

**[DAR JOINT DAR-LBP ADMINISTRATIVE ORDER
NO. 03, March 04, 1994]**

**POLICY GUIDELINES AND PROCEDURES GOVERNING THE
ACQUISITION AND DISTRIBUTION OF AGRICULTURAL LANDS
AFFECTED BY THE MT. PINATUBO ERUPTIONS**

I

Prefatory Statement

It has been determined that the effects of volcanic eruptions of Mount Pinatubo have drastically affected our agrarian reform programs in terms of land acquisition and distribution, landowners compensation and farmers amortization.

Based on the information provided by the Philippine Institute of Volcanology and Seismology (PHIVOLCS) approximately 6.65 billion cubic meters of pyroclastic flow were deposited on the slopes of Mt. Pinatubo since it first erupted on June 12, 1991. Out of these pyroclastic deposits, the PHIVOLCS has estimated that 50% will be washed away from Mt. Pinatubo's slopes for over a period of ten (10) years.

As of 1992, the PHIVOLCS has observed that 37% or 1.32 billion cubic meters of pyroclastic deposits had flowed down the Mt. Pinatubo slopes and settled on low lying areas of almost all the provinces in Region III and Pangasinan in Region I, and it is estimated that this will further increase in the succeeding years.

It has been noted that there is no definite pattern in the direction of flow of lahar such that those formerly unaffected lands became depositories thereof, thus affecting their utilization and productivity as well as their suitability for agricultural activity.

In this connection, the Department of Agrarian Reform (DAR) and the Land Bank of the Philippine (LBP), realizing the need to address these problems, have formulated these policy guidelines and procedures on the land acquisition, distribution, landowners compensation, as well as the concomitant, landowners compensation, as well as the concomitant obligation of the agrarian reform beneficiaries to pay for the lands awarded to them.

II

Coverage

These rules shall cover all private agricultural lands subject of Operation Land Transfer under PD 27/EO 228, Voluntary Offer to Sell (VOS) and Compulsory Acquisition (CA) under RA 6657 and all other agricultural lands transferred to the DAR pursuant to EO 407, as amended, which are affected by the Mt. Pinatubo eruptions.

III

Categories

Agricultural lands affected by the Mt. Pinatubo eruptions are classified into three (3) categories based on the recent NEDA regional Office No. 3 Geographic Information System (GIS) Database and on the Pinatubo Volcano Lahar Hazard Map, and on actual ocular inspection.

1. Category I (actually affected)

These are agricultural lands which are covered with lahar and pyroclastic deposits, including those areas which have become silted, eroded or continuously flooded for an indefinite period of time, as a result of the Mt. Pinatubo eruptions.

2. Category II (not yet affected)

These are agricultural lands not falling under Category I as described above but have the possibility of being actually affected as appearing on the aforementioned map.

3. Category III (lands covered by ashfall)

These are agricultural lands actually covered or affected by ashfall but the same remain to be productive.

IV Policy

1. The acquisition and distribution of agricultural lands classified under Categories I and II shall be deferred until such time that the Department of Agrarian Reform, Land bank of the Philippines and Department of Agriculture (DA) in coordination with other competent authorities shall have determined their suitability to agricultural production or they shall have been declared as no longer within the endangered area.

2. As a general rule, agricultural lands classified under Category III shall be acquired and distributed.

3. The compensation of landowners of agricultural lands falling under Categories I and II shall be effected under the following circumstances:

3.1 Claims approved by LBP

3.1.1 The landowner has executed a Deed of Assignment, Warranty and Undertaking (DAWU) on or before the issuance of this order; or

3.1.2 Transfer Certificate of Title was already registered in the name of RP on or before the issuance of this Order; or

3.1.3 Partial payment was already effected.

3.2 Emancipation Patents/Certificates of Land Ownership Award registered on or before June 12, 1991 regardless of whether or not the claim folder is with the Land Bank of the Philippines.

4. The compensation of landowners of lands falling under Category III shall continue.