

**to all attendant liabilities and responsibilities under existing laws of the Philippines pursuant to Section 5 thereof.**

In view of all the foregoing, while the awardee may enjoy full civil and political rights as a Filipino citizen, **he is nonetheless likewise subject to all attendant liabilities and responsibilities under existing laws of the Philippines.** Under existing Philippines laws, rules and regulations, **it is required that the awardee should personally cultivate the land (or with the aid of the immediate members of his family) and should continuously do so.** Under the facts and circumstances obtaining, we could infer that **such is not so in the instant case** even granting that the awardee is a resident both of New Jersey, USA and Malino, Mexico, Pampanga per his Special Power of Attorney (SPA). Under such circumstances, **the basic requirement of continuous personal cultivation could not possibly be complied with.**

DAR Opinion No. 28, s. 2005  
December 08, 2005

#### **BENEFICIARIES; CERTIFICATE OF POSTING COMPLIANCE; REQUIRED FOR SELECTION OF QUALIFIED BENEFICIARIES**

- In view of this and considering that the basis from which LAD-ID, SCRNs & DSTRN Form No. 03 was adopted has been deemed amended, revised and rendered irrelevant in the light of the provisions of DLR AO 2, S. of 2005, a Certification of Posting Compliance by the MARO may suffice as an alternative requirement in cases the BARC Chairman, Brgy./Municipal, Authorized Official of the Community refuse to issue the same Certification in the posting of the list of actual/prospective beneficiaries. This presupposes that the MARO has in his/her possession proof that the BARC received the copy of the document to be posted and the date it was received.

DLR Opinion No. 22, S. 2005  
August 15, 2005

#### **BENEFICIARIES; CONSEQUENCES IF THEY WERE PROMOTED TO MANAGERIAL OR SUPERVISORY POSITIONS**

- Farmworkers who had been previously identified as qualified beneficiaries but were promoted to managerial or supervisory positions **prior to land transfer** may still qualify as awardees if they give up their managerial or supervisory positions. On the other hand, farmworkers who had been previously identified as qualified beneficiaries but were promoted to managerial or supervisory positions **after land transfer** may still qualify as awardees even without giving up their positions.

DAR Opinion No. 23, s. 2001  
November 6, 2001

#### **BENEFICIARIES; QUALIFICATIONS**

- It must be remembered that one of the basic qualifications to be considered for a potential beneficiary is the willingness to cultivate a land. Refusal to be identified and/or registered as a potential beneficiary and failure to question inclusion of seasonal and other farmworkers is contrary to the "willingness" qualification. Also, it is correct to state that the above-mentioned acts or omissions are considered waiver of the right to be recognized as a beneficiary. However, in