



**JOINT DAR-DENR ADMINISTRATIVE ORDER
NO. 09
SERIES OF 2021**

SUBJECT: RULES GOVERNING THE MANAGEMENT OF COLLECTIVE CERTIFICATES OF LAND OWNERSHIP AWARDS (CCLOAs) FALLING WITHIN LANDS CLASSIFIED AS FORESTLANDS/ TIMBERLAND, NATIONAL PARKS, AND MINERAL LANDS OR WITHIN UNCLASSIFIED PUBLIC FORESTS

PREFATORY STATEMENT

The Department of Agrarian Reform (DAR), which is mandated by law to implement a Comprehensive Agrarian Reform Program (CARP), shall undertake the completion of the acquisition and distribution of all agricultural lands coverable under the CARP through, among others, the subdivision of Collective Certificates of Land Ownership Awards (CCLOAs). The Department of Environment and Natural Resources (DENR), which is mandated by law to control, supervise, develop, utilize, and conserve the country's environment and natural resources, mineral resources, and lands of the public domain, shall be responsible for the Inspection, Verification and Approval of Surveys (IVAS) of the subdivision plans submitted by the DAR.

The Support to Parcelization of Lands for Individual Titling (SPLIT) Project of the DAR aims to improve the land tenure and stabilize the property rights of Agrarian Reform Beneficiaries (ARBs). After the parcelization, individual titles over agricultural lands previously covered by CCLOAs will be issued to these ARBs. Meanwhile, appropriate tenurial instruments shall be issued over lands that were formerly covered by the CCLOAs and were found to be within forestlands/ timberlands, national parks, and mineral lands, or unclassified public forests.

SECTION 1. LEGAL BASES

The DAR and the DENR hereby jointly provide the following guidelines on the treatment of CCLOAs falling within lands classified as forestlands/ timberlands, national parks, and mineral lands, or within unclassified public forests pursuant to, among others, the following laws, rules and regulations:

Handwritten initials or signature.

- 1.1 Public Land Act (Commonwealth Act No. 141)
- 1.2 Comprehensive Agrarian Reform Law of 1988 (Republic Act No. 6657, as amended by Republic Act No. 9700)
- 1.3 Revised Administrative Code of 1987 (Executive Order No. 292)
- 1.4 Reorganizing the Ministry of Agrarian Reform and for Other Purposes (Executive Order No. 129, s. 1987)
- 1.5 Revised Forestry Code of the Philippines (Presidential Decree No. 705)
- 1.6 National Integrated Protected Areas System Act of 1992 (Republic Act No. 7586)
- 1.7 Expanded National Integrated Protected Areas System Act of 2018 (Republic Act No. 11038)

SECTION 2. SCOPE

This Joint Administrative Order shall cover all awarded lands which have been issued collective CLOAs under the CARP or any other Agrarian Reform Law, which fall within lands classified as forest or timberlands, national parks, and mineral lands or within unclassified public forests, and which are included in the SPLIT Project.

SECTION 3. DEFINITION OF TERMS

As used in this Order, the following terms shall be defined as:

3.1. Agrarian Reform Beneficiaries (ARBs)

Refers to farmers who were granted lands under P.D. No. 27, R.A. No. 6657, and R.A. No. 9700 and regular farm workers who are landless, irrespective of tenurial arrangement, who benefited from the redistribution of lands, regardless of crops or fruits produced, to include the totality of factors and support services designed to lift the economic status of the beneficiaries and all other alternative arrangements to the physical distribution of lands, such as production or profit sharing, labor administration, and the distribution of shares of stock which will allow beneficiaries to receive a just share of the fruits of the lands they work.

3.2. Approved Survey Plan (ASP)

This term refers to the survey plan of subdivided CLOA verified and approved by the DENR.

3.3. Certificate of Land Ownership Award (CLOA)

A Certificate of Land Ownership Award or CLOA is an agrarian reform title evidencing ownership of the land granted or awarded to the agrarian reform beneficiary, if individually issued, or agrarian reform beneficiaries, if collectively issued, by the DAR, and contains the restrictions and conditions provided in R.A. No. 6657, as amended by R.A. No. 9700 and other applicable laws.

