

- As preferred beneficiary or ordinary FB, a child should meet all the conditions set forth in Section 3 of A.O. No. 6, series of 2006 in relation to the earlier guidelines issued, such as A.O. No. 2, Series of 2003 and A.O. No. 7, series of 2003 except when a child of a landowner enters into VLT/DPS agreement with his/her parent-landowner, the rule requires that he/she is a tenant in his/her own right prior to June 15, 1988. In such cases, the rules and procedures provided under A.O. No. 8, series of 2003 shall apply.
- 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.

DAR Opinion No. 34, S. 2008
December 3, 2008

BENEFICIARIES; QUALIFICATIONS; DETERMINATION

- The determination as to who may qualify to become farmer-beneficiaries of the land lies with the DAR. Under Section 15 of R.A. No. 6657 and its implementing guidelines, Administrative Order No. 07, Series of 2003, it is the DAR in coordination with the Barangay Agrarian Reform Committee (BARC) which shall identify and register all agricultural lessees, tenants and farmworkers who are qualified to be beneficiaries of the CARP.
- Under II-A of DAR Administrative Order No. 2, Series of 1993, qualified farmworkers include those found to be directly working on the land at the time the DAR conducts actual investigation and documentation. This means that the retrenchment or separation of a farmworker prior to the award of the CLOA does not necessarily disqualify him from being an ARB, provided he possesses the basic qualification of willingness, aptitude and ability to cultivate and make the land as productive as possible.

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

BENEFICIARIES; RIGHTS AND RESPONSIBILITIES COMMENCE FROM TIME OF AWARD

- Section 24 of R.A. No. 6657 provides that the rights and responsibilities of the beneficiary shall commence from the time the DAR makes an award to him. This means that the beneficiary is responsible for the payment of the real property taxes that accrue on the land only from the said award.

DAR Opinion No. 29, S. 2008
November 14, 2008