bank:

- 1.0. The DAR shall immediately work and coordinate with the proper Register of Deeds for the immediate cancellation of the title of the previous landowner, the issuance of the RP Title, and the subsequent partitioning of the landholding for the issuance of the CLOAs.
- 2.0. The DAR, through its Regional Director, the Provincial Agrarian Reform Program Officer II (PARPO II), the Municipal Agrarian Reform Program Officer (MARPO), and CARP Implementing Agencies (CIAs) shall take possession of the landholding on behalf of the Republic of the Philippines. Assistance from law enforcement units in the areas under the Philippine National Police, as well as the Armed Forces of the Philippines may be requested, if necessary.
- 3.0. The DAR and the CIAs shall coordinate with the previous landowner(s) on the manner by which the takeover of possession of the landholding by the Government shall be undertaken peacefully.

- 4.0. The DAR shall recognize the right of the previous landowner to retain his or her share of any standing crop unharvested at the time the DAR takes possession of the land in accordance with Section 24 of R.A. No. 6657, as amended. The DAR shall give the landowner a reasonable time for the completion of the harvest based on the type of crops and subject to the approval of the Regional Director. Simultaneously, the DAR shall allow the removal of any and all movable property which belongs to the previous landowner.
- 5.0. The DAR shall complete the ground preparation works to ensure the immediate, peaceful, and complete installation of the actual ARBs. The time, place, and manner of the installation of the ARBs shall be decided by the Regional Director in coordination with the CIAs.
- 6.0. The DAR shall not allow any actual or potential ARB to enter the landholding at anytime during the period of harvest of the last crop, and until the DAR has completed all preparatory works contained herein.
- 7.0. The necessary logistical, manpower, financial, and other requirements for the preparatory works shall be taken from the operational budget of the DAR Provincial and Regional Offices or the Central Office.
- 8.0. The Field Operations Office shall provide over-all supervision to the preparatory works to ensure the proper takeover of possession of the landholding by the DAR from the previous landowner.

This Memorandum Circular takes effect immediately and supersedes/amends all issuances inconsistent hereof.

Diliman, Quezon City, SEP 25 2020


ATTY. JOHN R. CASTRICIONES
Secretary