3.4. Collective CLOA (CCLOA)

An existing registered CLOA issued by the DAR to farmer's cooperative, farmer's association, other organized group of ARBs, or groups of ARBs not organized.

3.5. Collective Owners

Agrarian Reform Beneficiaries (i) whose names were annotated or listed in the registered CCLOA except those ARBs who have been excluded by a Final and Executory Order; (ii) whose names were not originally annotated in the CCLOA but their names are in the DAR Masterlist/List of ARBs/Farmers Information Sheet at the time of CCLOA registration and subsequently annotated in the CCLOA; and (iii) whose names were included in the Order of Inclusion issued by the Regional Director/Secretary which has become final and executory and subsequently annotated in the CCLOA.

3.6. Computerized Title (c-Title)

The derivative/subsequent title generated, registered and issued by the Registry of Deeds (ROD) to individual agrarian reform beneficiaries (ARBs) and/or group of ARBs pursuant and adopted by DAR under Project SPLIT; as a result of the subdivision or parcelization of a CCLOA previously generated, registered and issued to a group of ARBs for landholdings covered and awarded CARP. The c-Title contains the restrictions and conditions provided in R.A. 6657 as amended by R.A. 9700 and other applicable laws.

3.7. Forest Land

Includes public forest, permanent forest or forest reserves, and forest reservations.

3.8. Lot Allocation Agreement

An agreement made between and among concerned ARBs as to the manner by which the land shall be allocated to each of them, particularly indicating the respective sizes and allocations designated to the individual and/or group of ARBs.

3.9. Mineral Land

Any area where mineral resources are found.

3.10. Mineral Reservation

Areas established and proclaimed as such by the President of the Philippines upon the recommendation of the Director of the Mines and Geosciences Bureau through the Secretary of the DENR including submerged land within the contiguous zone and exclusive economic zone.

3.11. National Integrated Protected Areas System (NIPAS)

It encompasses the classification and administration of all designated protected areas to maintain essential ecological processes and life-support systems, to preserve genetic diversity, to ensure sustainable use of resources found therein, and to maintain their natural conditions to the greatest extent possible.

3.12. National Parks

Refers to the lands of the public domain classified as such in the Constitution which include all areas under the NIPAS pursuant to RA 7586, as amended by RA 11038, primarily designated for the conservation of native plants and animals, their associated habitats and cultural diversity.

3.13. Parcelization of Collective CLOAs

This is the process of converting collective CLOAs into individual CLOAs. The DAR manages the subdivision process and inter-agency workflows, mainly through paper forms and records. After a CLOA is subdivided, the DAR submits the survey plans for the DENR's Inspection, Verification and Approval of Surveys (IVAS). The DENR will verify if the area covered by the CLOA is alienable and disposable land, forestland, and/or unclassified public forest. This is done based on the approved land classification maps and the Approved Survey Plan (ASP) which will be the bases for the issuance of the individual CLOA and proper tenurial instrument. The generation and issuance of the individual titles/tenurial instruments are done through the following: (i) field validation and consultation with ARBs; (ii) preparation and approval of the master lists of ARBs; (iii) agreement on lot allocation; (iv) verification survey of CLOAs which were previously surveyed but with issues; (v) subdivision surveys; (vi) completion of boundary demarcation; and (vii) preparing and signing deeds of parcelization and generation of individual titles/tenurial instruments.

3.14. Protected Areas

Refer to identified portions of land and/or water set aside by reason of their unique physical and biological diversity and protected against destructive human exploitation.

3.15. Tenurial Instrument

Any document issued by competent authority evidencing the right to occupy, possess or own lands of the public domain which cannot be altered or abrogated without due process (e.g., Certificate of Land Ownership Award)

SECTION 4. MANNER OF PARCELIZATION

All lands covered by collective CLOAs within classified timberlands, unclassified public forests, mineral lands, and national parks, shall be parcelized in favor of ARBs as determined by the DAR, subject to the following rules:

