

**DENR Administrative Order**

**No. 98 - 45**

**June 24, 1998**

**SUBJECT : Guidelines Governing the Issuance and Transfer of Certificate of Stewardship (CS) Within CBFM Areas**

Pursuant to Executive Order No. 263 otherwise known as the Community-Based Forest Management Strategy and DAO 96-29, its implementing rules and regulations, the following guidelines are hereby promulgated for the guidance of all concerned:

**Section 1 Basic Policy.** Consistent with the policy of promoting social justice and equitable access to forest lands and resources, the government shall recognize individual property rights within forest lands in order to encourage private investments in the development of marginal forest lands, promote socio-economic upliftment, and enhance active participation in CBFM activities. In line with this policy, a Certificate of Stewardship (CS) shall be awarded to an individual or family actually occupying, tilling, developing, managing or protecting portions of forest lands. The CS, which have a duration of 25 years and renewable for another 25 years, shall be issued within established CBFM areas, subject to the decision and recommendation of the People's Organization (PO). CS areas are integral part of the CBFMA area, and should be developed, managed and utilized in accordance with the Community Resource Management Framework formulated for the entire CBFMA area.

**Sec. 2 Qualifications of CS Recipients.** Individuals or families with the following qualifications may be awarded Certificate

of Stewardship and enter into Stewardship Agreement with the government:

- 1) Must be Filipino citizens;
- 2) Must be of legal age;
- 3) Must be actual tillers or cultivators of the land to be allocated;
- 4) Must be a member of the People's Organization which was granted a CBFM area subject of the CS application;
- 5) Must be willing to develop the land as well as participate in community-based forest management activities;
- 6) Must not be a previous holder of CS that was cancelled for cause.

**Sec. 3 Procedure in the Issuance of CS.** The following steps shall be followed in the delineation, processing and issuance of CS within established CBFMA areas.

- 1) Information dissemination. The CENRO through its CBFM Unit, PMOs, Information Officers, and in collaboration with the PO, LGU, and other assisting organization(s) shall include in their IEC activities, the procedure on the issuance of CS, including the rights and responsibilities of the recipients.
- 2) Census of forest occupants. The PO shall conduct a census of individuals or families who are actually occupying and/or cultivating portions of the CBFM area. Results of this census shall be indicated in a community map showing individual parcels and occupants/tillers. As soon as the census is completed, the PO shall hold a general meeting to a) validate the results of the census; b) decide whether to recommend for the issuance of the individual CS to qualified members; and c) agree on the rights and responsibilities of individual CS holders.
- 3) Request for issuance of CS. The PO, through a resolution, shall request the DENR through the CENRO for the issuance of CS to

actual forest occupants/tillers within the CBFM area. Attached to the resolution are 1) the census of forest land occupants; 2) agree rights and responsibilities of CS holders; 3) individual application for CS of prospective beneficiaries, duly endorsed by the PO head and 4) community map of the area showing the parcels actually occupied and/or cultivated by individual families, properly numbered, and validated in the general meeting. This shall serve as the parcellary map of the area.

- 4) Processing and issuance of Certificates of Stewardship. Upon receipt of the request, the CENRO through the CBFM Unit shall prepare the Stewardship Agreement and Stewardship Certificate in four copies. The format of the Stewardship Agreement is given in *Annex 1*. The Agreement need not be notarized. For married individuals, the CS shall be issued in the name of both spouses who shall be co-stewards of the land.

The CENRO shall then forward the CS to the PENRO for approval. The Head of the PO and the CENRO shall sign as witnesses to the Stewardship Agreement.

The original copy of the CS shall be given to the beneficiary, and the other copies shall be given to the PENRO, CENRO and the PO.

The original copy of the Parcellary Map shall be kept at the PENRO, and certified copies shall be given to the CENRO, PO, LGU and the Regional CBFM Office concerned.

- 5) Marking of boundaries and resolution of conflicts. It shall be the responsibility of each beneficiary to establish distinct and more or less permanent markers of corners and boundaries of the CS area. The resolution of boundary conflicts shall be the responsibility of the PO.

**Sec. 4 Transferability of the CS.** The CS, including those issued prior to this Administrative Order, may be transferred, sold or conveyed in whole or in part under the following conditions:

- 1) The transferee is a qualified beneficiary as defined under Section 2, hereof; provided that the total land area under the stewardship of the latter does not exceed 10 hectares.
- 2) At least 50% of the area covered by the CS has been developed, i.e., planted to agricultural crops, trees, or forest species, developed pasture or fishpond, and other productive land uses.
- 3) The terms and conditions of the original Agreement shall remain in force and effect. However, the provision prohibiting the subleasing of the land or portion thereof in old CS issued prior to this Order is hereby revoked;
- 4) The Agreement shall remain valid for the remaining unexpired term of the original agreement;
- 5) The transfer is endorsed by the PO, through a resolution of its Officers;
- 6) The instrument of transfer is duly notarized.

The new CS and Stewardship Agreement, map and other supporting documents shall be forwarded to the PENRO for approval, in accordance with Section 3, hereof.

**Sec. 5 Repealing Clause.** This order amends Administrative Order No. 4, series of 1991 and all other orders, circulars, guidelines and procedures on the issuance and transfer of CS that are inconsistent herewith.

**Sec. 6 Effectivity.** This Order shall take effect immediately.

**(Sgd.) VICTOR O. RAMOS**  
Secretary

Annex omitted

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TODAY July 08, 1998 - page 07