

GUIDELINES ON THE ACQUISITION OF PROPERTY AND THE REPAIR OR CONSTRUCTION THEREON

CDA, May 22, 1992

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Pursuant to Section 3(m), the Authority hereby adopts the following guidelines on the acquisition through donation or purchase of property and the repair or construction of buildings thereon.

SECTION 1. Coverage — These guidelines shall cover the acquisition of real and personal property through donation or purchase from both government and non-government organizations.

SECTION 2. Negotiation — Any officer entering into any negotiation for the acquisition of property shall first secure the written authority of the Board of Administrators to negotiate specifying the following:

- a. The party offering the property.
- b. The complete description of the property to be acquired.

SECTION 3. Procedure — The following procedures shall be undertaken prior to the final negotiations.

- a. Determine the existence of the property, and its conformity to the specification listed in the registration documents. Ocular inspection of the property to be acquired must be done to check on the physical appearance of the premises.
- b. Examine all registration documents verifying the ownership of the property and the existence of mortgages or other liens on the property. If the property refers to a motor vehicle, verify from the Philippine National Police whether such vehicle is on the list of carnapped vehicles and whether it is also covered by adequate insurance.
- c. Determine the true value of the property through its assessed value.
- d. Determine whether the party offering the property has the legal and valid authority to transfer the property. If an organization, there must be written authority from the governing board or head of agency/organization to this effect.

SECTION 4. Transfer Documents — Once final negotiations have been concluded and there is a final agreement to transfer the property, such agreements shall be contained in a deed of donation or sale of such property. The Extension Director, in case of transfers initiated by the Extension Offices, or the Executive Director for the Central Office shall have the authority to sign the documents for transfer; Provided that the Board of Administrators shall make the final approval of the transfer. Should the transfer be in the form of a donation, the acceptance thereof shall be contained in the same instrument.

SECTION 5. Payment — If the said property has been acquired through purchase or sale, payment shall be made in accordance with the rules and regulations of government accounting and auditing. The following documents must be attached to support any claim for payment:

- a. A certificate of availability of fund from an authorized appropriation;

- b. The original copy of the Deed of Sale approved and duly registered with the proper Register of Deeds.
- c. A certificate of title duly entered in favor of the government or other evidence that the title of the property is vested in the government.

SECTION 6. Construction and Repairs — No construction or repair of any property shall be allowed unless the title of the property is under the name of the Government or Authority and that there are available funds to undertake such construction or repair.

SECTION 7. Liability of Officers — Nothing in these guidelines shall be construed as limiting the liability of the officer entering into the transaction for violations of the Anti-Graft and Corrupt Practices Act and the Code of Conduct and Ethical Standards for Public Officers.

SECTION 8. These guidelines shall be effective upon their approval by the Board of Administrators.

Adopted: 22 May 1992

(Sgd.) EDNA E. ABERILLA

Chairman

Board of Administrators

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