- 4.1. For those lands issued with titles prior to 1919 in accordance with Act No. 926 (First Public Land Act) and subsequently issued with CLOAs, the DAR shall submit the subdivision survey of the collective CLOAs to the DENR for approval. Upon approval, the DAR shall issue individual computerized title.
- 4.2. For those timberlands and unclassified public forests covered by collective CLOAs with issued titles after 1919, the effectivity of Act No. 2874 (Second Public Land Act), the following manner of parcelization shall be observed:
 - 4.2.1. For those CLOAs falling within timberlands, and after the same have been proven through exhaustive validation, such collective CLOAs shall remain valid and effective until such time that appropriate action from DAR and the issuance of tenure by DENR has been made.
 - 4.2.2. For those CLOAs issued over lands falling within unclassified public forests, when the same is found to be suitable for agricultural use, the DENR shall recommend to the President their classification or release as agricultural lands.
- 4.3. For those lands eighteen percent (18%) in slope or over, but are classified as agricultural land with issued titles or with vested rights before the effectivity of PD No. 705, as amended, on May 19, 1975, and are covered with collective CLOAs, the DENR shall not initiate their reclassification. The DAR shall submit subdivision plans to DENR for verification and approval as basis for the issuance of individual CLOAs.

However, for lands issued titles after the effectivity of PD No. 705, as amended, item 4.2.1 shall apply

- 4.4. For those National Parks covered by collective CLOAs with issued titles after the effectivity of Republic Act No. 7586, as amended, by RA 11038 such collective CLOAs shall remain valid and effective until such time that appropriate action from DAR and the issuance of tenure by DENR has been made.
- 4.5. During the implementation of parcelization and in the issuance of appropriate tenurial instruments, the actual occupants on the lands covered by collective CLOAs shall not be displaced.

SECTION 5. APPLICABILITY OF RULES AND REGULATIONS OF EACH AGENCIES

The DAR and the DENR shall be guided by their existing rules and regulations which are applicable and consistent with this Order. If these rules and regulations are insufficient in addressing the concerns or issues that may arise during the

implementation of this Order, both Agencies shall undertake to formulate the appropriate and necessary issuance.

SECTION 6. TRANSITORY PROVISION

The DAR and DENR Field Offices shall exert due diligence in the review and verification of the status of lands covered with CLOA application that are undergoing processing to ensure that no new CLOAs shall be issued within lands classified as forest lands/timberlands, national parks, mineral lands or unclassified public forests.

SECTION 7. FUNDING

The amount necessary for the implementation of this Order shall be charged against the budgetary allocation of DAR.

SECTION 8. REPEALING CLAUSE

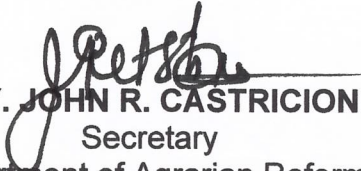
All issuances that are inconsistent herewith are hereby repealed or modified accordingly.


SECTION 9. SEPARABILITY CLAUSE

In the event that any of the provisions of this Order is declared unconstitutional, the validity of the other provisions shall not be affected by said declaration.

SECTION 10. EFFECTIVITY

This Order shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.


ATTY. JOHN R. CASTRICIONES
Secretary
Department of Agrarian Reform


ROY A. CIMATU
Secretary
Department of Environment and
Natural Resources



Published in two (2) National
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1. The Manila Times
2. Daily Tribune
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REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF AGRARIAN REFORM

Tunay na Pagbabago sa Repormang Agraryo

CERTIFICATION

This is to certify that Joint DAR-DENR Administrative Order No. 09, Series of 2021 entitled **“RULES GOVERNING THE MANAGEMENT OF COLLECTIVE CERTIFICATES OF LAND OWNERSHIP AWARDS (CCLOAs) FALLING WITHIN LANDS CLASSIFIED AS FORESTLANDS/TIMBERLAND, NATIONAL PARKS, AND MINERAL LANDS OR WITHIN UNCLASSIFIED PUBLIC FORESTS”** was published today, 10 June 2022, in the Manila Times and Daily Tribune newspapers.

Issued this 10th day of June 2022 for whatever purpose it may serve.



CLEON LESTER G. CHAVEZ
PAMRS Director



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF AGRARIAN REFORM
Tunay na Pagbabago sa Repormang Agraryo



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The Support to Parcelization of Lands for Individual Titling (SPLIT) Project of the DAR aims to improve the land tenure and stabilize the property rights of Agrarian Reform Beneficiaries (ARBs). After the parcelization, individual titles over agricultural lands previously covered by CCLOAs will be issued to these ARBs. Meanwhile, appropriate tenurial instruments shall be issued over lands that were formerly covered by the CCLOAs and were found to be within forestlands/ timberlands, national parks, and mineral lands, or unclassified public forests.

