



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 5508

Introduced by Representative **GERALDINE B. ROMAN**

EXPLANATORY NOTE

The bill seeks to accelerate the implementation of agrarian reform program by commencing the second phase of program implementation in collaboration with rural development programs on Land Acquisition and Distribution (LAD) free areas. The legislative measure is premise on poverty alleviation thru asset reform, institutional and capacity building, establishment of linkages, and infrastructure projects in identified rural communities as part of the overall efforts to intensify total rural development with the end view of empowering and capacitating people in rural communities.

Preserving and sustaining the gains derived from the implementation of agrarian reform program is utilized as a launching pad in introducing rural development in LAD-free barangays or municipalities or a cluster thereof. The gains from agrarian reform will facilitate rural development implementation in view of the existing institutionally and strategically placed government agency, the DAR, which to further operationalize therefore shall be transformed into a body that shall implement the final completion of land acquisition and distribution aspect of agrarian reform program, and shall thereafter or hand-in-hand introduce rural development in identified areas.

Among others, the salient features of the proposed HB are the following:

1. Transforming the Department of Agrarian Reform into Department of Agrarian Reform and Rural Development, without emasculating its primary mandates as the lead agency in agrarian reform program implementation, strengthening and expanding the powers and functions as a transformed body that will introduce rural development programs;
2. Re-instituting the authority of the Department to issue Notices of Coverage to private agricultural lands which are qualified for agrarian reform coverage;
3. Expanding the scope of private agricultural lands to cover friar lands and those under Universities and colleges, and automatic coverage of lands issued with land use conversion order where the development plan was not complied;

4. Inclusion of Government Owned Lands, foreclosed lands by government financing institution, lands under proprietary holdings of LGUs and other government agencies;
5. Providing that the lands is awarded to qualified beneficiaries for free;
6. Expanding the support services component and inclusion of housing for ARBs as part of thereof;
7. Capacitating the farmland or Title of ownership as loan collateral;
8. Providing that the decision of the DAR Secretary on cases within its jurisdiction shall be final and executory except when an injunction is issued by Court of competent jurisdiction;
9. Vesting upon the quasi-judicial power of the DAR the authority to reconstitute lost or destroyed CLOAs/EPs and other Title issued under agrarian reform program as well as TCTs/OCTs of lands which are identified for coverage;
10. Reinstating PARC as Presidential Agrarian Reform and Rural Development Council (PARRDC), vesting upon thereof the authority to declare a particular area as LAD-free and renaming the BARC to BARRDC and providing funds for allowances/honoraria of its members;
11. Prohibition against land reclassification and land use conversion of awarded land; and
12. Creation of additional offices and staff complements in order to further carry-out its objectives, particularly on rural development implementation.

In view of the timely and laudable intentions of the proposed legislative measure, we earnestly seek support for its prompt approval.

A handwritten signature in black ink, appearing to read "Geraldine B. Roman".



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Introduced by Representative **GERALDINE B. ROMAN**

**"AN ACT
TRANSFORMING THE DEPARTMENT OF AGRARIAN REFORM INTO
"DEPARTMENT OF AGRARIAN REFORM AND RURAL DEVELOPMENT"
MANDATING ITS FUNCTIONS, OPERATIONALIZING THE 2ND PHASE OF
CARP IMPLEMENTATION, PROVIDING FUNDS THEREFOR AND FOR
OTHER PURPOSES"**

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

Section 1. – Chapter III, Republic Act 6398, Book IV, Title XI, of Executive Order No. 292, (The Administrative Code of 1987) and Executive Order No. 129-A, is hereby amended to read as “Agrarian Reform and Rural Development”. All reference under this law pertaining to the Department of Agrarian Reform shall henceforth be transformed into the “Department of Agrarian Reform and Rural Development” (DRD).

Section 2. – Section 2 of Republic Act No. 6657, as amended, is hereby further amended to read:

“Section 2. Declaration of Principles and Policies – The promotion of social justice in all phases of national development is the primordial responsibility of the State, which includes the commitment to create economic opportunities based on freedom of initiative and self-reliance. Corollary thereto, the State is cognizant that a large portion of agricultural lands are still subject for coverage and distribution was halted due to the limited time frame impose in the completion of land acquisition and distribution and the termination of the issuance of Notice of Coverage (NOC) on June 30, 2014.

