



Republic of the Philippines
DEPARTMENT of AGRARIAN REFORM
ELLIPTICAL ROAD, DILIMAN, QUEZON CITY • TELS. 928-7031 TO 39

Department of Agrarian Reform
ADMINISTRATIVE ORDER No. 03
Series of 2012

SUBJECT: AMENDMENTS TO THE REVISED RULES AND PROCEDURES GOVERNING THE ACQUISITION AND DISTRIBUTION OF PRIVATE AGRICULTURAL LANDS UNDER REPUBLIC ACT (R.A.) NO. 6657, AS AMENDED

PREFATORY STATEMENT

On 30 September 2011, Administrative Order (A.O.) No. 7, Series of 2011, otherwise known as "The Revised Rules and Procedures Governing the Acquisition and Distribution of Private Agricultural Lands under Republic Act (R.A.) No. 6657, as amended", was issued pursuant to Section 49 of Republic Act (R.A.) No. 6657, as amended, and the overall mandate of the Department of Agrarian Reform (DAR) to implement the Comprehensive Agrarian Reform Program (CARP) and other agrarian reform laws.

The said A.O. introduced crucial reforms for the purpose of streamlining the Land Acquisition and Distribution (LAD) process of the CARP, guaranteeing the inviolability of the right to due process of all stakeholders of the agrarian reform program and ensuring the consummation of the CARP by 2014 in accordance with the legislative fiat of R.A. No. 6657, as amended by R.A. No. 9700.

Contemporary developments in the operations of the DAR, however, necessitate the further incorporation of amendments which will greatly streamline the LAD process as well as the introduction of key provisions that remain faithful the spirit of the law on agrarian reform.

Keeping in mind the solemn duty of the DAR to implement agrarian reform laws with full conformity to the constitutional dictates of due process, equal protection, just compensation, and social justice, the following amendments to A.O. No. 7, Series of 2011 are hereby issued:

SECTION 1. Section 1 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

"SECTION 1. Applicability. These rules and procedures shall govern the acquisition and distribution of all private agricultural lands covered under Section 4 of R.A. No. 6657, as amended, including all private agricultural lands already issued with Notices of Coverage (NOCs) prior to the effectivity of this A.O., provided that the validity of any and all acts already undertaken in accordance with prior rules and procedures on land acquisition and distribution of private agricultural lands shall still be governed by the rules and procedures governing at the time the said acts were undertaken."

SECTION 2. Section 2 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 2. Definition of Terms. For purposes of these Rules, the following terms are defined as follows:

- “P. *Segregation Survey* refers to survey work done on a lot, which is embraced by a Notice of Coverage, segregating the CARP-coverable portion from the non-coverable areas, such as, among others, the retention area of the land owner, public roads, and public irrigations.
- “R. *Subdivision survey* refers to survey work in which a CARP-covered lot deemed coverable is divided into sub-lots for the individual ARBs.”

SECTION 3. Section 6 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 6. Phase of a Co-Owned Landholding.

x x x

- “i. if the landholding is co-owned due to the non-settlement of the estate of a deceased LO who died on or after 15 June 1988: the phase shall be based on the aggregate size of all the landholdings of the deceased LO;
- “ii. if the landholding is co owned due to other reasons, insofar as the landholding became co-owned before 15 June 1988:

x x x”

SECTION 4. Section 15 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 15. Issuance of Notice of Coverage.

x x x

“The NOC must state the periods for the LO to file a protest on coverage, nomination of preferred beneficiary/ies, manifestation for exemption/exclusion, and manifestation to exercise the right of retention, as well as to submit a list of the agricultural lessees, regular and seasonal farmers, and/or tenants in his/her/its landholding. The NOC must explicitly warn the LO that failure on the latter’s part to exercise the aforementioned rights during the said periods shall be regarded as a waiver to exercise these.”



