

BENEFICIARIES; SCREENING, SELECTION AND IDENTIFICATION OF FARMER-BENEFICIARIES

- In the screening, selection and identification of farmer-beneficiaries based on the criteria provided under Section 22 of R.A. No. 6657, it is the DAR through the MARO which has jurisdiction thereof. Landowners are given the right to choose their preferred beneficiaries, but they do not possess the authority or right to select CARP beneficiaries. Thus, the installation for FBs may proceed despite the pendency of the said petition.
- Under the doctrine of presumption of regularity in the performance of official functions, the identification of FBs is presumed to have been made in accordance with law absent convincing evidence to the contrary.

DAR Opinion No. 26, s. 2006
October 02, 2006

BENEFICIARIES; QUALIFICATIONS

- It is settled that the basic qualification of a beneficiary is his willingness, aptitude and ability to cultivate and make the land as productive as possible. A person who is found to have waived his right and deliberately refused to enlist as CARP beneficiary during the process of documentation is not qualified to be a CARP beneficiary. The refusal of the identified farmer-beneficiaries to sign the Land Valuation and Farmer's Undertaking and their non cooperation in the documentation process is tantamount to waiver of rights that would warrant their disqualifications to become CARP beneficiaries.

DAR Opinion No. 18, s. 2006
June 29, 2006

BENEFICIARIES; QUALIFICATIONS

- 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 and not at the time when the Notice of Coverage was issued. Given this requirement, the children could not qualify as preferred beneficiaries.

DAR Opinion No. 14, S. 2006
February 22, 2006

BENEFICIARIES; QUALIFICATIONS

- It appears that the awardee acquired dual citizenship pursuant to the provisions of Republic Act No. 9225 (**Citizenship Retention and Re-Acquisition Act of 2003**). R.A. No. 9225 contemplates that Filipino citizens who acquired foreign citizenship are deemed not to have lost their Philippine citizenship under conditions provided in the Act. In other words, natural born citizens of the Philippines who, after the effectivity of said Act, become citizens of a foreign country shall retain their Philippine citizenship upon taking an Oath of Allegiance to the Republic of the Philippines. Thus, those who retain or reacquire Philippine citizenship under said Act shall enjoy full civil and political rights and **be subject**