In line with this, the State recognizes that the agrarian reform program is an effective tool for social equity strategy in ensuring participative and broad-based growth among the marginalized and rural sector. It promotes optimizing the productive potentials of the

1 agricultural sector and in alleviating poverty and curtailing
2 lawlessness in the countryside through equal access to productive
3 assets like land, provisions for necessary support services packages
4 to its beneficiaries and marketing assistance of produce from
5 awarded lands. The gains and momentum so far achieved in the
6 implementation of the agrarian reform program is stymied and would
7 be rendered nugatory considering that the vital component in its
8 implementation ceased due to the statutory timeline imposed on the
9 issuance of Notice of Coverage (NOC) and where the remaining
10 substantial area of agricultural lands, other than private agricultural
11 lands, have not yet been covered by the program. Thus, and as
12 mandated by the Constitution, the State is duty-bound to take an
13 aggressive stance in the continued implementation of the agrarian
14 reform program. Accordingly, it is imperative to statutorily
15 institutionalize a mandate for the continued issuance of Notices of
16 Coverage and the inclusions of other agricultural lands which are
17 actually and directly cultivated by landless farmers.

18 The State further recognize the diminishing area of private
19 agricultural lands for coverage under the agrarian reform program,
20 accordingly and invoking the inherent power of the State, it is
21 imperative to extend and broaden the scope of coverable agricultural
22 lands for distribution under this Act, particularly the inclusion for
23 coverage and distribution of government-owned lands and such other
24 similar types of lands where there are actual and direct cultivators
25 therein and whose rights have not yet been recognized and had not
26 been confirmed accordingly.

27 In realization therefore, a second phase of the implementation
28 of agrarian reform program should be institutionalized statutorily by
29 mandating the issuance of Notice of Coverage on all remaining
30 private agricultural lands in excess of five (5) hectares until fully
31 completed, and to include in the acquisition and distribution pursuant
32 to this Act other qualified government owned lands which are devoted
33 to or suitable for agricultural production and where there are actual
34 cultivators therein.

35 The rights of landowners to just and fair compensation of their
36 lands covered under this Act, as well as investment assistance and
37 provisions of incentives towards entrepreneurship, shall at all times
38 be given utmost consideration in the implementation of this Act.

39 The State is cognizant of the indispensable role of the
40 Barangay Agrarian Reform Council (BARC) which shall henceforth be
41 named Barangay Agrarian Reform and Rural Development Council
42 (BARRDC) as the basic unit equipped with institutional information at
43 the grassroots or local level. The role of the BARRDC in the entire
44 process of the implementation of this Act as well as in the alternative
45

1 resolution of agrarian-related conflict is imperative to accelerate the
2 commencement and completion of the second phase of agrarian
3 reform program. Hence, there is a need to revitalize and strengthen
4 the BARRDC by enabling it with corresponding organizational role,
5 function and authority and the provision of budgetary allocation for its
6 operation, as may be determined by the Presidential Agrarian Reform
7 Council (PARC), which shall henceforth be named Presidential
8 Agrarian Reform and Rural Development Council (PARRDC).

9
10 The State moreover recognize the indispensable role of the
11 private sector, encouragement of private enterprise, provision of
12 incentives for necessary investments requirements, and trade policies
13 that serves the general welfare and utilization. In pursuance
14 therefore, all forms of agribusiness arrangements or agreements of
15 exchange with private enterprises, investors, Provided, it is based on
16 equality and reciprocity that is aimed for increased agricultural
17 productivity and income of all stakeholders of agrarian reform
18 program, as may be approved and determined by the DARRD, are
19 sanctioned by the State. The potential produce of the lands awarded
20 to beneficiaries of agrarian reform program or the Title of ownership
21 may be the subject of collateral for loans with private financing
22 institution subject to certain limitations as may be provided by law.

23
24 The State acknowledge that the provision of support services to
25 agrarian reform beneficiaries is critical to the success and
26 sustainability of the program. The incorporation in the mandate on the
27 provision of social protection services, health insurance, educational
28 assistance and housing facilities to qualified agrarian reform
29 beneficiaries were identified as among the component provisions of
30 support services to ARBs beneficiaries.

31
32 The success and sustainability of the agrarian reform program
33 is determined by the increased productivity and economic growth of
34 beneficiaries, and the maintenance of awarded land ownership within
35 the beneficiaries or its immediate family members subject to
36 qualification criteria set forth under applicable laws. The
37 transferability of awarded lands outside of the immediate family
38 members of the beneficiary, is restricted.

39
40 It is further the mandates of the State to sustain rural
41 development along with the implementation of agrarian reform
42 program. Corollary therefor, the mandates of the DARRD needs
43 parallel track geared towards rural development, particularly on areas
44 where land distribution are completed.

45
46 Incorporating rural development on Land Acquisition and
47 Distribution (LAD) free area is primarily the key component in
48 preserving the gains that were derived in the implementation of

agrarian reform program. Towards this end, the State shall utilize such tangible gains as platform to rural development.

In realization, the DAR shall be transformed into a body that shall lead in the implementation of agrarian reform program in conjunction with rural development on LAD-free declared areas.