SECTION 5. Section 16 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 16. Service of NOC.

x x x

“a. Personal Service: The NOC shall be served primarily by personally handing a copy thereof to the “person authorized to receive” as enumerated under Section 17 hereof. Personal service is effected when the person authorized to receive affixes his signature or thumb mark on the receiving copy of the NOC in the presence of a witness who also affixes his signature.

“Personal service of the NOC shall be done by the Bureau of Land Acquisition and Distribution (BLAD) in the DAR Central Office if the last known address of the person authorized to receive is within Metro Manila, or the MARO who has jurisdiction over the last known address of the person authorized to receive, if living in a province outside Metro Manila. The Director of the BLAD or the MARO, as the case may be, may authorize in writing any DAR personnel in their respective office to serve the said NOC.

“b. Substituted Service: If the “person authorized to receive” is not present in his/her last known address, or refuses to receive the NOC, the person personally serving the NOC shall immediately avail of substituted service and serve the NOC by leaving a copy of the NOC at the residence of the person authorized to receive with some person of suitable age and discretion residing therein, or by leaving a copy of the NOC at the RLO’s office or regular place of business with some competent person in charge thereof.

x x x

“d. Immediate Publication: If the address of the person authorized to receive is unknown, or substituted service is not available or fails, the MARO who has jurisdiction over the subject landholding shall immediately file a written report as to the investigation made and the failure to determine the address of the LO to the PARO, and the latter shall send a copy of the NOC to the BLAD. The BLAD shall thereafter cause the publication of the NOC.

x x x”



SECTION 6. Section 18 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 18. Publication of NOC.

x x x

“5. The period for the LO to nominate his/her preferred beneficiary/ies, submit a list of the agricultural lessees, regular and seasonal farmers, and/or tenants in his/her/its landholding, file a manifestation to exercise the right of retention, file a protest on coverage, and file a manifestation for exemption/exclusion, as well as the consequences of the failure to exercise these rights during the prescribed period.”

SECTION 7. Section 19 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 19. Posting of the NOC. In cases when the NOC requires publication under Section 18 hereof, the MARO or any authorized DAR Personnel shall post a copy of the NOC at a conspicuous place at or near the subject landholding, and ensure that the notice is clearly visible. The posting of the NOC shall not be necessary in cases where the NOC does not need to be published in accordance under Section 18 hereof.

For this purpose, waterproof and environmentally-friendly materials, measuring two (2) by three (3) feet, shall be used. The BARC Chairman or his authorized representative shall thereafter issue the corresponding Certification of Posting Compliance.

“Additionally, a certified true copy of the NOC shall also be posted for seven (7) days at the bulletin board of the Municipal/City Hall and the Barangay Hall where the land covered is located. The appropriate local government official of the Municipal/City and the Barangay shall thereupon issue their corresponding Certification of Posting Compliance.”

SECTION 8. Section 25 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 25. When Shifting from CA to VOS Allowed.

x x x

“An LO who shifts to VOS who fails to nominate a preferred beneficiary and to submit a list of the agricultural lessees, regular and seasonal farmers, and/or tenants in his/her/its landholding, if any, during the thirty (30) day period from receipt of NOC is disqualified to nominate one.”

SECTION 9. Section 29 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 29. Petition for Protest of Coverage and/or Petition for Exemption or Exclusion Not Bar to Continuc LAD Process. Despite the pendency of a protest against coverage or a petition for exemption or exclusion, the land acquisition process shall nevertheless continue until the issuance of the Memorandum of Valuation (MOV) with the attached Land Valuation Worksheet (LVW) by the LBP, unless otherwise suspended sooner through a Cease and Desist Order (CDO) by the RD or the Secretary.

“Notwithstanding a Petition for *Certiorari* filed with the courts, the PARO shall issue and serve the Notice of Land Valuation and Acquisition (NLVA) and proceed with the rest of the land acquisition and distribution process thereafter as soon as the protest against coverage or petition for exemption or exclusion has been denied by the RD, or if appealed, by the Secretary, or if further appealed, by the President of the Republic of the Philippines, unless otherwise ordered suspended by the Supreme Court.

