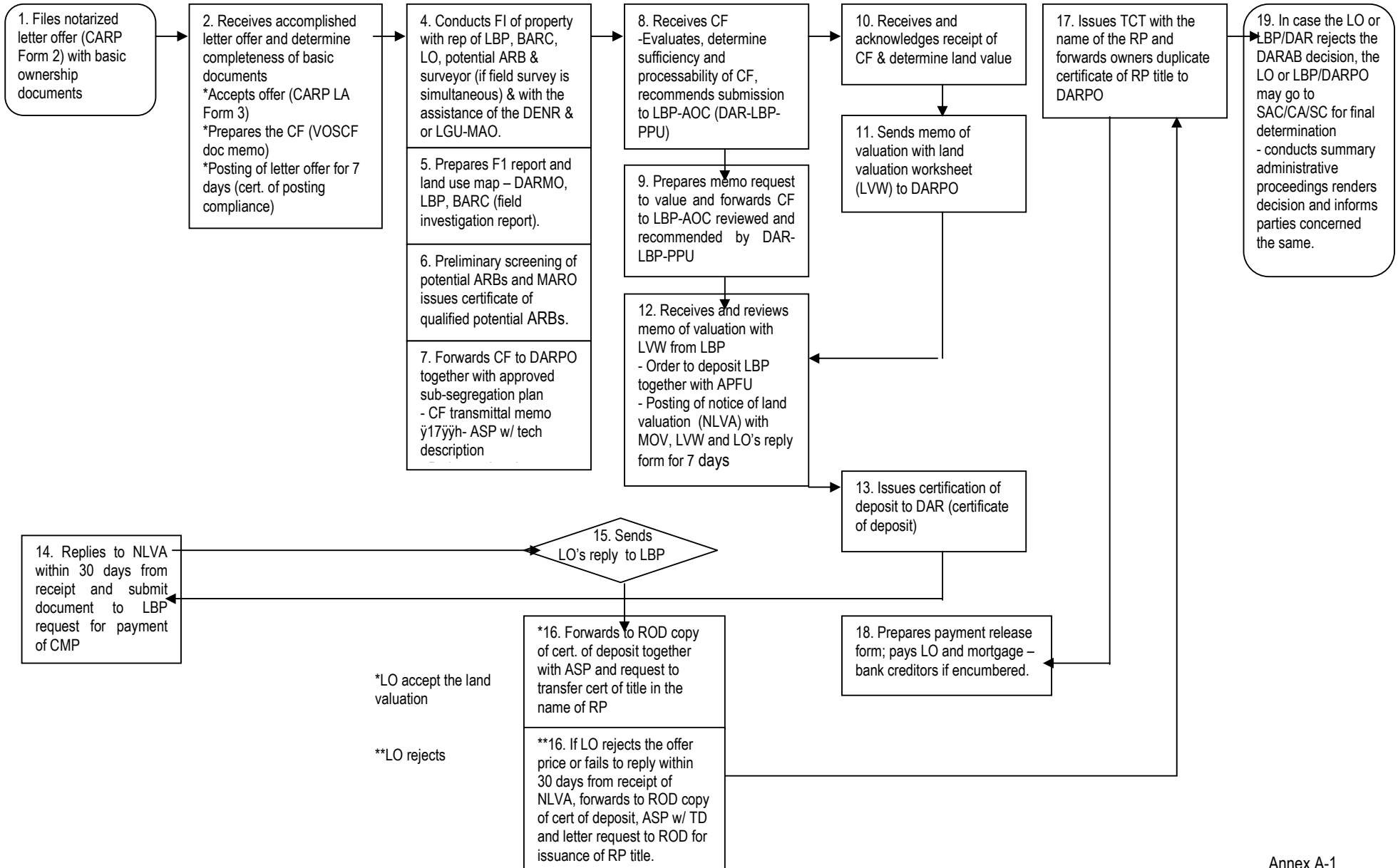




Process Flow: VOLUNTARY OFFER TO SELL





Corruption Vulnerability Matrix: VOLUNTARY OFFER TO SELL					
System Activity	Corruption Risks	Likelihood of Occurrence (Low, Medium, High)	Importance or Significance (Low, Medium, High)	Existing Controls	Assessment of Adequacy of Controls and Recommended Actions
1. Filing of notarized Letter Offer (VOS Form 1)	a. Selling of forms	Low	Low	None	The selling of forms by scrupulous & enterprising employees could be mitigated by proper information dissemination and posting of proper notice.
	b. Influence Peddling by attorneys-in- fact	High	High	None	The risk of influence peddling by former DAR officials and employees could be mitigated by the agency's adopting a policy prohibiting former (retired/separated)DAR employees from acting as attorney-in-fact;
2. Determine Completeness of Documents	a. "Facilitation" in the gathering of documents by DAR personnel;	High	High	Sufficient as to records handling of received documents as there is a checklist and logbook. However, the risk of "facilitation" arises when the LOs lack some basic document.	"Facilitation" for fee by DAR officials and employees could be mitigated by the agency's activating and strengthening the DAR Technical Data Gathering Unit (TDGU)
	b. Loss/misplace of claim folders/ documents	High	High	Basic physical safety of premises.	Although there are basic safety measures on the office premises, the risk of loss or misplaced claim folders could be lessen by instituting safety measures on both physical and system controls on records handling.



System Activity	Corruption Risks	Likelihood of Occurrence (Low, Medium, High)	Importance or Significance (Low, Medium, High)	Existing Controls	Assessment of Adequacy of Controls and Recommended Actions
3. Sending Notice for Joint OCI	Not properly notify the concerned representatives for ocular inspection	Medium	High	The sending of notice is provided for under A.O.No.2 s.2005	Although the sending of notice is ministerial, frequent re-scheduling of Joint OCI could be avoided by taking pro-active approach on proper coordination and sending of notice. Proper coordination of CARP activities of other involved agencies could be made through the conduct of monthly CIT meeting.