The State furthermore recognizes the manpower resources required to fully accelerate the completion of the agrarian reform program and subsequent infusion of rural development. In recognition therefore, there is a need to strengthen and expand the Department of Agrarian Reform and Rural Development (DARRD) by complementing strategic offices that are vital and necessary to carry-out the implementation of this Act.

Thus, it is imperative to transform and strengthen the DAR into Department of Agrarian Reform and Rural Development.

Section 3. - Section 4 of Republic Act No. 6657, as amended, is hereby further amended to read:

"Section 4. Scope - The second phase of agrarian reform program shall cover all private agricultural lands and public agricultural lands with actual cultivators. It shall include:

4.1 GOVERNMENT OWNED LANDS

(a) All alienable and disposable lands of public domain devoted to or suitable for agriculture.

(b) All lands of the public domain in excess of the specific limits granted by this Act.

(c) All lands or portions thereof reserved by virtue of Presidential Decrees and Proclamations, other laws and issuances for specific public uses by the government, its agencies and instrumentalities, including government-owned or controlled corporations suitable for agriculture and no longer actually, directly and exclusively used or necessary for the purposes for which they have been reserved, as determined by the DAR in coordination with the government agency or instrumentality concerned in whose favor the reservation was established.

In the case of military reservations, the determination of areas suitable for agriculture and no longer actually, directly and exclusively used or necessary for the purposes for

1 which they have been reserved shall be based on the
2 actual use for the military installations or facilities.
3

4 In the case of lands affected by public sector development
5 projects located in the reservations of special economic
6 zones, where such development projects have not started
7 within the period of five (5) years from the grant of its use,
8 such land or portion thereof not developed shall be covered
9 by this Act.

10
11 (d) All agricultural land acquired by Government Financial
12 Institution (GFI) through sale or foreclosure proceedings
13 which have been occupied and cultivated by tillers and not
14 have been used or remained idle for a period of more than
15 ten (10) years or abandoned as such.

16
17 (e) All public agricultural lands granted by Congress to natural
18 or juridical persons for specific purposes and which are no
19 longer being used for the purposes for which it was granted
20 and when the same are occupied and cultivated by tillers
21 and/or when the same have remained idle for a period of
22 more than ten (10) years or abandoned as such.

23
24 (f) All agricultural lands held by the government in a
25 proprietary capacity and which are no longer used for the
26 proprietary purposes for which it is being held and which
27 are occupied and cultivated by tillers.

28
29 (g) All agricultural lands acquired by the government thru
30 donation from private individuals, where the terms and/or
31 conditions of the donation have not been complied by the
32 government, when the ownership and possession thereof
33 still remains with the government.

34
35 (h) All government lands devoted to or suitable for agriculture
36 which are in the possession of government departments,
37 agencies, bureaus, offices and other instrumentalities, and
38 which are no longer actually, directly and exclusively used
39 or necessary for the purpose for which they have been
40 reserved or acquired and have remained idle for a period of
41 more than ten (10) years or abandoned as such

42
43 (i) All lands of public schools, state university and colleges,
44 presently occupied and cultivated by tillers, which are no
45 longer actually, directly and exclusively used for
46 educational purposes and have remained undeveloped or
47 idle for a period of more than ten (10) years and/or
48 abandoned as such.

- 1
2 (j) All other lands owned by government devoted to or suitable
3 for agriculture.

4
5 **4.2 PRIVATE AGRICULTURAL LANDS**

- 6
7 (a) All private agricultural lands in excess of the five (5)
8 hectares ownership as provided for by RA 6657.
9
10 (b) All private agricultural lands identified by PD 27 and RA
11 6657, as amended by RA 9700, but was not covered and
12 distributed to farmer-beneficiaries in accordance with said
13 laws.
14
15 (c) All private agricultural lands that have been reclassified as
16 commercial, industrial or residential lands by local
17 government units or other agencies of government but
18 remained undeveloped according to their reclassification
19 program or when such reclassification is in violation of RA
20 6657, as amended.
21
22 (d) All private agricultural lands with approved land use
23 conversion Order, but which lands was never used for the
24 purposes for which conversion was granted or that such
25 conversion was in violation of RA 6657, as amended.

26
27 In case of the foregoing, this Act hereby declares the
28 revocation of their Conversion Order. If the development of
29 the land has not started, the entire landholding shall be
30 covered by this Act; otherwise only the undeveloped portion
31 shall be covered.

- 32
33 (e) All lands of private schools colleges and universities as well
34 as Friar lands or lands owned by religious or charitable
35 institutions, presently occupied and cultivated by tillers,
36 which are no longer actually, directly and exclusively used
37 for educational, religious or charitable purposes and have
38 remained undeveloped or idle for a period of more than ten
39 (10) years and/or abandoned as such.
40
41 (f) All private lands devoted to or suitable for agriculture
42 regardless of the agricultural products raised or that can be
43 raised thereon.

