

EXECUTIVE ORDER NO. 482

DEVOLVING TO THE AUTONOMOUS REGIONAL GOVERNMENT OF  
THE AUTONOMOUS REGION FOR MUSLIM MINDANAO THE  
POWERS AND FUNCTIONS OF THE DEPARTMENT OF AGRARIAN  
REFORM AND THE CONTROL AND SUPERVISION OVER ITS  
OFFICES WITHIN THE REGION

WHEREAS, Executive Order No. 229, series of 1987 and Proclamation No. 131 dated July 1987 provides for the institution of a comprehensive agrarian reform program which would be in pursuance of what was envisioned in Presidential Decree No. 27 that entailed the emancipation of tenants from the bondage with the soil;

WHEREAS, the Department of Agrarian Reform is mandated by law to be the principal agency responsible for implementing the Comprehensive Agrarian Reform Program (CARP), as provided for in Articles XII, XIII and XVIII of the 1987 Constitution;

WHEREAS, the Oversight Committee created under Republic Act No. 6734 (RA 6734) otherwise known as the Organic Act for the Autonomous Region in Muslim Mindanao recommends that the control and supervision of the offices of the Department of Agrarian Reform be placed under the Autonomous Regional Government;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

**SECTION 1. Transfer of Powers and Functions.** All powers and functions of the Department of Agrarian Reform under Section 5 of Executive Order No. 129-A and as enumerated hereunder are hereby transferred to the Autonomous Regional Government (ARG) in the implementation of the CARP in the four (4) provinces covered by the ARMM:

- a. Advise the President and the Presidential Agrarian Reform Council (PARC) on the promulgation of executive and administrative orders, other regulative issuances and legislative proposals designed to strengthen agrarian reform and protect the interest of the beneficiaries thereof;
- b. Establish and promulgate operational policies, rules and regulations and priorities for agrarian reform implementation;
- c. Coordinate program implementation with the Land Bank of the Philippines (LBP) and other relevant civilian and military

- government agencies mandated to support the agrarian reform program;
- d. Acquire, administer, distribute, and develop agricultural lands for agrarian reform purposes;
  - e. Undertake surveys of lands covered by agrarian reform;
  - f. Issue emancipation patents to farmers and farmworkers covered by agrarian reform for both private and public lands and when necessary, make administrative corrections of the same;
  - g. Provide free legal service to agrarian reform beneficiaries and resolve agrarian conflicts and land tenure related problems as may be provided for by law;
  - h. Promote the organization and development of cooperatives and other associations of agrarian reform beneficiaries;
  - i. Conduct continuing education and promotion programs on agrarian reform for beneficiaries, landowners, government personnel, and the general public;
  - fa j. Institutionalize the participation of farmers, farmworkers, other beneficiaries, and agrarian reform advocates in agrarian reform policy formulation, program implementation, and evaluation;
  - k. Have exclusive authority to approve or disapprove conversion of agricultural lands for residential, commercial, industrial, and other land uses as may be provided for by law;
  - l. Call upon any government agency, including the Armed Forces of the Philippines (AFP), and non-government organizations to extend full support and cooperation to program implementation; and
  - m. Exercise such other powers and functions as may be provided for by law or directed by the President, to promote efficiency and effectiveness in the delivery of public services.

**Sec. 2. Functions Retained.** The adjudicatory functions of the Department of Agrarian Reform (DAR) shall be retained by the Department until a Regional Agrarian Reform Law (RARL) has been enacted by the Regional Assembly.

**Sec. 3. Programs and Projects.** All programs and projects of the Department of Agrarian Reform (DAR) being implemented within the

Autonomous Region in Muslim Mindanao (ARMM) are hereby transferred to the Autonomous Regional Government (ARG) and these shall include Land Tenure Improvement; Program Beneficiaries Development; and delivery of support services.

The management of the Special Projects Areas and the projects administered by the Special Projects Office shall be turned over to the Autonomous Regional Government (ARG).

**Sec. 4. Personnel.** (1) All plantilla positions, filled or unfilled, assigned to the affected provincial DAR offices shall be transferred to the Autonomous Regional Government (ARG).

(2) All personnel holding these plantilla positions who are absorbed by the Autonomous Regional Government (ARG) shall retain their seniority rights, compensation and other benefits.

(3) For those affected provincial and municipal personnel who may opt for retention with the DAR, the Department may accommodate them depending on available plantilla positions in other DAR offices. Personnel who cannot be accommodated and those who refuse to transfer or be absorbed by the Autonomous Regional Government (ARG) have three (3) options outlined by the Civil Service Commission:

- a. Retirement, if eligible;
- b. Seek transfer to other offices; or
- c. Stay with the Autonomous Regional Government.

**Sec. 5. Assets, Properties and Equipment.** All assets, properties and equipment of the Department in the Autonomous Region shall be turned over to the Autonomous Regional Government (ARG). The turnover and complete inventory of such properties shall be done by the Provincial Agrarian Reform Offices, subject, however, to government accounting and auditing regulations.

**Sec. 6. Budget.** The budgetary allocation or the balance thereof for the four (4) provinces within the ARMM for CY 1991 as of the date of transfer shall be turned over to the Autonomous Regional Government (ARG).

Furthermore, the budget and funding of the Special Project Areas and the Special Projects Office shall be transferred to the Autonomous Regional Government (ARG).

**Sec. 7. Date of Transfer.** The Department of Agrarian Reform shall effect full transfer of all its functions and assets after six (6) months from the effectivity of this Executive Order or immediately upon the enactment of the Regional Agrarian Reform Law (RARL), whichever comes earlier.

During the six (6) months wherein the transfer shall be effected, there shall be the creation of a DAR-ARG Transition Committee which shall oversee the transfer and define the areas of cooperation and collaboration and the inventory and documentation of assets and manpower resources to the Autonomous Regional Government (ARG), subject to the Commission on Audit (COA) and the Civil Service Commission (CSC) regulations.

The DAR-ARG Transition Committee shall oversee the implementation of the Comprehensive Agrarian Reform Program (CARP). The Department shall, however, retain the final authority and responsibility over its offices during the transition period. The personnel who may be assigned by the Autonomous Regional Government (ARG) shall essentially take understudy roles, to be eventually, involved in the administration and operations of the DAR offices. The Autonomous Regional Government (ARG) shall assume full responsibility for the CARP implementation after the transition period.

Sec. 8. Separability Clause. If, for any reason, any part or provision of this Executive Order shall be held unconstitutional or invalid, any part or provision hereof which are not affected thereby shall continue to be in full force and effect.

Sec. 9. Effectivity. This Executive Order shall take effect fifteen (15) days following its publication in a national newspaper of general circulation and one (1) local newspaper of general circulation in the ARMM.

DONE, in the City of Manila, this 24th day of September, in the year of our Lord, nineteen hundred and ninety-one.



By the President:



FRANKLIN M. DRILON  
Executive Secretary