

[DAR Administrative Order No. 04, s. 2015, May 28, 2015]

AMENDMENT TO ADMINISTRATIVE ORDER NO. 7, SERIES OF 2014

*Adopted: 28 May 2015
Date Filed: 29 June 2015*

In order to make the procedure of deciding cases more efficient, the following amendments to Administrative Order (A.O.) No. 7, Series of 2014 is hereby instituted, as follows:

SECTION 1. The first sentence of Section 1 of A.O. No. 7, Series of 2014 is hereby amended to read as follows:

SECTION 1. Coverage. - These rules of procedure ("Rules") shall apply to all cases involving the involuntary cancellation of registered EPs, CLOAs, and other titles issued pursuant to any agrarian reform program, except in the following instances:

SECTION 2. The first enumerated item in Section 11 of A.O. No. 7, Series of 2014 is hereby amended to read as follows:

1. Certified true copy of the final and executory Order or Resolution of the DAR Regional Director, DAR Secretary, or the court;

SECTION 3. The last paragraph of Section 14 of A.O. No. 7, Series of 2014 is hereby amended to read as follows:

The Sheriff shall submit a report to the PARAD on the mode of service used for said Notice, and the fact of transmittal of the notice to the Barangay Secretary concerned. The report shall contain the following:

- (1) The date the Notice was served;
- (2) The time the Notice was served or attempted to serve, through personal or substituted service;
- (3) The mode of service (whether personal, substituted, registered mail [in case the respondent is residing abroad], and/or publication);
- (4) The name of the person who received the Notice and the proof of identification shown by the person who received the same, in case through personal or substituted service;

- (5) In case through substituted service, the age of the person receiving the Notice, if received in the residence, or the position of the person in the office, if received in the place of business; and
- (6) The fact of failure of personal or substituted service.

SECTION 4. Items (e) and (f) of Section 17 of A.O. No. 7, Series of 2014 is hereby amended to read as follows:

- (e) Notices, and proof of service and receipt of said notices, and the report of the Sheriff to the PARAD;
- (f) Certified true copy of EPs, CLOAs, or other titles;

SECTION 5. Section 25 of A.O. No. 7, Series of 2014 is hereby amended to read as follows:

SECTION 25. Review, Findings, and Recommendation by the BALA. - The BALA shall conduct a review, evaluation, and thorough assessment of the entire case records. Thereafter, the BALA shall prepare its findings and recommendation and transmit the same to the Legal Affairs Office (LAO).

SECTION 6. Section 26 of A.O. No. 7, Series of 2014 is hereby amended to read as follows:

SECTION 26. Review, Findings, and Recommendation by the LAO. - The LAO shall conduct its own review, evaluation, and thorough assessment of the entire case records. Thereafter, the LAO shall prepare its findings and recommendation.

SECTION 7. Section 27 of A.O. No. 7, Series of 2014 is hereby repealed.

SECTION 8. Section 28 of A.O. No. 7, Series of 2014 is hereby amended to read as follows:

SECTION 28. Conduct of Clarificatory Hearing. - The DAR Undersecretary or Assistant Secretary for Legal Affairs may conduct a hearing for clarification, issue interlocutory orders, and require submission of additional evidence. The Legal Division Chief of the Provincial or Regional Office or the PARAD or RARAD concerned may be authorized to conduct such hearings, if the undersecretary or Assistant Secretary deems it necessary. For this purpose, the official record of the proceedings conducted shall be kept and form part of the case folder.

SECTION 9 . Section 29 of A.O. No. 7, Series of 2014 is hereby amended to read as