44
45 **4.3 ANCESTRAL LANDS**

- 46
47 (a) Ancestral lands of Indigenous Cultural
48 Communities/Indigenous Peoples (ICCIs/IPs) shall be

1 covered by this Act, Provided, that their rights will be
2 protected to ensure their economic, social and cultural well-
3 being.

4

5 **Section 4.** – There shall be incorporated after Section 6 of Republic
6 Act No. 6657, as amended, new sections to read as follows:

7

8 **“SECTION 6-C. Identification of Private**
9 **Agricultural Lands.** – The DARRD shall identify all covered
10 private agricultural lands after the effectivity of this Act and
11 shall ascertain the following:

- 12
- 13 (a) The description and location of the land;
14 (b) Proof of ownership;
15 (c) The names of the tenants/farmworkers therein; and
16 (d) The latest market value of the land as determined by the
17 municipal or provincial assessor.

18

19 **SECTION 6-D. Identification and Inventory of**
20 **Government-Owned Agricultural Lands.** – All department,
21 bureaus, offices and instrumentalities of the government
22 shall identify their lands devoted to or suitable for agriculture
23 and no longer actually, directly and exclusively used or
24 necessary for the purpose which they have been reserved or
25 acquired, and thereafter submit a list thereof to the DARRD,
26 indicating the location and area of the said lands, actual use
27 and legal basis of ownership.

28

29 **Section 5.** – The title of Section 16 of Republic Act No. 6657, as
30 amended, is hereby further amended to read:

31

32 **“SECTION 16. Procedure for acquisition and distribution**
33 **of private lands.** - For purposes of acquisition and distribution of
34 private lands, the following procedures shall be followed:

35

36 (a) After having identified the covered private agricultural
37 lands pursuant to Section 4 hereof, the DAR shall send a Notice of
38 Coverage of the land for acquisition thereof to the owners/s
39 thereof, by personal delivery or registered mail, and post the same
40 in conspicuous place in the municipal building and barangay hall
41 of the place where the property is located. Said notice shall also
42 contain the offer of the DAR to pay a corresponding value in
43 Section 17, 18 and other pertinent provisions hereof.

44

45 The issuance of Notice of Coverage shall serve as the
46 formal notice to the owner/s of the subject private agricultural land
47 which initiates the process of land acquisition.

- (b) x x x x x x x x
 - (c) x x x x x x x x
 - (d) x x x x x x x x
 - (e) x x x x x x x x
 - (f) x x x x x x x x

SECTION 16-A. Procedure for acquisition and distribution of government-owned lands. – For purposes of acquisition and distribution of government-owned lands (GOLs), the following procedures shall be followed:

(a) All department, bureaus, offices and instrumentalities of the Government shall identify their coverable GOLs, and thereafter submit a list thereof to the DARRD, indicating the location and area of the said lands, actual use and legal basis of ownership.

(b) The DARRD, in coordination with the DENR, shall cause the preparation of the total inventory of the coverable GOLs, which includes the list of lands submitted by the concerned departments, agencies and instrumentalities and those identified by the DARRD.

(c) The DARRD, in coordination with the DENR and the DA, shall undertake the validation of the lands listed in the inventory, taking into consideration their suitability for agricultural use, limitations on their use under existing laws and issuances, their respective metes and bounds, and such other relevant criteria.

(d) The DARRD shall issue a Request for Execution of a Deed of Transfer (DOT) for validated coverable GOL to the department, bureau, office or instrumentality concerned.

(e) In case the department, bureau, office or instrumentality concerned refuses or fails to execute a DOT within fifteen (15) days from receipt of the request, the DAR shall issue a Notice to Proceed Acquisition (NTPA).

(f) Upon receipt of the duly executed DOT from the DARRD or upon issuance of NTPA, the DARRD shall proceed with the process of land acquisition, and distribution of the subject landholding in accordance with R.A. No. 6657, as amended, other pertinent policies, rules and issuances.

1
2 (g) All transferred GOLs which were acquired by a
3 department, bureau, office or instrumentality of the government
4 through purchase shall be subject to payment of compensation or
5 reimbursement in accordance with the rules and guidelines to be
6 formulated by the Department of Budget and Management,
7 Department of Finance and the Land Ban of the Philippines.

8
9 (h) In case of dispute, the Secretary of the DARRD shall
10 exercise exclusive jurisdiction over all disputes, claims, and
11 controversies involving the coverability of GOLs in accordance
12 with Section 50 of R.A. No. 6657, as amended.