4. Conduct of Joint field investigation by LBP, DENR, DA, LO DAR, BARC and prospective ARBs	a. Possible collusion in the manipulation of the FIR and LUM;	High		Conduct of Joint OCI is provided for under A.O.No.2 s.2005	Although collusion between and among representatives of the Joint OCI is made difficult because different agencies are involved, manipulation of FIR & LUM could be avoided if the preparation of the same is in actuality a joint undertaking of all the concerned parties and/or involved agencies. That in the absence of one necessary representative, FIR or LUM should not be prepared until the Joint OCI is re-scheduled and conducted.
	b. Possible collusion in increasing land valuation	High		Policy guidelines on valuation provided for under E.O. No.405 s.1990	Although there is an existing policy guideline on valuation, the same needs constant review to avoid non-acceptance of valuation that may lead to collusion to increase the valuation. In the review of the policy guidelines, the following could be considered: <ol style="list-style-type: none"> 1. Update Land Valuation based on the on current market value. Benchmark on prevailing value of adjacent landholdings. 2. Land Valuation be a joint undertaking by DAR & LBP on the basis of FIR. LBP primary responsibility only on the payment of compensation. 3. DAR to discuss with LBP a mechanism to address the risk at the LBP level.



System Activity	Corruption Risks	Likelihood of Occurrence (Low, Medium, High)	Importance or Significance (Low, Medium, High)	Existing Controls	Assessment of Adequacy of Controls and Recommended Actions
5.Preparation of FIR and LUM	- same as above-	- same-	- same-	-same-	- same-
6. Screening & Selection of qualified potential ARBs.	a. Landowner intervening/ influencing BARC members in the selection of ARBs.	High	High	Policy guidelines is provided under A.O.No.2 s.2005; MARO reviews & issue certificate of qualified potential ARBs	Although there is a sufficient guideline as to the selection of ARBs, Landowner intervention and/or influencing the BARC as to the selection of potential ARBs could be avoided by the ff: 1. Strictly implement A.O. No. 14 s. 1990, re: Process in the selection of BARC members and provide material support and training to BARC members. 2. Take corrective measure on “nominal” and/or non-functioning BARCs. 3. Strictly implement A.O. No. 7s 2003 re: Identification, Screening & Selection of ARBs.
	b. ARB receiving grant more than the maximum limit provided by law.	Low	High	None-No regional and inter-region database of ARBs	Maintain On-line database of CARP Beneficiaries.