“The submission of the Manifestation for Exemption or Exclusion alone, without the Application/Petition, shall not affect the land acquisition process as provided in this A.O., nor give ground for the issuance of a CDO by the RD or the Secretary.

“Pursuant to Section 30 of R.A. No. 9700, the LAD process on a specific landholding which is delayed by the filing of a protest against coverage or a petition for exemption or exclusion may still proceed even beyond 30 June 2014.”

SECTION 10. Section 35 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 35. Retention Under Commonwealth Act No. 141. Landholdings covered by homestead grants issued pursuant to Commonwealth Act No. 141 still owned by the original grantees or their direct compulsory heirs shall be retained by them as long as they were cultivating the said landholdings and continue to cultivate the same.”

SECTION 11. Section 50 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 50. Period to Prepare and Submit a List of Tenants, Lessees and/or Regular Farmworkers. Within a non-extendible period of thirty (30) days from receipt of the NOC, the LO must submit to the MARO, furnishing a copy to the PARO, a list of all his/her tenants, agricultural lessees, and regular and seasonal farm workers, in his/her landholding at the time of the issuance of the NOC.



“The LO must make a sworn attestation whether or not the subject landholding is a subject of a civil law lease. If it is, the list must contain both his/her/its regular and seasonal farmworkers and those of his/her/its civil law lessees.

“The MARO shall conduct the initial determination of who the qualified ARBs are for the pertinent landholding in case the LO fails to submit the list and the sworn statement during the abovementioned reglementary periods.

“Furthermore, the LO’s failure or refusal to submit the list shall not, in any way, delay the LAD process.”

SECTION 12. Section 53 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 53. Preliminary List of Potential ARBs For Non-Commercial Farms/Plantations Which Are Not Fully Tenanted. Within three (3) working days from his receipt of the LO’s list of lessees, tenants and/or regular and seasonal farmworkers or after the lapse of the thirty (30)-day period for the submission of said list, the MARO together with the BARC shall prepare the preliminary list of potential qualified ARBs of the subject landholding, clearly stating therein whether a qualified ARB is classified as a lessee, tenant, regular farmworker, seasonal farmworker, other farmworker, actual tiller or occupant of public land (only insofar as untitled private agricultural landholdings are concerned), or others directly working on the land. The MARO shall post the preliminary list of potential ARBs for seven (7) days at the subject landholding and ensure that the list is clearly visible to general public. For this purpose, waterproof and environmentally-friendly materials, measuring two (2) by three (3) feet, unless a larger one is deemed necessary, shall be used.

x x x

The MARO or such other authorized DAR personnel shall include in the CF a report stating the fact and date and time of the posting thereof at the bulletin boards of the Municipal/City Hall and at the Barangay Hall, as well as at the premises, which report shall be accompanied by a certificate of posting (containing, among others, the date when the notice was posted at said bulletin boards and premises) to be executed by the appropriate Municipal/City and Barangay officer, respectively, and the BARC concerned.

x x x”

SECTION 13. There shall be incorporated after Section 53 of A.O. No. 7, Series of 2011 a new Section to read, as follows:

“SECTION 53-A. Preliminary List of Potential ARBs for Fully-Tenanted Non-Commercial Farms/Plantations. Within three (3) working days from his receipt of the LO’s list of agricultural lessees and/or tenants, or after the lapse of the thirty (30)-day period for the submission of said list, the MARO together

the BARC shall prepare the preliminary list of potential qualified ARBs of the subject landholding, clearly stating therein that the qualified ARBs are classified as agricultural lessees or tenants. The MARO shall serve the said list to the ARBs via personal or substituted service.

The MARO or such other authorized DAR personnel shall include in the CF a report stating the fact and date and time of the service thereof.