13
14 **Section 6.** – There shall be incorporated after Section 26 of Republic
15 Act No. 6657, as amended, new sections to read as follows:

16
17 **Section 26 – A. Moratorium on the payment of**
18 **amortization.** – There shall be a land amortization moratorium for a
19 period of three (3) years from effectivity of this Act affecting new
20 ARBs that would be identified and awarded lands covered by the
21 program. This period is granted to provide support to newly identified
22 and awarded ARBs to aid them in their investment/s, facilities and
23 production over the awarded agricultural land.

24
25 **Section 7. - Additional Section after Section 35 of Republic Act**
26 No. 6657, as amended, is hereby added to read:

27
28 **"Section 35-A. – Expanded Support Services Component** – The
29 provisions of support services shall not be limited to agrarian reform
30 beneficiaries (ARBs), it shall also extend to the small-farmers in the
31 Agrarian Reform Communities (ARCs) and non-ARCs where the LAD
32 component is almost completed, by providing the ARBs therein the support
33 services needed to ensure that the lands awarded to them become as
34 productive as possible. For this purpose, the Agrarian Reform Community
35 Connectivity and Economic Support Services (ARCCESS) is hereby
36 institutionalized. Along this thrust, the ARCCESS shall be operationalized
37 to address the support services needed by the ARBs, strengthen their
38 organizations, enable them to consolidate their production, post-harvest,
39 processing, logistics and marketing activities, and address problems of
40 economies of scale through the provision of rural infrastructure, innovative
41 financing and investment and credit support, value-adding agri-extension
42 and agri-technology services,
43 business development services, and common service facilities or farm
44 equipment, and deployment of community-based enterprise organizers.

1 **Section 8.** - Section 37 of Republic Act No. 6657, as amended,
2 is hereby further amended to read:

3 **"SECTION 37. Additional Support Services for the**
4 **Beneficiaries** — The DARRD and program implementing
5 agencies shall ensure that support services to farmers-
6 beneficiaries are provided, and shall include:

7 **37.1 Provisions of socialized housing projects at reasonable**
8 **cost for agrarian reform beneficiaries;**

9 The DARRD shall establish and institutionalize parallel
10 linkages and intermediaries with private financing institution
11 allowing or accepting the produce or Title of ownership of
12 awarded lands as the subject of collateral to secure a loan.
13 Provided that, the proceeds from loan shall be utilized for
14 farming and production inputs on the awarded land.

15 **37.2 Provision of Social Protection Services for ARBs and**
16 **their qualified immediate dependents.**

17 **37.3 Health Insurance** – The DARRD in coordination with
18 the DOH shall ensure that all ARBs and their dependents
19 shall be among the priority recipients of the Universal Health
20 Care/Insurance.

21 **37.4 Education Assistance.** The DARRD in collaboration
22 with the CHED shall facilitate the provision of free
23 educational support to qualified children of ARBs in the
24 tertiary level (Senior High School and College)

25 **Section 9.** - Section 41 of Republic Act No. 6657, as amended,
26 is hereby further amended to read:

27 **"Section 41. - Presidential Agrarian Reform and Rural**
28 **Development Council** - The Presidential Agrarian Reform Council (PARC)
29 is hereby renamed as Presidential Agrarian Reform and Rural
30 Development Council (PARRDC). The PARRDC shall continue to perform
31 and exercise its mandate and powers pursuant to the provisions of
32 Republic Act No. 6657, as amended by Republic Act No. 9700, and shall
33 further be vested with additional function as hereinafter provided.

34 **Section 41-A. – Power to Declare LAD-Free Area** – The PARRDC
35 shall have the exclusive authority to declare thru a Resolution a certain
36 barangay, municipality or a cluster thereof as LAD-free. A particular
37 barangay, municipality or cluster thereof shall be considered LAD-free if all
38 agricultural land which are qualified for coverage by the agrarian reform
39 program have been fully and completely issued with Titles under agrarian
40 program

1 reform program and the land distributed to Agrarian Reform Beneficiaries,
2 notwithstanding any post LAD issues attending thereof.

3
4 **Section 10. -** Section 50 of Republic Act No. 6657, as
5 amended, is hereby further amended to read:

6
7 **"Section 50. Quasi-Judicial Powers of the DARRD –** The
8 DARRD is vested with primary and exclusive jurisdiction to
9 determine and adjudicate agrarian reform matters and shall have
10 exclusive original jurisdiction over all matters involving the
11 implementation of agrarian reform, except those falling under the
12 exclusive jurisdiction of the Department of Agriculture and the
13 Department of Environment and Natural Resources.