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This Joint Administrative Order shall cover all awarded lands which have been issued collective CLOAs under the CARP or any other Agrarian Reform Law, which fall within lands classified as forest or timberlands, national parks, and mineral lands or within unclassified public forests, and which are included in the SPLIT Project.

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3.4. Collective CLOA (CCLOA)

An existing registered CLOA issued by the DAR to farmer's cooperative, farmer's association, other organized group of ARBs, or groups of ARBs not organized.

3.5. Collective Owners

Agrarian Reform Beneficiaries (i) whose names were annotated or listed in the registered CCLOA except those ARBs who have been excluded by a Final and Executory Order; (ii) whose names were not originally annotated in the CCLOA but their names are in the DAR Masterlist/List of ARBs/Farmers Information Sheet at the time of CCLOA registration and subsequently annotated in the CCLOA; and (iii) whose names were included in the Order of Inclusion issued by the Regional Director/Secretary which has become final and executory and subsequently annotated in the CCLOA.

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The derivative/subsequent title generated, registered and issued by the Registry of Deeds (ROD) to individual agrarian reform beneficiaries (ARBs) and/or group of ARBs pursuant and adopted by DAR under Project SPLIT, as a result of the subdivision or parcelization of a CCLOA previously generated, registered and issued to a group of ARBs for landholdings covered and awarded CARP. The c-Title contains the restrictions and conditions provided in R.A. 6657 as amended by R.A. 9700 and other applicable laws.

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An agreement made between and among concerned ARBs as to the manner by which the land shall be allocated to each of them, particularly indicating the respective sizes and allocations designated to the individual and/or group of ARBs.

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- 4.2. For those timberlands and unclassified public forests covered by collective CLOAs with issued titles after 1919, the effectivity of Act No. 2874 (Second Public Land Act), the following manner of parcelization shall be observed:
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 - 4.2.2. For those CLOAs issued over lands falling within unclassified public forests, when the same is found to be suitable for agricultural use, the DENR shall recommend to the President their classification or release as agricultural lands.
- 4.3. For those lands eighteen percent (18%) in slope or over, but are classified as agricultural land with issued titles or with vested rights before the effectivity of PD No. 705, as amended, on May 19, 1975, and are covered with collective CLOAs, the DENR shall not initiate their reclassification. The DAR shall submit subdivision plans to DENR for verification and approval as basis for the issuance of individual CLOAs.

However, for lands issued titles after the effectivity of PD No. 705, as amended, item 4.2.1 shall apply

- 4.4. For those National Parks covered by collective CLOAs with issued titles after the effectivity of Republic Act No. 7586, as amended, by RA 11038 such collective CLOAs shall remain valid and effective until such time that appropriate action from DAR and the issuance of tenure by DENR has been made.
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SECTION 7. FUNDING

The amount necessary for the implementation of this Order shall be charged against the budgetary allocation of DAR.

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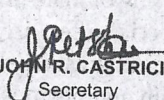
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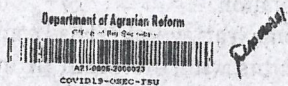
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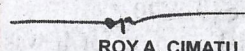
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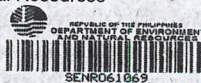
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3.12. National Parks

Refers to the lands of the public domain classified as such in the Constitution which include all areas under the NIPAS pursuant to RA 7586, as amended by RA 11038, primarily designated for the conservation of native plants and animals, their associated habitats and cultural diversity.

3.13. Parcelization of Collective CLOAs

This is the process of converting collective CLOAs into individual CLOAs. The DAR manages the subdivision process and inter-agency workflows, mainly through paper forms and records. After a CLOA is subdivided, the DAR submits the survey plans for the DENR's Inspection, Verification and Approval of Surveys (IVAS). The DENR will verify if the area covered by the CLOA is alienable and disposable land, forestland, and/or unclassified public forest. This is done based on the approved land classification maps and the Approved Survey Plan (ASP) which will be the bases for the issuance of the individual CLOA and proper tenurial instrument. The generation and issuance of the individual titles/tenurial instruments are done through the following: (i) field validation and consultation with ARBs; (ii) preparation and approval of the master lists of ARBs; (iii) agreement on lot allocation; (iv) verification survey of CLOAs which were previously surveyed but with issues; (v) subdivision surveys; (vi) completion of boundary demarcation; and (vii) preparing and signing deeds of parcelization and generation of Individual titles/tenurial instruments.

