

requiring the lessees to secure an authorization from or consent of the landowner before they can open an account in the name of the landowner, it is suggested that the lessees may tender their provisional lease rentals to **any duly authorized banking institution in the locality where the property is located**. However, this shall take effect only upon order of the PARAD and after due hearing. Moreover, this is the least reasonable way for the lessees to perform their obligations to pay the lease rentals to the agricultural lessor when it falls due, as explicitly provided in Section 26 (6) of Republic Act No. 3844.

DAR Opinion No. 06, S. 2008
April 02, 2008

LEASE RENTAL; TREATED AS ADVANCE PAYMENT/AMORTIZATION

- Necessarily, the amount paid as lease rental shall be treated as advance payment/amortization and deducted from the total cost of the property.

DAR Opinion No. 09, S. 2008
April 14, 2008

FORECLOSURE BY PRIVATE BANK PLACED UNDER RECEIVERSHIP/LIQUIDATION STILL UNDER ACQUISITION AND DISTRIBUTION TO QUALIFIED BENEFICIARIES

- Private bank's foreclosed assets, regardless of the area, are subject to existing laws on their compulsory transfer under the General Banking Act as a consequence of foreclosure and acquisition under Section 16 of R.A. No. 6657. As long as the subject property is agricultural, the same shall still be subjected to acquisition and redistribution to qualified beneficiaries pursuant to the provisions of the CARL. Private bank may sell to third parties their foreclosed asset, as a consequence of foreclosure but still subject to acquisition under CARP.
- Even if the subject foreclosed property was placed under receivership or liquidation by the BSP, the same shall still be subjected to acquisition under CARL. In case said foreclosed property was sold or will be sold as a consequence of liquidation or receivership by the BSP, the same will still be subjected to acquisition and eventual distribution to agrarian reform beneficiaries pursuant to CARL.

DAR Opinion No. 24, S. 2008
October 09, 2008

NGO; CAN A REGULAR GOVERNMENT EMPLOYEE REPRESENT AN NGO? QUALIFICATION AS REPRESENTATIVE OF AN NGO IN THE PROVINCIAL LEVEL OF PARCCOM

- Administrative Order No. 7, Series of 1994 [**New Implementing Guidelines Strengthening the Formation, Organization, and Operation of the Provincial Agrarian Reform Coordinating Committee (PARCCOM)**] defines a **Non-Government Organization** as a civic, religious or non-sectarian organization or association which is peasant-oriented, organized primarily for rural development and operating in the province. The same A.O. state as basic qualification of a representative to be a bonafide member of an association/organization/cooperative as certified by the said organization/cooperative/NGO.