14
15 The rules of procedure and evidence in courts of law and
16 equity shall not be controlling and the DARRD shall use every and
17 all reasonable means to ascertain facts speedily and objectively,
18 hear and decide all cases, disputes and controversies in
19 accordance with justice and equity and the merits of the case, all
20 in the interest of due process. Toward this end, it shall adopt a
21 uniform rule of procedure to achieve a just, expeditious and
22 inexpensive determination of every action or proceeding before it.

23
24 It shall have the power to summon witnesses, administer
25 oaths, take testimony, require submission of reports, compel the
26 production of books and documents and answers to
27 interrogatories and issue subpoena, and subpoena duces tecum
28 and to enforce writs through sheriffs and other deputized officers.
29 It shall likewise have the power to punish direct and indirect
30 contempt in the same manner and subject to the same penalties
31 provided for the Rules of Court.

32
33 Responsible farmer leaders shall be allowed to represent
34 themselves or their fellow farmers or organization of farmers, if
35 duly authorized as such by the farmer/s-organization/s in any
36 proceedings before the DAR: Provided, however, that when there
37 are two or more representatives for any individual or group, the
38 representatives should choose only one among themselves to
39 represent such party or group before any DAR proceedings.

40
41 Motion for reconsideration of any decision, resolution or
42 order of the DARRD Secretary shall not be entertained except
43 when based on palpable or patent errors; provided that the motion
44 is filed within **Ten (10)** calendar days from receipt of decision,
45 resolution or order, with proof of service that a copy of the same
46 has been furnished, within the reglementary period, the adverse
47 party; and provided further, that only one such motion from the
48 same party shall be entertained.

1
2 Any order, ruling or decision shall be final after the lapse of
3 **ten (10) days** from receipt of a copy thereof by all of the parties to
4 the case or their representatives.

5
6 The Decision of the DARRD is final and immediately
7 executory notwithstanding appeal, except when an injunction is
8 issued by Court of competent jurisdiction”
9

10 **“Section 50-A. Reconstitution of Titles** – The reconstitution
11 of lost or destroyed registered owner's duplicate copy of Original
12 Certificate of Title/Transfer Certificate of Title (OCT/TCT) of lands
13 which are identified for coverage under this Act, as well as Certificate
14 of Land Ownership Award (CLOA) or Emancipation Patent (EP), and
15 other titles of ownership issued under the agrarian reform program,
16 shall be vested under the exclusive and primary jurisdiction of the
17 DARRD Adjudication Board (**DARRDAB**)
18

19 **Section 11.** - Section 53 of Republic Act No. 6657, as amended,
20 is hereby further amended to read:

21 **“Section 53. Re-institutionalization of the Barangay**
22 **Agrarian Reform Council** – The PARRDC and the DARRD shall
23 re-institutionalize the BARRDC by establishing operational
24 structure that would provide its role and functions in initial
25 identification of potential and qualified beneficiaries and vesting
26 upon the primary jurisdiction in settlement of agrarian disputes
27 within Barangay level. It shall likewise institutionalize the provision
28 of incentives to BARRDC officers in a form of honoraria or
29 allowances, as may be determined accordingly. As such,
30 provisions for major implementing mechanism for the program and
31 appropriate funding for its members and regular operations shall
32 be provided by the DARRD. The BARRDC shall assist in the full
33 implementation of this Act.
34

35 **Section 53-A. - Certification of the BARRDC** – The
36 DARRD shall not take cognizance of any agrarian dispute or
37 controversy unless a certification has been issued by the
38 Barangay Agrarian Reform and Rural Development Council that
39 the dispute has been submitted to it for mediation and conciliation
40 without any success of settlement. Provided, however, that if no
41 certification is issued by the BARRDC within thirty (30) days after
42 a matter or issue is submitted to it for mediation or conciliation, the
43 proper DARRD office may take cognizance on the issue or
44 dispute.”
45

46 **Section 12.** - Section 54 of Republic Act No. 6657, as amended,
47 is hereby further amended to read:
48

1
2 **"Section 54. Special Civil Action on Certiorari** – Any
3 decision, order, award or ruling of the DARRD on any agrarian
4 dispute or any matter pertaining to the application,
5 implementation, enforcement, or interpretation of this Act and
6 other pertinent laws on agrarian reform may be brought to the
7 Court of Appeals by way of Certiorari under Rule 65 of the Rules
8 of Court.

9
10 The findings of fact of the DARRD shall be final and
11 conclusive if based on substantial evidence."

12
13 **Section 13.** - Section 65 of Republic Act No. 6657, as amended,
14 is hereby further amended to read:

15 **"SECTION 65. Prohibition Against Land**
16 **Reclassification and Land Use Conversion.** – The lands
17 covered by this Act shall not be subjected to conversion and
18 reclassification by any government unit, agency, institutions or
19 instrumentality."