System Activity	Corruption Risks	Likelihood of Occurrence (Low, Medium, High)	Importance or Significance (Low, Medium, High)	Existing Controls	Assessment of Adequacy of Controls and Recommended Actions
7. Forwarding of CF to DARPO w/ approved sub/ segregation plan -CF Transmittal Memo; ASP with technical description & perimeter land use map	CF or some documents lost in transit or misplaced for possibility of "facilitation" of lost documents.	High	High	CF Transmittal Memo stamped received	The CF should have a table of contents and pages therein are properly paginated. (Pls. see also Item 2.b)
8. Evaluation of CF by DARPO as to sufficiency and process-ability of CF & recommending submission of CF to LBP-AOC	Abuse of discretion- delaying of evaluation & submission of CF to LBP-AOC	Medium	High	None	A time frame should be set for the evaluation and submission of CF to LBP-AOC.
9. Preparation of memo request to value & indorsement of CF to LBP-AOC.	Abuse of discretion- delaying the preparation of memo request to value and the transmittal of the request to LBP-AOC	Medium	High	Transmittal Report	A time frame should be set for the preparation of memo and transmittal of request to LBP-AOC.
10. Receipt and acknowledgment by LBP of CF	None	N/A	N/A	N/A	N/A
11. Sending of memo valuation worksheet (LVW) to DARPO	None	N/A	N/A	N/A	N/A



System Activity	Corruption Risks	Likelihood of Occurrence (Low, Medium, High)	Importance or Significance (Low, Medium, High)	Existing Controls	Assessment of Adequacy of Controls and Recommended Actions
12. Receipt and review of memo of valuation worksheet (LVW) from LBP -order to deposit LBP together with APFU -Posting of notice of land valuation (NLVA) with MOV, LVW, and LO's reply form for 7 days	None	N/A	N/A	Posting o Notice of Valuation	N/A
13. Issuance certification of deposit to DAR (Cert. Of deposit)	None	N/A	N/A	N/A	N/A
14. LOs to respond to NLVA within 30 days frm receipt & submit document to LBP requesting for payment of compensation	None	N/A	N/A	N/A	N/A
15. Sending of LO's response to NLVA to LBP	None – purely ministerial	N/A	N/A	N/A	N/A



