

# **[ DAR ADMINISTRATIVE ORDER NO. 10, May 03, 1989 ]**

## **RULES AND PROCEDURES GOVERNING THE REGISTRATION OF BENEFICIARIES**

### **I**

#### **Prefatory Statement**

Pursuant to Section 15, Chapter IV, of the Comprehensive Agrarian Reform Law of 1988, the DAR in coordination with the Barangay Agrarian Reform Committee (BARC), as organized pursuant to R.A. 6657, shall register all agricultural lessees, tenants and farmworkers who are qualified beneficiaries of the CARP. This Administrative Order provides the implementing Rules and Procedures for the said registration.

### **II**

#### **Objectives**

A. *General* — Develop a data bank of potential and qualified beneficiaries of the CARP for the effective implementation of the program.

B. *Specific* — Identify the actual and potential farmer-beneficiaries of the CARP.

2. Establish baseline data and information for validation with the data reported by the landowners in their LISTASAKA sworn statements.

3. Gather basic data for planning and development of programs in support of the beneficiaries.

### **III**

#### **Coverage**

A. The registration shall cover all agricultural lessees, share tenants and farmworkers of all public and private agricultural lands planted to rice, corn and all other crops, who are qualified to be beneficiaries of the CARP as defined under Section 22, Chapter VII of R.A. 6657 as follows:

1. Agricultural lessees and share tenants;
2. Regular farmworkers;
3. Seasonal farmworkers;

4. Other farmworkers;
5. Actual tillers or occupants of public lands;
6. Collectives or cooperatives of above beneficiaries; and
7. Others directly working on the lands, provided that the children of landowners who are qualified under Section 6 of R.A. 6657 shall likewise be registered.

B. A basic qualification of a beneficiary shall be his willingness, aptitude and ability to cultivate and make the land as productive as possible.

C. Excluded from Registration are the following:

1. Beneficiaries under Presidential Decree No. 27 who have culpably sold, disposed of, or abandoned their lands.
2. Landowners or beneficiaries under P.D. 27 who already own or have already been awarded at least three (3) hectares of land under aforesaid Presidential Decree.

#### **IV Definition of Terms**

**Agricultural Lessee** is a person who, by himself and with aid available from within his immediate farm household, cultivates land belonging to, or possessed by, another with the latter's consent, for purposes of production, for a price either in money or in produce or both. (Section 166, R.A. 3844)

**Agricultural Share Tenant** is a tenant-tiller under a share tenancy system, which exists whenever two persons agree on a joint undertaking of agricultural production where one party furnishes the land and the other his labor, with one or both contributing any one or several of the items of production, the tenant cultivating the land personally with the aid of labor available from members of his immediate farm household, and the produce thereof to be divided between the landholder and the tenant. (Section 166, R.A. 3844)

**Immediate Farm Household** consists of the members of the family of the lessee and other persons who are dependent upon him for support and who usually help him in his activities. (Section 166, R.A. 3844)

**Agricultural Lands** refers to lands devoted to agricultural activities as defined under Section 3 of R.A. 6657 and which are not classified as mineral, forest, residential, commercial or industrial.

**Farmer** refers to a natural person whose primary livelihood is cultivation of land or the production of agricultural crops, either by himself or primarily with the assistance of his immediate farm household, whether the land is owned by him or by another person under a leasehold or share tenancy agreement or arrangement with the owner thereof.

**Farmworker** is a natural person who renders service for value either as an employee or as a laborer in an agricultural enterprise or farm regardless of whether his compensation is paid on a daily, weekly, monthly or pakyaw basis. The term may also be used to refer to an individual whose work has ceased as a consequence of, or in connection with, a pending agrarian dispute and who has not obtained a substantially equivalent and regular farm employment.

**Regular Farmworker** is a natural person who is employed on a permanent basis by an agricultural enterprise or farm. In case of a farmholding planted to multiple crops by different farmers in the same farmlot, the farmer who plants/produces the principal crop in the said farmlot shall be considered the regular farmworker.

**Seasonal Farmworker** is a natural person who is employed on a recurrent, periodic, intermittent basis by an agricultural enterprise or farm whether as a permanent or a non-permanent laborer, such as dumaan, sacada, and the like.

**Other Farmworker** refers to a farmhand who does not fall under items 6, 7 and 8. Example: Farmhand doing several farm activities but not paid for his labor.

**Principal crop** is the crop predominantly planted/produced in the subject landholding.

## V

### Procedure for Registration

#### A. Pre-Registration Activities —

1. **Organization of BARCs** — DAR fieldmen shall effect the organization of a Barangay Agrarian Reform Committee (BARC) in every barangay pursuant to this Administrative Order;
2. **Information campaign** — A nationwide information drive in coordination with the BARC, farmers' organization and NGOs through farmers meetings, I.E. BANDILLOs, mobile system, etc., shall be conducted for the information of all tenants, farmworkers and others concerned;
3. **Orientation briefings/workshops** — these shall be conducted among DAR fieldmen, BARC members and farmers' organizations that will be involved directly in the registration activity; and,
4. **Establishment of registration Centers** — A registration center shall be established at the local barangay hall or any appropriate barangay center under the supervision of DAR personnel. The actual registration shall be managed by a duly designated BARC representative or a barangay council member.

## *B. Actual Registration*

1. **Steps in registration** — Immediately after the orientation/briefing of personnel and establishment of registration centers, DAR in coordination with BARC shall start actual registration. The following steps are hereby prescribed:

- a. Prospective and/or potential beneficiaries shall secure BARC registration forms at the registration center in the barangay;
- b. Registrants shall accomplish the registration forms in triplicate, with the assistance of the DAR Agrarian Reform Technologist (ART) or any member of the BARC or barangay council;
- c. DAR ARTs in coordination with the BARC shall review the accomplished forms for completeness of data entry;
- d. The registrant shall print his name and affix his signature on the form or his right thumbmark if he is unable to sign, and submit the form to the DAR ARTS or the BARC;
- e. The BARC Chairman or BARC Secretary shall attest to the execution of the registration form.

2. **Place of Registration** —

- a. For purposes of this registration prospective and/or potential beneficiaries should register in the barangay where they work most of the time within the year. In the event that they are not in their barangay/place of work at the time of registration, they may register in their place of residence.
- b. A prospective or potential beneficiary is allowed to register only once. Violation of this is punishable under Section 74 in relation to Section 73 (d) of R.A. 6657.
- c. In a situation where a beneficiary works in two or more farmholdings situated in different places, he may register in any of the registration centers where any one of said farmholdings is located.

3. **Information required** — The registrant will be required to supply the following data using the prescribed registration form:

- a. Names of the registrant and members of his immediate farm household;