20
21 **Section 14.** - Sections 30 of Republic Act No. 9700, is hereby
22 further amended to read:

23
24 **Section 30. Resolution of Cases** – Any case and/or
25 proceeding involving the implementation of the provisions of
26 Republic Act No. 6657, as amended, which remains pending until
27 the approval of this Act shall be allowed to proceed to its final
28 determination and executed even beyond such date."

29
30 **Section 15.** - **The Powers and Mandates of the Department of**
31 **Agrarian Reform and Rural Development** – The powers, functions and
32 mandates of the Department of Agrarian Reform (DAR) under Chapter III,
33 Republic Act No. 6389, Executive Order No. 292, Executive Order No. 129-
34 A and other related laws and issuances shall henceforth be vested upon
35 the DARRD which shall maintain and continue to perform its mandates,
36 powers, functions as provided by laws for purposes of carrying out the
37 objectives and purposes of this Act.

38
39 **Section 16. – Strengthening and Expanding the Functions and**
40 **Mandates of the Department of Agrarian Reform and Rural**
41 **Development** - The Department shall be headed by a Secretary who shall
42 be appointed by the President with the confirmation of the Commission on
43 Appointments. In correlation with its existing functions and mandates in
44 agrarian reform implementation, it shall lead, along with line agencies, in
45 infusing rural development programs, specifically prioritizing in LAD-free
46 declared areas. The rural development program hereinafter referred to is a
47

1 post-LAD programs which shall include, but not limited, to the following
2 projects and service facilities:

- 3
- 4 (a) Infrastructure development, which includes the construction
5 and maintenance of barangay roads and farm-to-market
6 roads, bridges and culverts, multi-purpose pavements,
7 irrigation and drainage, village water supply and sanitation,
8 post-harvest storage facilities, food processing plants, and
9 buildings and community facilities;
- 10
- 11 (b) Agricultural development, which includes farmers' training,
12 farm extension services, and the establishment of rural
13 market centers;
- 14
- 15 (c) Agricultural credit and cooperative development, which
16 includes credit extension program and the promotion of
17 farmers' cooperatives;
- 18
- 19 (d) Rural electrification, which calls for the intensification of
20 barangay electrification;
- 21
- 22 (e) Rural health service facilities, which includes the
23 establishment of barangay health centers;
- 24
- 25 (f) Barangay education and information disseminations
26 facilities;
- 27
- 28 (g) Land and forest development, which includes soil
29 conversion and reforestation; and
- 30
- 31 (h) Land settlement.

32

33 **Section 17 – Office of Undersecretary for Rural Development -**

34 There is hereby created an Office of Undersecretary for Rural Development
35 with staff complement. The office shall be headed by an Undersecretary
36 who shall assist the Secretary in implementing the mandates and functions
37 of the Department of Rural Development. The Undersecretary shall be
38 appointed by the President upon the recommendation of the Secretary. The
39 Secretary is hereby authorized to delineate, assign and/or reassign the
40 respective functional areas of responsibility of the Undersecretaries,
41 provided, That such responsibility shall be with respect to the mandate and
42 objectives of the Department; and provided, Further, that the
43 Undersecretary assigned to rural development shall possess the
44 competence and technical expertise relevant to the mandates and
45 functions required by the office. Furthermore, that no Undersecretary shall
46 be assigned primarily administrative responsibilities.

47

1 The Undersecretary for Rural Development shall be responsible for
2 the overall direction in the implementation of rural development and shall
3 ensure that all policy directives of the Secretary are fully implemented.
4

5 **Section 18 – Rural Development Service Office** – There is hereby
6 created a Rural Development Service Office (RDSO) with staff
7 complement, which shall be headed by a Director III, who shall assist the
8 Undersecretary in rural development program implementation. The Director
9 III shall be appointed by the President upon the recommendation of the
10 Secretary. Provided that, the Director III for RDSO shall possess the
11 required competence and technical skills in the field of rural development.
12 The RDSO shall be responsible in planning, policy development,
13 coordination, implementation, and monitoring in order to carry-out rural
14 development in identified areas.
15

16 The RDSO shall be complemented by two (2) Divisions, the Program
17 Implementation Division and the Monitoring and Evaluation Division, which
18 shall be headed each by a Division Chief (SG 24). The respective Divisions
19 shall be complemented each by one (1) Supervising Rural Development
20 Officer (SG 22), two (2) Senior Rural Development Officers (18), three (3)
21 Rural Development Officers II (SG 15), and two (2) Administrative
22 Assistants (SG 8). Provided that, the two (2) Division Chiefs and respective
23 technical staff shall possess the required competence and relevant
24 qualification standard as prescribed in the implementing guidelines of this
25 Act.
26

