



REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF AGRARIAN REFORM

Tunay na Pagbabago sa Repormang Agraryo

MEMORANDUM CIRCULAR No. 03

Series of 2019.

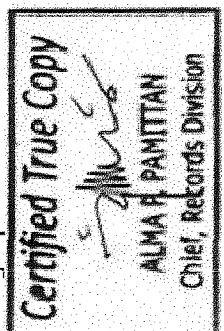
**SUBJECT: ADDRESSING THE NEED FOR THE STABILIZATION OF THE PROPERTY RIGHTS OF AGRARIAN REFORM BENEFICIARIES
CREATION OF THE OFFICE FOR THE ARTS**

1.0. The Vital Importance of Securing Agrarian Reform Property Rights

Indispensable to fulfilling the mandate of the Comprehensive Agrarian Reform Program (CARP) is to secure the property rights of the agrarian reform beneficiary to the awarded land. Section 25 of Republic Act (R.A.) No. 6657, as amended, provides that the Department shall ensure that the land awarded to a farmer-beneficiary shall be in the form of an individual title covering one (1) contiguous tract or several parcels of land cumulated up to a maximum of three (3) hectares.

There are current impediments to securing the property rights of the beneficiaries under the CARP. There are awarded lands which have been distributed to beneficiaries without the requisite individual agrarian reform title. There are landholdings which have been covered under the program through land acquisition and distribution and have been issued with the corresponding title but the documentation process is not yet complete and /or the process of payment of the just compensation have not been effected. Landholdings which are "*Distributed but not yet Documented*" (DNYD) or "*Distributed but not yet Paid*" (DNYP) require redocumentation in order for the DAR to correct the procedural flaws and issue the corresponding agrarian reform titles.

The Department is only allowed to issue collective certificates of land ownership awards (CLOAs) when certain conditions are met or when it is the will of the agrarian reform beneficiaries to have a collective title as provided under Section 25 of of R.A. 6657, as amended. There are problems encountered in the issuance of collective CLOAs. Not all portions of the property under the Collective CLOA is suited or actually devoted to agriculture. Not all portions of the property under the collective CLOA is covered under CARP. There is also the problem of determining the very identification of the agrarian reform beneficiaries when the master list of all the beneficiaries is not annotated on the collective CLOA or when it is only the name of the agrarian reform cooperative which is in the CLOA. Collective CLOAs with these defects must be parcelized immediately.



The urgency of securing the property rights of agrarian reform beneficiaries necessitates a renewed and focused effort in the redocumentation of DNYD/DNYP lands as well as in the the parcelization of collective CLOAs.

2.0. Creation of the Office for Agrarian Reform Titles Stabilization (ARTS)

There shall be created an Office of Agrarian Reform Title Stabilization which shall be headed by an Undersecretary who shall coordinate with the various sectors of the Department. The Undersecretary shall be directly assisted by the Assistant Secretary for Field Operations and the Assistant Secretary for Legal Affairs in carrying out the work of the Office.

3.0. Duties and Responsibilities of the Office.

3.1. Conduct an inventory of all lands which have been covered under the Program but are not documented (DNYD), the concerned landowners have not been paid the just compensation (DNYP) or which are included in a collective agrarian reform title.

3.2. The inventory will also indicate if the awarded lands are under PD 27 of R.A. No. 6657, as amended. There must also be a determination if the awarded lands have been sourced from what were initially considered as alienable and disposable lands of the public domain, government-owned lands which are no longer actually, directly, and exclusively used for public purposes, or private agricultural lands.

3.3. Undertake the completion of the requisite activities and remove all deficiencies in the following areas:

3.3.1. The documentation of the landholdings which have been distributed to qualified beneficiaries but are classified as DNYD.

3.3.2. The payment of just compensation due the landowners of the landholdings which have been distributed to qualified beneficiaries but are classified as DNYP.

3.3.3. The re-documentation of those awarded lands classified as DNYP/DNYD.

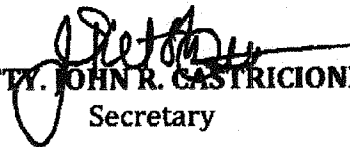
3.3.4. The completion of the requisite activities and address all deficiencies in order to parcelize the collective CLOAs in areas which do not fall under the exceptions provided under Section 25 of R.A. No. 6657, as amended.





- 3.3.5 The conduct of other activities involving Land Tenure Improvement (LTI).
- 3.4. Coordinate with the pertinent sectors under the Department as well as all the agencies involved in the implementation of the CARP in order to complete all the necessary works of the Office.
- 3.5. The Office for the ARTS shall perform such other works related to the empowerment of Agrarian Reform Beneficiaries through the stabilization of their Agrarian Reform Titles.
- 3.6. The Office for the ARTS shall submit its proposal for its organizational structure, personnel complement, budgetary requirements and action plan within thirty (30) days from the effectivity of this Order.
- 3.7. The Office for the ARTS shall be under the auspices of the Office of the Secretary. The necessary budget for its establishment as well as its operation shall be sourced from the available funds of the various sectors and from the Office of the Secretary.
- 3.8. The work of the Office for Agrarian Reform Title Stabilization (ARTS) shall be completed on or before June 30, 2022.

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

08 April 2019, Diliman, Quezon City.


ATTY. JOHN R. CASTRICIONES
Secretary

Department of Agrarian Reform
Office of the Secretary

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Certified True Copy

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