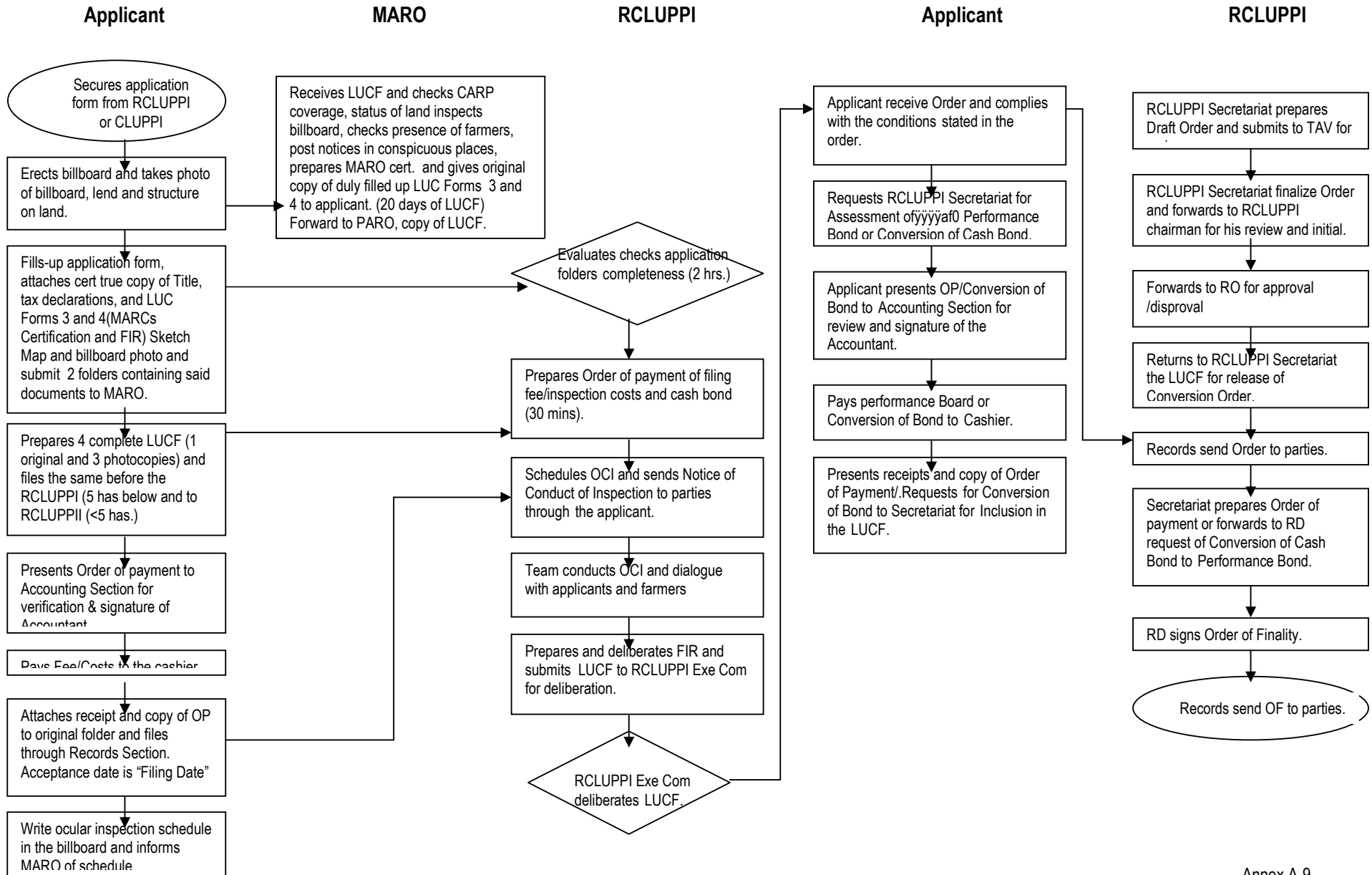
System Activity	Corruption Risks	Likelihood of Occurrence (Low, Medium, High)	Importance or Significance (Low, Medium, High)	Existing Controls	Assessment of Adequacy of Controls and Recommended Actions
**LO Accepts valuation - 16a. Forwards to ROD copy of certificate of deposit together with ASP and request transfer cert. of title in the name of RP	None	N/A	N/A	N/A	N/A
**If LO rejects valuation - 16b. If LO rejects the offer price or fails to reply w/in 30 days from receipt of NLVA, forwards to ROD copy of cert. of deposit, ASP with TD and letter of request to ROD for issuance of RP title	None	N/A	N/A	N/A	N/A
17. Issuance by ROD of TCT in the name of the CF RP and forwards owners duplicate copy to DARPO	None	N/A	N/A	N/A	N/A



System Activity	Corruption Risks	Likelihood of Occurrence (Low, Medium, High)	Importance or Significance (Low, Medium, High)	Existing Controls	Assessment of Adequacy of Controls and Recommended Actions
18. Preparation of release form; payment to LO and mortgagee-Bank/creditors if encumbered	None	N/A	N/A	N/A	N/A
19. Conducts summary administrative proceedings, rendering decisions & inform parties	Note: subject of separate report.				



Process Flow: LAND USE CONVERSION





Corruption Vulnerability Assessment: LAND USE CONVERSION								
Activity	Responsible unit/person	Objective	Risk factor	Likelihood of occurrence	Significance of impact	Control activity/mechanism	Assessment of control	Area for improvement
1. Secure application form and checklist of requirements from RCLUPPI secretariat	Applicant/RCLUPPI	Secure application form	Forms may be issued for a fee because they are kept and sold or no longer available and need to be photocopied	Medium	Minor Significance	None	NA	Pre-numbered application forms
2. Applicant prepares or secures the requirements for land conversion. ¹	Applicant and Offices concerned	Ensure that other regulations are complied with	Submission of spurious documents due to lack of training in examining the authenticity of documents	High	Major Significance	None	NA	Need for a system to validate the authenticity of documents with the different issuing authorities; training of staff in determining the veracity of the documents

¹ The requirements are the following among others: project feasibility study, narrative description of the development plan, proof of financial and organizational capability of the developer, socio-economic benefit cost study of the proposed project, certification from the HLURB Regional Officer, certification from authorized DENR Official, and environmental compliance certificate, if applicable.



