



REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF AGRARIAN REFORM

Tunay na Pagbabago sa Repormang Agraryo

MEMORANDUM CIRCULAR NO. 02

TO : ALL UNDERSECRETARIES
ALL ASSISTANT SECRETARIES
THE BUREAU DIRECTORS
THE REGIONAL DIRECTORS
THE PROVINCIAL AGRARIAN REFORM PROGRAM OFFICERS II
THE MUNICIPAL AGRARIAN REFORM PROGRAM OFFICERS
DARCO, REGIONS CAR, I TO XII, CARAGA

FROM : THE SECRETARY

SUBJECT : VALIDATION OF EMANCIPATION PATENTS/CERTIFICATES OF
LAND OWNERSHIP AWARD

DATE : 24 APRIL 2021

The generation and issuance of the Certificate of Land Ownership Award (CLOA) and the Emancipation Patent (EP) is indispensable to the completion of the Land Acquisition and Distribution (LAD) process. A CLOA or an EP is a document evidencing ownership of the land which is granted or awarded to the Beneficiary by the Department of Agrarian Reform (DAR) and contains the restrictions and conditions provided in the Comprehensive Agrarian Reform Law (CARL) and other applicable laws.¹ The rights and responsibilities of the Agrarian Reform Beneficiaries (ARBs) begin from their receipt of the EP or CLOA duly registered in the Registry of Deeds (ROD) and their actual possession of the awarded land. The process must be completed within one hundred eighty (180) days from the time that the Title in the name of the Republic of the Philippines (RP Title) is issued by the same ROD. The EP or CLOA becomes indefeasible and imprescriptible after one (1) year from its registration with the ROD, subject to the conditions, limitations, and qualifications of this Act, the property registration decree, and other pertinent laws.²

The failure to deliver the owner's duplicate copy of the EP or CLOA within one hundred eighty (180) days from the generation by the ROD of the RP Title may constitute a prohibited omission. It is punishable by imprisonment and the payment of a fine if it is proven that the failure is due to a culpable neglect or a willful omission.³

The need to ensure that we remain faithful to our task of delivering the EP or CLOA to the ARBs cannot be over emphasized. This task is of paramount importance and should not be delayed on the pretext that there is an existing technical, legal, or operational issue. It is on the basis of these critical considerations that the following shall be undertaken immediately:

¹ DAR vs. Carriedo. G.R. No. 176549 (January 20, 2016 /October 10, 2018).

² Section 24 of R.A No. 6657, as amended.

³ Sections 73 and 74 of R.A. No. 6657, as amended.

1. All Regional Directors shall submit to the Office of the Secretary (OSEC) **on or before Monday, 03 May 2021**, a Report on the total number of the owner's duplicate copy of EPs and CLOAs which are still in the possession of the Regional, Provincial, or Municipal DAR Offices despite the fact that the RP Title has been issued more than one hundred eighty (180) days ago. The Report shall contain the following information:
 - 1.1. The Title Number
 - 1.2. Name of the ROD Office
 - 1.3. Date of Issuance of the Title
 - 1.4. Name of Registered Owner(s)
 - 1.5. Area of the awarded land
 - 1.6. Reason(s) for the continued possession of the EP or CLOA by the Regional, Provincial, or Municipal Office beyond one hundred eighty (180) days from the issuance of the RP Title.

2. The Regional Director shall submit to the OSEC the complete compilation of the Reports from the DAR Regional, Provincial, and Municipal Offices with the following requisite certifications:
 - 2.1. The Regional Director shall attest to the correctness of the Report on the data from the DAR Regional Office.
 - 2.2. The Provincial Agrarian Reform Program Officer (PARPO) II shall attest to the correctness of the Report on the data from the DAR Provincial Office. In the absence of a PARPO II, the Regional Director shall submit the Report and certify as to its correctness.
 - 2.3. The Municipal Agrarian Reform Program Officer (MARPO) shall attest to the correctness of the Report on the data from the DAR Municipal Office. In the absence of a MARPO, the PARPO II shall submit the Report and certify as to its correctness.

3. The Reports from the DAR Regional, Provincial, and Municipal Offices shall be subject to audit examination by an EP/CLOA Audit Team under the OSEC. It shall consist of the following:

Team Leader	Director for Legal Services
Members	Director for Audit Director for Management Information Systems Service (MISS)

4. The EP/CLOA Audit Team shall verify the correctness and the completeness of the Reports from the DAR Regional Office, DAR Provincial Office, and the DAR Municipal Office. The EP/CLOA Audit Team shall report to the Secretary within ten (10) days from receipt of the Regional, Provincial, and Municipal Reports from the OSEC.
5. The Field Operations Office (FOO) headed by the Undersecretary for Field Operations with the Assistant Secretary for Field Operations and the Director of the Bureau of Land Tenure Improvement (BLTI) shall submit to the Secretary the recommendations to ensure the immediate delivery of the EPs and CLOAs to the concerned ARBs on the basis of the findings of the EP/CLOA Audit Team.
6. The Agrarian Legal Sector (ALS) headed by the Undersecretary for Legal Affairs with the Assistant Secretary for Legal Affairs and the Director of the Bureau of Agrarian Legal Assistance (BALA) shall submit to the Secretary the recommendations on the actions to be commenced against the persons responsible for the failure to deliver the EPs and CLOAs to the concerned ARBs on the basis of the findings of the EP/CLOA Audit Team.

Any and all Reports are to be treated with confidentiality.

All Offices are enjoined to comply with these instructions particularly on cooperating with the EP/CLOA Audit Team and with the FOO and the ALS.

For your strict compliance.


ATTY. JOHN R. CASTRICIONES

