

- Moreover, under the law on succession, only the property, rights and obligations of a decedent were transmitted to his/her heirs from the moment of death.

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

SOLUTIO INDEBITI; PRINCIPLE

- Under the principle of solutio indebiti, Article 2154 of the Civil Code of the Philippines provides that if something is received when there is no right to demand it, and it was unduly delivered through mistake, the obligation to return it arises.

DAR Opinion No. 31, S. 2008
November 28, 2008

SUCCESSION; WHAT IS INCLUDED IN THE INHERITANCE

- The Civil Code contemplates that inheritance includes all the property, rights and obligations of a person which are not extinguished by his death.

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

TRANSFER; CONDITIONS

- Although transfer of awarded lands under Presidential Decree No. 27 may be allowed if amortization thereof has been fully paid, such transfer is still subject to the compliance with the provisions of Administrative Order No. 8, Series of 1995 [**Rules and Procedures Governing the Transferability of Lands Awarded to Agrarian Reform Beneficiaries (ARBs) Pursuant to Presidential Decree No. 27 as Amended by Executive Order No. 228 and Republic Act No. 6657**].

DAR Opinion No. 29, S. 2008
November 14, 2008

TRANSFERABILITY OF AWARDED LANDS; TRANSFERABILITY OF AWARDED LANDS A MINISTERIAL DUTY

- Section 27 of R.A. No. 6657 (Comprehensive Agrarian Reform Law of 1988) provides that lands acquired by beneficiaries under this Act may not be sold, transferred or conveyed except through hereditary succession. Said provision of law is an exception on the non-transferability of awarded lands under P.D. No. 27 and R.A. No. 6657.
- DAR Administrative Order No. 8, Series of 1995 (**Transferability of Lands Awarded to ARBs Pursuant to PD 27 as Amended by EO No. 228 and RA 6657**) particularly Item No. II (1) thereof provides that lands awarded to ARBs pursuant to either P.D. No. 27 or R.A. No. 6657 may be transferred and registered by the Register of Deeds only after the issuance of DAR clearance.