

AMENDMENT OR REVISION; PROCESS

- Article XVII of the 1987 Constitution provides for the process for amendment or revision to wit:

“Section 1. Any amendment to, or revision of, this constitution may be proposed by:

- 1) The Congress, upon a vote of three-fourths of all its members; or*
- 2) A Constitutional Convention*

xxxxx

xxxxx

xxxxx

Sec. 3. The Congress may, by a vote of two-thirds of all its members, call a constitutional convention, or by a majority of all its members, submit to the electorate the question of calling such a convention.”

DAR Opinion No. 02, s. 2006
January 11, 2006

AWARD; TRANSFERABILITY OF AWARDED LANDS

- **Section 24, R.A. No. 6657**

“SECTION 24. Award to Beneficiaries. - The rights and responsibilities of the beneficiary shall commence from the time the DAR makes an award of the land to him Ownership of the beneficiary shall be evidenced by a Certificate of Land Ownership Award, which shall contain the restrictions and conditions provided for in this Act, and shall be recorded in the Register of Deeds concerned and annotated on the Certificate of Title.” (emphasis supplied)

- **Section 27, R.A. No. 6657**

*“SECTION 27. Transferability of Awarded Lands. - Lands acquired by beneficiaries under this Act may **not** be sold, transferred or conveyed **except** through hereditary succession, or to the government, or to the LBP, or to other qualified beneficiaries for a period of **ten (10) years.**” (emphasis supplied)*

- Given the aforequoted provisions of law, it could be inferred that if the agrarian reform beneficiaries (ARBs) who were first issued a collective CLOA are the same persons later issued with individual CLOAs, then the reckoning date of the 10-year prohibitory period should be the issuance of the collective CLOA which is the time when the rights and responsibilities of the ARBs commenced.

DAR Opinion No. 01, s. 2004
January 13, 2004

AWARD CEILING; TOLERABLE LIMIT; APPLICABLE TO BOTH P.D. NO. 27 AND R.A.NO. 6657

- We opine that the “tolerable limit” provided for under DAR A.O. No. 3, Series of 1985 of lands covered by P.D. No. 27 would also apply to lands awarded to FBs under R.A. No. 6657. While there is no specific provision in R.A. No. 6657 or its