

**[DAR ADMINISTRATIVE ORDER NO. 2, s. 1993,
April 16, 1993]**

**SUPPLEMENTAL GUIDELINES ON ADMINISTRATIVE ORDER NO.
10, SERIES OF 1990, AND OTHER ISSUANCES ON THE RIGHTS OF
FARMWORKERS**

I

Prefatory Statement

Section 4, Article XIII of the Constitution, as reiterated in Section 2 paragraph 3 of RA No. 6657 provides that the agrarian reform program is founded on the rights of farmers and regular farmworkers who are landless, to own directly or collectively the lands they till, or in the case of other farmworkers, to receive a just share of the fruits thereof.

In all cases, the security of tenure of the farmers and farmworkers on the land prior to the approval of RA No. 6657 shall be respected.

These supplemental guidelines on the acquisition and distribution of lands for farmworkers-beneficiaries are hereby issued in order to operationalize the said provisions of the law with respect to farmworkers.

II

Policy Statements

A. Qualified farmers shall include all those who are found to be directly working on the land at the time the DAR conducts actual investigation and documentation. However, other workers who are employed directly by the agricultural enterprise or corporation may be considered as beneficiaries provided they meet the basic qualifications as provided under Section 22 of RA No. 6657.

A farmworker whose work has ceased as a result of a pending agrarian or labor dispute but who is still willing to be an awardee of the distribution of the agricultural corporation's land shall also be considered as a beneficiary provided he has filed an appeal for reinstatement and has not yet obtained a substantially equivalent and regular farm employment.

B. As a general rule, the DAR shall distribute the land to qualified farmworkers according to the order of priority under Section 22 of RA No. 6657.

However, if there are enough agricultural lands for distribution, the farmworker-beneficiaries, regardless of their length of service in the agricultural enterprise, shall be equally entitled to the maximum award of three (3) hectares.

C. In case it is not economically feasible and sound to divide the land as determined