27 **Section 19– Policy Development, Research and Legislative
28 Liaison Service** – There is hereby created a Policy Development,
29 Research and Legislative Liaison Service (PDRLLS) which shall be headed
30 by Director IV and assisted by Director III, both shall be appointed by the
31 President upon the recommendation of the Secretary. The PDRLLS shall
32 be complimented by three (3) Divisions, the Policy Division, Research
33 Division, and Legislative Liaison and External Affairs Division, with
34 respective staff complements. The PDRLLS shall be responsible for policy
35 formulation and monitoring, conduct of research, studies, and coordination
36 with legislative bodies and stakeholders on all matters pertaining to the
37 mandates and objectives of the Department.
38

39 **Section 20.** – Section 63 of Republic Act No. 6657, as amended, is
40 hereby further amended to read:
41

42 **“Section 63. Funding Source** – The initial amount needed
43 to implement this Act shall be funded from the Agrarian Reform
44 Fund created under Sections 20 and 21 of Executive Order No.
45 229.
46

1 Additional amounts are hereby authorized to be
2 appropriated as and when the needed to augment the Agrarian
3 Reform Fund in order to fully implement the provisions of this Act.
4

5 Sources of funding or appropriations shall include the following:
6

- 7 a) Proceeds of the sales of the Privatization and Management
8 Office (PMO);
9
- 10 b) All receipts from assets recovered and from sale of ill-gotten
11 wealth recovered through the Presidential Commission on
12 Good Government excluding the amount appropriated for
13 human rights violations under applicable law;
14
- 15 c) Proceeds of the disposition and development of properties of
16 the Government in foreign countries, for the specific purposes
17 of financing production credits, infrastructure and other
18 support services required by this Act;
19
- 20 d) All income and collections of whatever form and nature arising
21 from the agrarian reform operations, projects and programs of
22 the DAR and other agrarian reform implementing agencies;
23
- 24 e) Portion of amounts accruing to the Philippines from all sources
25 of official foreign aid grants and concessional financing from
26 all countries, to be used for the specific purposes of financing
27 production credits, infrastructures, and other support services
28 required by this Act;
29
- 30 f) Yearly appropriations of no less than _____
31 Billion pesos from the General Appropriations Act;
32
- 33 g) Gratuitous financial assistance from legitimate sources; and
34
- 35 h) Other government funds not otherwise appropriated.
36

37 All funds appropriated to implement the provisions of the Act
38 shall be considered continuing appropriations; Provided, that if the
39 need arises, specific amounts for bond redemptions, interest
40 payments and other existing obligations arising from the
41 implementation of the program shall be included in the annual
42 General Appropriations Act: Provided, further, That all just
43 compensation payments to landowners, including execution
44 judgments therefore, shall only be sourced from the Agrarian
45 Reform Fund; Provided, however, that just compensation
46 payments that cannot be covered within the approved annual
47 budget of the program shall be chargeable against the debt
48 service program of the national government, or any

1 unprogrammed item in the General Appropriations Act: Provided,
2 finally, that after the completion of the land acquisition and
3 distribution component of this Act, the yearly appropriation shall be
4 allocated fully to support services, agrarian justice delivery and
5 operational requirements of the DAR and other agrarian reform
6 implementing agencies."

7 **Section 21.** - Section 64 of Republic Act No. 6657, as amended,
8 is hereby further amended to read:

9 **"Section 64. Financial Intermediary for the Second**
10 **Phase of Agrarian Reform** – The Land Bank of the Philippines
11 shall continue to the financial intermediary for this second phase
12 of agrarian reform program in the Philippines, and shall insure that
13 the social justice objectives of this Act shall enjoy preference
14 among its priorities."

15 **Section 22.** - Sections 31 of Republic Act No. 9700, is hereby further
16 amended to read:

17 **"Section 31. Implementing Rules and Regulations** –
18 The PARRDC and the DARRD shall formulate and provide the
19 necessary implementing rules and regulations within One Hundred
20 and Eighty (180) days from approval of this Act. Such rules and
21 regulations shall take effect ten (10) days after its publication in a
22 newspaper of general circulation."

23 **Section 23. - Repealing Clause** - Republic Act No. 3844, as
24 amended and Republic Act No. 6657, as amended, and all laws, decrees,
25 executive orders, issuances, rules and regulations, or parts thereof
26 inconsistent with this Act are hereby repealed or amended accordingly.

27 **Section 24. - Separability clause** – If for any reason any section or
28 provision of this Act is declared unconstitutional or invalid, the other
29 sections or provision hereof not affected thereby shall remain in full force
30 and effect.

31 **Section 25.- Effectivity clause** - This Act shall take effect upon
32 approval hereof and shall be published in at least two (2) newspapers of
33 general circulation.

34 **Approved:**