

[DAR ADMINISTRATIVE ORDER NO. 9, August 30, 1990]

**REVISED RULES GOVERNING THE ACQUISITION OF
AGRICULTURAL LANDS SUBJECT OF VOLUNTARY OFFER TO SELL
AND COMPULSORY ACQUISITION PURSUANT TO RA 6657**

I

Prefatory Statement

A. These rules are hereby prescribed to ensure the smooth and expeditious acquisition of agricultural lands covered by the Comprehensive Agrarian Reform Program pursuant to RA 6657.

II

Coverage

A. These rules cover Voluntary Offer to Sell (VOS) and Compulsory Acquisition (CA) transactions involving lands enumerated under Section 7 of RA 6657.

1. *Voluntary Offer to Sell (VOS)*

a. All private agricultural lands voluntarily offered by landowners for sale to the government.

b. All other agricultural lands transferred to the DAR pursuant to Executive Order No. 407 dated June 14, 1990.

2. *Compulsory Acquisition (CA)*

a. All idle and/or abandoned agricultural lands regardless of size;

b. All agricultural lands other than those voluntarily offered.

c. All private agricultural lands which became due for coverage under Compulsory Acquisition according to the priorities defined in Section 7 of RA 6657.

III

Policy

A. All landowners whose lands are subject for coverage under RA 6657 may voluntarily offer their lands for sale to the government. However, lands upon which notices of coverage have already been sent by the government and received by the landowner shall no longer be eligible for classification as voluntarily offered lands.

B. All lands which are voluntarily offered for sale to the government, except lands within the retention limits, may no longer be withdrawn and shall immediately fall under Phase I, as provided for in Section 7 of RA 6657.

C. If the land is tenanted, the farmer-beneficiaries shall continue to pay lease rentals based on a leasehold agreement provided for under Administrative Order No. 4, series of 1989, until such time as the landowner signs the Deed of Transfer or the Land Bank of the Philippines establishes a Trust Fund in the landowner's name, as the case may be.

D. The compensation for the land shall be the value determined by the LBP or the value set under summary proceedings by the DARAB or as may finally be determined by the Special Agrarian Court.

E. Landowners, other than banks and other financial institutions, who voluntarily offer their lands for sale shall be entitled to an incentive of an additional five percent (5%) cash payment pursuant to Section 19 of RA 6657.

IV Operating Procedures

Responsibility/Activity	Applicability	
	VOS	CA
A. Landowner		
1. Accomplishes the Letter of Intent (CARP Form No. 1) and Landowner's Information Sheet (CARP Form No. 1.1) and submits them to any DAR Unit (MARO, PARO, RARO, DARCO), together with the following basic ownership documents:	X	
a. For Titled Property-		
1. Copy of title (OCT/TCT) covering the land offered for sale with all pages duly authenticated by the Register of Deeds (ROD) as the exact copy of what is on file with his office. If the title is not yet in the name of the landowner/offeror, submits instruments of acquisition such as Deed of Sale, Deed of Donation, etc., to establish his ownership of the land. In instances where the title in the custody of the ROD was lost or otherwise destroyed, and the original copy of the title has not been reconstituted, ROD shall issue a certification to that effect.	X	
	X	
	X	
	X	
	X	
	X	
2. Copy of Tax Declaration in the name of the land-owner/offeror issued before August 29	X	

,1987 duly certified by the Assessor. X

3. Copy of the Approved Survey Plan or Plan of the property prepared and approved by a licensed Geodetic Engineer. X

4. Copy of Sworn Statement of Landowner's Registration (LISTASAKA I or II), if any. X

5. Other requirements as may be applicable X

b. For Untitled Properties X

1. Xerox copy of Deed of Sale/Transfer duly certified by the ROD/Assessor and/or other instruments of acquisition covering the subject property for a period of at least ten(10) years. X

2. Copy of Tax Declaration issued before August 29, 1987 duly certified by the Assessor.

3. Approved Survey Plan and Technical Description in narrative form.

4. Copy of Sworn Statement of Landowner's Registration(LISTASAKA I or II), if any.

5. Affidavit of Landowner that the property is not subject of adverse claim of third parties.

6. Certification of the Clerk of Court concerned whether or not the property has been the subject of and registration cases, cadastral proceedings, and status of the case, if any.

7. Certification from the DENR:

a. stating that the subject property is not within any civil, military, or

watershed
reservation, national
park, or timber or
mineral land and
whether the same
has been classified as
alienable and
disposable

b. stating the
cadastral claimant, if
any, of the subject
property

c. stating whether or
not there has been
an application for the
acquisition of the
subject property
under
Commonwealth Act
No. 141, as
amended, and
status, if any

8. Certification of the Register
of Deeds and the Provincial
Assessor concerned to the
effect that subject property is
free from all liens and
encumbrances

9. Certification of the Land
Registration Administration
that the subject property as
indicated in the approved
survey plan is not within any
titled or decreed proper

10. Proof of Publication of
Cautionary Notice

All VOS letters and documents submitted
by the landowner must be forwarded to
the Municipal Agrarian Reform Office
concerned.

B. MARO

1. Receives the duly accomplished CARP Form Nos.
1 and 1.1 including supporting documents.

X