

or prospective, has become the property of some particular person or persons as a present interest (Agrarian Law and Jurisprudence, DAR UNDP, page 27).

DAR Opinion No. 30, s. 2007
November 08, 2007

BENEFICIARIES; INSTALLATION MAY PROCEED DESPITE PENDENCY OF A PETITION FOR EXCLUSION

- The implementation and distribution of the land to Agrarian Reform Beneficiaries (ARBs) including their *installation* is not affected by the fact that there are pending issues over the subject lands. It is the primary objective of the Office of the Department of Agrarian Reform (DAR) to prevent unreasonable delay and derail in the implementation of CARP over the landholdings in issue. This is in line with the legal mandate of the DAR to distribute lands to the tillers at the earliest practicable time. Thus, the installation of the FBs named in the CLOAs (Medellin and Villalon properties) may immediately proceed so as not to further delay the implementation of CARP.
- The installation of the CLOA holders may proceed despite the pendency of the petition for exclusion from CARP coverage, and petition for inclusion/exclusion of FBs there being no legal impediment or temporary restraining order (TRO) issued by a court to restrict/prevent the ARB's installation. This is in consonance with the mandate of R.A. No. 6657 to acquire and distribute lands to as many tenants and farmworkers as possible.
- Once a CLOA is issued and registered in the name of a beneficiary, it serves as an evidence of title to the land, entitling him/her to occupy the land and maintain possession of the same. Thus, the pendency of the inclusion/exclusion proceeding is of no moment and a justification to defer installation.

DAR Opinion No. 25, s. 2007
September 25, 2007

BENEFICIARIES; ONLY NATURAL PERSONS CAN BE ISSUED CLOAs

- Only natural persons as beneficiaries may be given CLOAs as evidence of their ownership of awarded lands.

DAR Opinion No. 09, s. 2007
February 13, 2007

BONDSMAN; DEFINED; DAR PERSONNEL CANNOT SERVE AS BONDSMAN TO A CRIMINAL CASE

- A bondsman is a person who stands as surety for the performance of a legal obligation by another as expressed in a bond. Bondsmen usually have a standing security agreement with local court officials, in which they agree to post an irrevocable "blanket" bond, which will pay the court if any defendant for whom the bondsman is responsible does not appear.
- The function of a bondman and a personnel of this Department is incompatible with each other. The main concern of a bondsman is to act as a surety for the appearance of a criminal defendant in court, while that a personnel of the DAR is