

SUPPLEMENTAL GUIDELINES TO THE JOINT DAR-LRA MEMORANDUM CIRCULAR NO. 03, SERIES OF 2012 RE: IMPLEMENTATION AND USE OF THE PHILIPPINE LAND REGISTRATION AND INFORMATION SYSTEM (“P...

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I. PREFATORY STATEMENT

The LRA and DAR signed the Joint DAR-LRA Memorandum Circular 03, Series of 2012 on March 6, 2012 (the “JMC”), with the objective to guide all concerned personnel of DAR, and LRA and its RODs on the rules and procedures for the computerized processing of CARP-related transactions, as therein defined, including the payment of the IT Service Fees arising therefrom.

Apropos to the JMC No. 03, Series of 2012, LRA issued LRA Circular No. 12-2012 directing all RODs to close their primary entry books, discontinue the manual processing of CARP-related transactions and, instead use the LRA Computerized System to process such types of transactions or deeds involving the implementation of CARP.

Subsequently, the DENR, in its letter dated June 05, 2012, requested LRA to accept and process for registration the Patents transmitted to it by the Provincial Environment and Natural Resources Offices (“PENRO”), as a result of its mandate on land distribution, in relation to the CARP;

Accordingly, the LRA, in its letter dated July 16, 2012, requested the DAR for confirmation as to whether or not the said transactions are indeed considered by the DAR as CARP-related transactions, and further submitted that should these Patents be deemed as CARP-related, then the provisions of the JMC No. 03, Series of 2012 apply thereto;

In its letter dated September 04, 2012, the DAR confirmed that the Free Patents (“FP”) issued for public alienable and disposable lands by the PENROs (“CARP-related FPs”) are considered as having been issued in implementation of the CARP, and are thus CARP-related Transactions, and agreed that the JMC No. 03, Series of 2012 shall be the applicable rule of procedure in the registration of these FPs;

In a meeting among the representatives from the LRA, LRA-CARP, DAR and the Presidential Agrarian Reform Council held on September 26, 2012, the following items were agreed upon for the purpose of including the registration of said FPs within the coverage of JMC No. 03, Series of 2012;

1. Certification – The DENR shall submit a transmittal letter incorporating therein a certification, to be signed by the PENRO, stating to the effect that the itemized FPs being implemented to the RDs for registration are Free Patents issued in implementation of the CARP.

2. Authorized Representative –

a. The DENR shall assign an Authorized Representative (“DENR-AR”), who shall be the sole DENR personnel authorized to transact with the LRA and its RDs, with respect to CARP-related transactions;

- b. The DENR shall submit its list of DENR-ARs to the LRA, copy furnished the DAR;
- c. The DENR shall regularly update the list of DENR-ARs, as to the case may be, and furnish the same to the LRA and DAR; and
- d. The LRA shall incorporate the list of DENR-ARs into its Computerized System and all subsequent updates, if any.

This Joint Memorandum Circular is being issued to :

- 1. Guide all concerned personnel of DENR, DAR, and LRA and its RoDs on the rules and procedures for the computerized processing of CARP-related FPs, including the payment of the IT Service Fees arising therefrom; and
- 2. Clarify the mandatory documentary devices required for billing and settlement of CARP-related transactions received and entered in all computerized RoDs.

II. RESPONSIBILITIES OF DAR AND LRA

The responsibilities of DAR and LRA, with respect to this supplement, are as follows:

1. DAR Responsibilities

- a. DAR shall coordinate with the DENR and ensure that the list of DENR-ARs are provided by DENR to LRA, through the LRA-CARP Central Office. All transactions brought by the DENR-AR shall be deemed by LRA and its RoDs as transactions entered into pursuant to CARP implementation.
- b. DAR shall coordinate with the DENR and ensure that the lists of DENR-AR's are kept updated.
- c. DAR shall coordinate with the DENR with respect to recommended system enhancements, and relate the same to LRA through the Joint Technical Working Group of LRA and DAR.

2. LRA Responsibilities

- a. LRA shall issue the necessary orders to ensure that the CARP-related FPs are entered into and processed by its Computerized Systems.
- b. LRA shall ensure the addition of the list DENR-ARs in its Computerized System.
- c. LRA and its RoDs shall only process CARP-related FPs properly submitted by DENR-ARs.

III. OPERATING PROCEDURES

In addition to the provisions and procedures provided in the Section IV Item B "General Procedures for the Registration of CARP-related Documents, Deeds and Instruments in the Registries of Deeds", the following procedures shall apply for the entry and processing of CARP-related FPs:

- 1. The DENR-AR shall submit a transmittal letter incorporating therein a certification, to be signed by the PENRO, stating to the effect that the itemized FPs being implemented to the RDs for registration are Free Patents issued in implementation of the CARP, which shall also include the DENR-AR's valid identification card, a copy of which shall be left with the RoD.
- 2. The designated DENR-AR shall review the Claim Assessment Slip ("CAS") and confirm the accuracy of the details therein provided by affixing his/her signature on the RoD Copy of the CAS. The signed CAS shall serve as basis for billing by LRA, and shall also authorize further processing of the transaction.
- 3. If the transaction is approved, the approving authority shall affix his/her electronic signature and LRA's Computerized System shall generate the unique title number/s, which shall be manually-inscribed on the corresponding Certificate/s of Title provided by DENR, along with the Title Registration Date. The approving

authority shall thereafter manually-affix his/her signature on the original of the FP provided by DENR and its owner's duplicate/s.

4. If the transaction is denied, a notice of denial shall be issued to the DENR-AR who may, without withdrawing the documents, elevate the transaction en consulta within five (5) days from notice of such denial, otherwise, the same shall be considered final.

5. All pertinent documents, deeds and instruments submitted by the DENR-AR shall be scanned, and the resulting images shall be stored into the database of the RoD.

6. The owner's duplicate of the FP shall be released to the Registered Owner (patentee), or his duly-authorized representative, who shall sign the acknowledgement slip generated by the system.

IV. SETTLEMENT PROCEDURE

The provisions and procedures provided in the Section IV Item C "Settlement Procedure" of the JMC No. 03, series of 2012, shall apply for the billing and settlement of Fees resulting from the entry and processing of CARP-related FPs.

With respect to the documentary requirements for the settlement of Fees resulting from the processing of CARP-related Transactions (including CARP-related FPs), it is clarified that:

1. Billing and settlement shall solely be based on the signed RoD Copy of the CAS (i.e., signed by the DAR-AR for CARP-related Transactions, and by the DENR-AR with respect to CARP-related FPs), accompanied by a copy of the Identification Card of the DAR-AR or DENR-AR, as the case may be.

2. The following documents are to be provided by the designated LRA-CARP employee in the RoD to the LRA-CARP Central Office for documentation purposes:

- a. The DAR Letter-requests/transmittals for all CARP-related Transactions; and
- b. The DENR transmittal letter incorporating therein the certification, as previously described, for all CARP-related FPs;

V. EFFECTIVITY

This JMC supplements JMC No. 03, series of 2012 and shall take effect immediately upon approval and publication in a newspaper of general circulation.

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