

ACQUISITION; MODES OF ACQUISITION

- Under R.A. No. 6657, there are two modes of acquisition of private agricultural lands, compulsory and voluntary. Voluntary Offer to Sell (VOS) is a highly favored mode of acquisition by the government. As landowner, you may validly offer for CARP coverage your agricultural land through the VOS Scheme and the same may be processed under existing guidelines.

DAR Opinion No. 32, s. 2007
November 16, 2007

ACQUISITION; LAND COVERED BY HOMESTEAD PATENTS AND/OR CLOAs MAY BE TRANSFERRED THROUGH VLT

- Section 20 of R.A. No. 6657 recognizes VLT as a mode of acquisition under the Comprehensive Agrarian Reform Program. While it may be true that under the said scheme, the transfer is made directly to the beneficiaries by virtue of an agreement between the landowner and farmer-beneficiaries, the fact remains that said transfer is made pursuant to the Comprehensive Agrarian Reform Law (CARL), and the agreement is still subject to DAR approval pursuant to DAR A.O. No. 08, Series of 2003. Therefore, land covered by Homestead Patents and/or CLOAs that are qualified for acquisition under CARP may be transferred by landowners through the VLT mode of acquisition.

DAR Opinion No. 28, s. 2007
October 15, 2007

ACQUISITION; A.O. NO. 02, SERIES OF 2005 GENERALLY HAS PROSPECTIVE APPLICATION

- “V. *Transitory provisions*

This Administrative Order shall apply even to claims pending at any level but only in so far as the subsequent or remaining procedures/activities are concerned.

However, CFs involving landholdings with an aggregate area of five (5) hectares and below per landowner or those covered by patents under the “Handog Titulo” program of the DENR shall no longer be processed except those already officially received by the LBP.

VI. *EFFECTIVITY*

This Order shall take effect ten (10) days after its publication in two (2) newspapers of general circulation pursuant to Section 49 of R.A. No. 6657.x x x x x”

A reading of the abovequoted provisions would readily disclose that generally, it prescribes a prospective application. However, insofar as subsequent or remaining procedures concerning pending claims and CFs involving landholding below 5 hectares per landowner or those covered by patents under the “Handog