Within seven (7) days from the service of the list, the potential ARB whose names appear on said preliminary list must submit essential documents, such as, among others, a copy of the formal lease agreement, to prove his/her qualification as an ARB as provided in Section 43 of this A.O. The potential ARBs are as responsible as the DARMO in proving their own qualification. The preliminary list of potential ARBs must also state instructions as to the submission of written requests and other documentary proof.

Aside from the documents submitted by a potential ARB, the DARMO shall use available documentary evidence at hand, if any, and exhaust all efforts to gather the necessary information/evidence as bases in the evaluation of the potential ARB's qualifications and inclusion in the said list.

The preliminary list must also include instructions to farmers and farm workers not listed in the preliminary list as to how they can prove that they are qualified. Such farmers and farm workers who believe that they are qualified ARBs, but whose names are not included in the preliminary list must signify their intent to be included and submit documentary requirements within seven (7) days from their receipt of the list.”

SECTION 14. Section 54 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 54. Screening and Selection of Qualified Beneficiaries for Non-Commercial Farms/Plantations. Upon receipt of the application and documentary requirements, the MARO together with the BARC shall screen and select qualified beneficiaries pursuant to Section 22 of R.A. No. 6657, as amended, in a particular landholding. The BARC, or if there is no BARC, the Barangay Council, shall certify the Master List under oath within five (5) days after the screening and selection.”

SECTION 15. There shall be incorporated after Section 54 of A.O. No. 7, Series of 2011 a new Section to read, as follows:

“SECTION 54-A. LO's Attestation. The Master List certified by the BARC or the Barangay Council shall be served to the LO not later than fifteen (15) days from the said certification.

“If the LO was served with the NOC through personal or substituted service, or, regardless of the type of service, in case the LO has already corresponded with



the DAR in relation to the landholding after the publication of the NOC, the certified Master List shall be served to the LO by Registered Mail. The registered mail envelope shall be marked "Deliver to Addressee Only" and "Return to Sender" based on the possibilities that the LO has moved out, the address is erroneous or insufficient, or the LO refuses to accept or receive the mailed list.

"If the NOC was not served through personal or substituted service, and the LO has yet to correspond with the DAR, or if the registered mail was sent back to the PARO or remained unserved for fifteen (15) days or more, the PARO shall effect the publication of the certified Master List in a newspaper locally circulating within the locality both where the subject landholding is located and the last known address of the LO.

"The LO shall have fifteen (15) days from receipt of the BARC-certified Master List to either attest to its veracity or to file a written protest. The PARO shall conduct compulsory arbitration within ten (10) days from receipt of said protest to resolve the same. The PARO's decision shall be final insofar as the Master List is concerned, copy of which shall be furnished to the parties concerned.

"The failure of the LO to submit an attestation or to file a protest within the given period shall be construed as a waiver of his right to attest to the said list."

SECTION 16. Section 55 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

"SECTION 55. Service and Posting of the Master List. The Master List attested by the LO or decided by the PARO, whichever is applicable, shall be served by the MARO or any DAR personnel authorized by the PARO, personally or by registered mail, to all those named therein and to all persons listed in the preliminary list but who are not included in the approved master list. The Master List shall clearly state whether a qualified ARB is classified as a lessee, tenant, regular farmworker, seasonal farmworker, other farmworker, actual tiller or occupant of public land (only insofar as untitled private agricultural landholdings are concerned), or others directly working on the land. It shall also provide the length of service or tenure, in days, of each of the said qualified ARBs.

x x x"

SECTION 17. Section 56 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

"SECTION 56. Compulsory Arbitration. Any of the potential beneficiaries may file a written protest within fifteen (15) days after the posting of the Master List. The parties concerned, especially the persons to be excluded, shall be duly notified by the PARO of the proceedings and the decision. The PARO shall conduct compulsory arbitration within ten (10) days from receipt of said protest to resolve the same. The PARO's decision shall be final insofar as the Master List is concerned, copy of which shall be furnished to the parties concerned.

x x x"



