

BENEFICIARIES; GROUND FOR DISQUALIFICATION

- The acceptance by the farmworker of a separation pay may be considered ground for disqualification as ARBs of the CARP if payment is due to retrenchment of worker and the same was not appealed or questioned before the proper government entity as provided for under Section 5 (11) of DAR Administrative Order No. 07, Series of 2003 **{CY 2003 Guidelines on the Identification, Screening and Selection of, and Distribution to Agrarian Reform Beneficiaries (ARBs) of Private Agricultural Lands Under Republic Act 6657}**. In view thereof and considering that they are presently challenging the appropriateness and legality of the alleged separation pay given to the workers, it cannot be considered as a ground for disqualification to become farmer-beneficiaries of subject landholding.
- The farmer-beneficiaries have the legal personality as CLOA holders because they have the rights and protection provided under CARP as CLOA holders, and until the CLOAs issued to them are cancelled, they continue to be entitled to such protection provided under R.A. No. 6657. In addition, it is the position of the DAR that all affected FBs/farmworkers should also be given protection pursuant to existing guidelines and other pertinent laws on the implementation of CARP.

DAR Opinion No. 03, S. 2008
January 14, 2008

BENEFICIARIES; ORDER OF PRIORITY; QUALIFICATIONS; BIRTH CERTIFICATE NECESSARY REQUIREMENT

- The order of priority of land distribution as provided under Republic Act No. 6657 (Comprehensive Agrarian Reform Law), specifically Section 22, starts with the qualified children, who are the first group entitled to be beneficiaries of the land and are entitled to receive three (3) hectares each. Any award to the qualified children is a result of the children being qualified beneficiaries of the program, a preferential right that the law only grants the children to be awarded the land of their parents.
- As to their qualifications to become beneficiaries of the land, the children of a landowner must be: at least 15 years of age as of 15 June 1988, (the effectivity of R.A. No. 6657) and actually tilling the land or directly managing the farm from 15 June 1988 up to the time of land acquisition. The required age and actual tillage provided for in the law must concur at the time of the effectivity of the CARL on 15 June 1988.
- A birth certificate is a necessary documentary requirement to prove the relationship of the child-beneficiary and the parent-landowner.

DAR Opinion No. 14, S. 2008
June 04, 2008

BENEFICIARIES; PREFERRED; QUALIFICATIONS; ORDER OF PRIORITY

- A child of a landowner may either be identified as preferred beneficiary or an ordinary FB