

BENEFICIARIES; RIGHT TO BECOME BENEFICIARY A PERSONAL ONE; ORDER OF PRIORITY; QUALIFICATIONS

- The right to become an agrarian reform beneficiary (ARB) is a personal right, accorded only to those who will be qualified upon identification and screening of the DAR pursuant to Sec. 22 of R.A. No. 6657 and Administrative Order No. 7, 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 (R.A.) No. 6657**].
- In the case of the 10 deceased identified beneficiaries, the prospective areas to be awarded to them legally should be allocated or titled in favor of any of their heirs who may be qualified to become beneficiaries themselves and, provided, they are found to be directly working on the land. In other words, the order of priority provided for under Sec. 22 of R.A. 6657 shall by implication of law be applied.

DAR Opinion No. 17, S. 2008
June 30, 2008

CERTIFICATION OF DEPOSIT; ISSUED NOTWITHSTANDING APPEAL WITH THE OFFICE OF THE PRESIDENT; REFERENCE

- A certification of deposit shall be issued notwithstanding any appeal before the Office of the President or to any regular courts. To do otherwise shall amount to an act that precludes this Office to perform its powers and functions.

DAR Opinion No. 33, S. 2008
December 3, 2008

CONTRACT; LAW BETWEEN PARTIES

- Although permission to work on the farm was given, there was no intention to constitute said person as the agricultural lessee of the farm land. The agreement (mortgage), which as a valid contract is the law between the parties which they are expected to abide with good faith in such contractual commitments.

DAR Opinion No. 21, S. 2008
August 21, 2008

CONVERSION; COCONUT LANDS ELIGIBLE FOR LAND USE CONVERSION

- Should the coconut land not belong to either item I or II of Article II Sections 4 and 5 of DAR A.O. No. 1, Series of 2002, then the same can be a subject of an application for conversion.
- Malacañang Administrative Order No. 226 dated 16 May 2008 was to temporarily suspend all land use conversion applications affecting rice lands mentioned under Republic Act No. 8435 considered as Network of Protected Areas for Agriculture and Agro-Industrial Development (NPAAD) for two (2) years and, in effect, repealed moratorium dated 15 April 2008 issued by Secretary Nasser C. Pangandaman, which temporarily suspended all Land Use Conversion applications. Clearly, therefore, coconut lands are not included in the said A.O.