SECTION 18. Section 57 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 57. PARO’s Authority on Inclusion/Exclusion Protest. The Master List of qualified ARBs becomes final after the lapse of fifteen (15) days from issuance of the PARO's decision on the protest and receipt of the same by the parties.

x x x”

SECTION 19. There shall be incorporated after Section 60 of A.O. No. 7, Series of 2011 a new Section to read, as follows:

“SECTION 60-A. Amendment of the Master List of ARBs. Qualified ARBs who failed to take the required oath before a judge and therefore failed to completely execute the APFU within the given period shall be removed from the Master List of ARBs. The amended Master List of ARBs, if any, shall be attached to the CF after the last day the last qualified ARB who has yet to execute the ARB can file it.”

SECTION 20. Section 65 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 65. Survey Activities Before Field Investigation. The conduct of the segregation survey as defined in Section 2 hereof and the survey to determine land use shall be undertaken prior to the conduct of the Field Investigation (FI). The PARO shall ensure that these field survey activities shall be completed before or together with the conduct of FI. A licensed geodetic engineer must participate in the survey.”

SECTION 21. Section 68 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 68. Conduct of the Field Investigation. The DARPO shall, within three (3) working days from the accomplishment of the segregation survey, submit a request for the conduct of an FI of the landholding to the LBP. Attached to the request shall be the PLUM and the segregation survey plan.

“In all cases, the DARPO shall identify, notify, and invite the LO, through a Notice, to the conduct of the FI. The Notice must be served by the MARO no later than (15) days prior to the scheduled date of the conduct of the FI. Proof of service shall be included in the CF. The failure of the LO or the identified ARB to participate in the FI, despite being notified, shall be a waiver on their part to question the findings thereof.

x x x



“As a rule, there should be at least three (3) concrete cylindrical monuments (also referred to as “Mojon”) and/or natural boundary points remaining at the landholding at the time of the said investigation. This is to ensure that the landholding being investigated is the same as that indicated in the survey plan. In such case, the FI may be conducted even in the absence of a geodetic engineer. In the event, however, that there are less than three (3) monuments and/or natural boundary points remaining at the site, then the FI may not be conducted unless it is done with the participation of a licensed geodetic engineer.”

SECTION 22. Section 69 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 69. Preparation and Transmittal of the CF. After the execution of the Field Investigation Report (FIR), the DARMO shall transmit the CF to the DARPO. The CF must be submitted within three (3) working days after its completion, which may not be later than fifteen (15) days after the execution of the FIR. The PARO shall then endorse and transmit the CF to the DAR-LBP Pre-Processing Unit (PPU). The PPU shall have three (3) working days to verify the contents of the CF after which it shall transmit the same to the LBP.

“The segregation survey plan shall be included in the CF in lieu of the ASP, if the said ASP is not yet available. The LBP may thereafter begin its process of determining the value of just compensation, on the basis of the ASP, or, in its absence, the segregation survey plan.

“The minimum contents necessary for the CF to be submitted to the PPU and processed for valuation shall be the proof of proper service of the NOC to the RLO, the segregation survey plan, and the FIR. The CF may be submitted to the PPU for processing of the valuation even though the process of the identification of agrarian reform beneficiaries is still on going.”

SECTION 23. There shall be incorporated after Section 69 of A.O. No. 7, Series of 2011 a new Section to read, as follows:

“SECTION 69-A. Submission of Survey Plan for Approval. The DARPO shall submit the survey plan to the proper government body for its approval after the conduct of the:

- “a. segregation survey, if the beneficiaries opt for a single collective CLOA in accordance with Sections 96, 97, and 98 hereof, or
- “b. subdivision survey, if the beneficiaries opt for either individual CLOAs or more than one (1) collective CLOAs, or a combination of both.

“In no case, however, may the survey plan be submitted to the appropriate government body for approval until the FIR has been issued, and until it has been ascertained that there is no discrepancy between the survey plan and the FIR. If the survey plan is different from the findings in the FIR, a resurvey shall be conducted to correct the discrepancy.”