3.14. Protected Areas

Refer to identified portions of land and/or water set aside by reason of their unique physical and biological diversity and protected against destructive human exploitation.

3.15. Tenurial Instrument

Any document issued by competent authority evidencing the right to occupy, possess or own lands of the public domain which cannot be altered or abrogated without due process (e.g., Certificate of Land Ownership Award)

SECTION 4. MANNER OF PARCELIZATION

All lands covered by collective CLOAs within classified timberlands, unclassified public forests, mineral lands, and national parks, shall be parcelized in favor of ARBs as determined by the DAR, subject to the following rules:

- 4.1. For those lands issued with titles prior to 1919 in accordance with Act No. 926 (First Public Land Act) and subsequently issued with CLOAs, the DAR shall submit the subdivision survey of the collective CLOAs to the DENR for approval. Upon approval, the DAR shall issue individual computerized title.
- 4.2. For those timberlands and unclassified public forests covered by collective CLOAs with issued titles after 1919, the effectivity of Act No. 2874 (Second Public Land Act), the following manner of parcelization shall be observed:
 - 4.2.1. For those CLOAs falling within timberlands, and after the same have been proven through exhaustive validation, such collective CLOAs shall remain valid and effective until such time that appropriate action from DAR and the issuance of tenure by DENR has been made.
 - 4.2.2. For those CLOAs issued over lands falling within unclassified public forests, when the same is found to be suitable for agricultural use, the DENR shall recommend to the President their classification or release as agricultural lands.
- 4.3. For those lands eighteen percent (18%) in slope or over, but are classified as agricultural land with issued titles or with vested rights before the effectivity of PD No. 705, as amended, on May 19, 1975, and are covered with collective CLOAs, the DENR shall not initiate their reclassification. The DAR shall submit subdivision plans to DENR for verification and approval as basis for the issuance of individual CLOAs.

However, for lands issued titles after the effectivity of PD No. 705, as amended, item 4.2.1 shall apply
- 4.4. For those National Parks covered by collective CLOAs with issued titles after the effectivity of Republic Act No. 7586, as amended, by RA 11038 such collective CLOAs shall remain valid and effective until such time that appropriate action from DAR and the issuance of tenure by DENR has been made.
- 4.5. During the implementation of parcelization and in the issuance of appropriate tenurial instruments, the actual occupants on the lands covered by collective CLOAs shall not be displaced.

SECTION 5. APPLICABILITY OF RULES AND REGULATIONS OF EACH AGENCIES

The DAR and the DENR shall be guided by their existing rules and regulations which are applicable and consistent with this Order. If these rules and regulations are insufficient in addressing the concerns or issues that may arise during the implementation of this Order, both Agencies shall undertake to formulate the appropriate and necessary issuance.

SECTION 6. TRANSITORY PROVISION

The DAR and DENR Field Offices shall exert due diligence in the review and verification of the status of lands covered with CLOA application that are undergoing processing to ensure that no new CLOAs shall be issued within lands classified as forest lands/timberlands, national parks, mineral lands or unclassified public forests.

SECTION 7. FUNDING

The amount necessary for the implementation of this Order shall be charged against the budgetary allocation of DAR.

SECTION 8. REPEALING CLAUSE


All issuances that are inconsistent herewith are hereby repealed or modified accordingly.

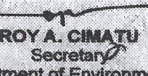
SECTION 9. SEPARABILITY CLAUSE

In the event that any of the provisions of this Order is declared unconstitutional, the validity of the other provisions shall not be affected by said declaration.

SECTION 10. EFFECTIVITY

This Order shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.


ATTY. JOHN R. CASTRICIONES
Secretary
Department of Agrarian Reform


ROY A. CIMATU
Secretary
Department of Environment and
Natural Resources