SECTION 24. There shall be incorporated after Section 69 of A.O. No. 7, Series of 2011 a new Section to read, as follows:

“SECTION 69-B. Conduct of Field Investigation and Land Valuation May Proceed Pending FB Identification and Conduct of Segregation Survey. The conduct of Field Investigation, the submission of the CF to the LBP for land valuation, and the land valuation appraisal of the LBP until before the issuance of the Memorandum of Valuation may proceed simultaneously with the conduct of the FB Identification and the conduct of the subdivision survey. As such, the valuation of the landholding may begin upon the submission of the proof of proper service of the NOC to the RLO, the segregation survey plan, and the FIR.”

SECTION 25. Section 71 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 71. Submission of the Approved Survey Plan, Masterlist, and APFU. The PARO shall submit the ASP to the LBP within three (3) working days from its receipt thereof. If the ASP's total area is not different from the survey plan included in the CF, then the LBP may determine the initial valuation of the covered landholding. If the ASP is different from the findings in the FIR, a resurvey must be conducted to correct the discrepancy.

“The PARO shall also submit to the LBP the Masterlist of ARBs, the APFUs, and the Land Distribution and Information Schedule (LDIS) within three (3) working days from the execution of the APFUs.”

“No MOV shall be issued by the LBP prior to its receipt of the ASP, the Masterlist of ARBs, the APFUs, and the LDIS.”

SECTION 26. Section 74 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 74. Service of NLVA. If the LO was served with the NOC through personal or substituted service, or, regardless of the type of service, in case the LO has already corresponded with the DAR in relation to the landholding after the publication of the NOC, the NLVA and MOV with the LVW shall be served to the LO by Registered Mail. The registered mail envelope shall be marked "Deliver to Addressee Only" and "Return to Sender" based on the possibilities that the LO has moved out, the address is erroneous or insufficient, or the LO refuses to accept or receive the mailed NLVA.

“If the NOC was not served through personal or substituted service, and the LO has yet to correspond with the DAR, or if the registered mail was sent back to the PARO or remained unserved for fifteen (15) days or more, the PARO shall effect the publication of a Notice in a newspaper of national circulation. The Notice shall state the name of the LO, the location of the landholding, the fact that the landholding has been valued and is to be acquired, a notice that the LO may inspect and obtain a copy of the NLVA from the PARO and the BLAD,

and that the LO has thirty (30) days from the date of publication to accept or reject the valuation, otherwise the same shall be deemed rejected. The address of the PARO and the BLAD shall be indicated in the same Notice.”

SECTION 27. Section 75 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 75. Notice of Land Acquisition to be Posted at the Site of the Land Holding, the Barangay, and the Municipal/City Hall.

x x x

“The appropriate Barangay and Municipal/City officer, respectively, shall thereupon issue the corresponding Certification of Posting Compliance.

x x x”

SECTION 28. Section 76 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 76. Acceptance, Rejection, or Failure to Reply by the LO.

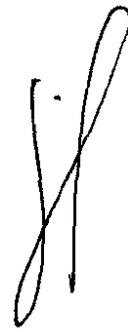
x x x

“In case the valuation was rejected by the LO, or there was no written letter of acceptance or rejection filed within the thirty (30) day reglementary period, the valuation shall be resolved administratively by the DARAB or Adjudicator concerned in accordance with its rules, without prejudice to the right of the LO to question the valuation of the DAR and LBP with the proper Special Agrarian Court (SAC). As such, the PARO shall, within three (3) working days from receipt of the rejection letter or from the lapse of the thirty (30) day reglementary period, advise the DARAB/Adjudicator to conduct administrative proceedings by transmitting a Certified True Copy of the contents of the CF related to the land valuation, together with either a copy of the rejection letter or a Memorandum stating that no reply was received from the LO within the thirty (30) day period, whichever is applicable, to the appropriate Adjudicator or the DARAB, indicating in a transmittal letter that the valuation has been rejected by the LO.”

SECTION 29. Section 77 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 77. Transmittal of the Order to Deposit Landowner Compensation. The PARO shall, at the same day of its transmittal of the NLVA to the MARO concerned, transmit its Order to Deposit Landowner's Compensation to the LBP. The delay of the posting of the Notice provided by Section 75 of this A.O. shall not suspend the transmittal of the Order to Deposit Landowner's Compensation to the LBP and any other procedure hereof.

“The LBP shall issue to the PARO a COD upon its receipt of the Order to Deposit Landowner's Compensation.”



SECTION 30. Section 78 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 78. Service of the COD and Request for Registration. Within ten (10) days from the PARO’s receipt from the LBP of a copy of the COD, he/she shall immediately transmit the COD, together with a copy of the ASP and a written request for the issuance of a TCT in the name of the Republic of the Philippines (RP Title), to the ROD.

“This provision shall not apply with respect to the acquisition and distribution process of untitled private agricultural lands, in which case, the PARO shall transmit to the ROD the COD and the copy of the ASP at the same time that it transmits to it the OCT CLOAs for registration.”

SECTION 31. Section 83 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 83. Accelerated ALI Case Resolution for Pipeline Cases. Notwithstanding the pendency of an ALI case involving a landholding being processed under these Rules, its acquisition and distribution shall continue, subject to Section 29 hereof. If there is an ALI or DARAB case involving said land and its pendency is prejudicial to the acquisition or distribution process, the PARO shall recommend to the Regional Director, if the case is pending with him, or to the Head Executive Assistant of the Office of the Secretary, if the case is pending with the Office of the Secretary, the Legal Affairs Office, the DARAB, or the Center for Land Use Policy, Planning, and Implementation, as the case may be, that the case be certified as urgent and its resolution be accelerated.”

SECTION 32. Section 88 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 88. Pending Land Valuation Cases. All previously acquired lands where valuation is subject to challenge by LOs shall be completed and finally resolved pursuant to Section 17 of R.A. No. 6657, as amended by R.A. No. 9700.”

SECTION 33. Section 106 of A.O. No. 7, Series of 2011 is hereby amended to read, as follows:

“SECTION 106. Ministerial Duty of ROD in CARP Implementation.

x x x

- “1. Issue the title of the land in the name of the Republic of the Philippines, after the LBP has certified that the claim proceeds have been deposited in the name of the LO constituting full payment in cash and bonds, with due notice to the LO, except with respect to untitled private agricultural lands which do not require an RP Title;

x x x”



SECTION 34. Retroactive Application. These amendments shall apply to all landholdings covered by A.O. No. 7, Series of 2011, provided that they shall not invalidate any acts already validly made pursuant to the aforementioned A.O.

SECTION 35. Repealing Clause. All A.O.s and other DAR issuances inconsistent herewith are hereby accordingly repealed, modified, and/or amended.

SECTION 36. Separability Clause. Any judicial pronouncement declaring as unconstitutional any provision of this A.O. shall have no effect on the validity of the other provisions not affected thereby.

SECTION 37. Effectivity Clause. These Rules shall take effect ten (10) days after its publication in two (2) newspapers of general circulation.

Diliman, Quezon City, 20 SEPT 2012.


VIRGILIO R. DE LOS REYES
Secretary

Department of Agrarian Reform
Office of the Secretary

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CERTIFICATION

This is to certify that DAR Administrative Order No. 3 Series of 2012 entitled **“AMENDMENTS TO THE REVISED RULES AND PROCEDURES GOVERNING THE ACQUISITION AND DISTRIBUTION OF PRIVATE AGRICULTURAL LANDS UNDER REPUBLIC ACT (R.A.) NO. 6657, AS AMENDED”** is published today, Monday, 24 September 2012 at Philippine Star and Philippine Daily Inquirer newspapers.

Issued this 24th day of September 2012 for whatever purpose it may serve.


HUGO D. YONZON III
Public Affairs Director