Activity	Responsible unit/person	Objective	Risk factor	Likelihood of occurrence	Significance of impact	Control activity/mechanism	Assessment of control	Area for improvement
3. Applicant erects billboard, takes photos of billboard, land and structures	Applicant and/or photographer	To show present condition of the land	Possible submission of pictures not taken from the actual area because there is no validation about the authenticity of the pictures	Medium	Minor significance	None	NA	None
4. Submits 2 LUCF with attachments to MARO	Applicant/MARO	To show proof of ownership, location of the property, seek MARO certification, and provide copy of notice of LUC application.	Submission of spurious documents due to lack of training in examining the authenticity of documents	Medium	Major significance	None	Strict adherence to the requirements	Need for a system to validate the authenticity of documents with the different issuing authorities; training of staff in determining the veracity of the documents
3. Applicant erects billboard, takes photos of billboard, land and structures	Applicant and/or photographer	To show present condition of the land	Possible submission of pictures not taken from the actual area because there is no validation about the authenticity of the pictures	Medium	Minor significance	None	NA	None



Activity	Responsible unit/person	Objective	Risk factor	Likelihood of occurrence	Significance of impact	Control activity/mechanism	Assessment of control	Area for improvement
4. Submits 2 LUCF with attachments to MARO	Applicant/ MARO	To show proof of ownership, location of the property, seek MARO certification, and provide copy of notice of LUC application.	Submission of spurious documents due to lack of training in examining the authenticity of documents	Medium	Major significance	None	Strict adherence to the requirements	Need for a system to validate the authenticity of documents with the different issuing authorities; training of staff in determining the veracity of the documents
5. MARO receives LUCF copy	MARO	To check CARP coverage, presence of FBs, inspect billboard, posts notices in conspicuous places, prepares MARO certification	MARO might just sign the certification without inspecting the property/ billboard and without posting the notice due to high level of discretion	High	Major significance	Guidelines (AO 1 and MC 2 both series of 2002)	Not sufficient to prevent the risk	Ensure the presence of MARO personnel in the office; Advocate the remedy that any aggrieved stakeholder can contest the certification of the MARO at the Provincial level within 15 days, and if the appeal is not resolved, the RCLUPPI Secretariat shall not be allowed to receive the complete LUCFs and MARO's certification; ensure that erring MARO should be subjected to appropriate disciplinary action



Activity	Responsible unit/person	Objective	Risk factor	Likelihood of occurrence	Significance of impact	Control activity/mechanism	Assessment of control	Area for improvement
6. Applicant files 4 complete LUCFs and MARO certification to RCLUPPI Secretariat	Applicant/ RCLUPPI Secretariat	To meet requirements for conversion	Possible submission of spurious documents due to lack of training in examining the authenticity of documents	High	Major significance	Guidelines (AO 1 and MC 2 both series of 2002)	Process flow	Information/ Complaint Officer; training of staff in determining the veracity of the documents
7. RCLUPPI Secretariat receives and reviews application; assessment of fees and cash bond	RCLUPPI secretariat	To check application folder's completeness; if complete issues assessment of fees and computation of cash bond	Discretion to pass judgment on the application as to completeness and lower fees to be paid	High	Major significance	Formula/ guideline/ zonal valuation	The control is not sufficient to prevent the risk because there are no strict rules in determining the amount of fees to be paid	Information/ Complaint Officer; system of reviewing the decision of the RCLUPPI Secretariat
8. Applicant pays corresponding fees and submit receipts to RCLUPPI	Applicant/ Cashier/ RCLUPPI secretariat	To pay amount of cash bond and fees as assessed	None	NA	NA	Order of Payment	Sufficient	None



Activity	Responsible unit/person	Objective	Risk factor	Likelihood of occurrence	Significance of impact	Control activity/mechanism	Assessment of control	Area for improvement
9. RCLUPPI accepts receipts and mark it as the filing date of the application	Applicant/ RCLUPPI secretariat	To establish date of filing of the application	None	NA	NA	Date of payment of fees	Sufficient	None
10. RCLUPPI schedules and conducts ocular inspection	RCLUPPI member/ PARO / MARO concerned	To verify and evaluate onsite the veracity of information as contained in the application	Applicant can bribe the OCI party or the OCI party can demand payment from the applicant in exchange for a favorable report due to the possibility of collusion among the OCI party members	High	Major significance	None	NA	Ensure the participation of a disinterested party like the BARC Chairman and the Chairman of the Barangay where the land is located



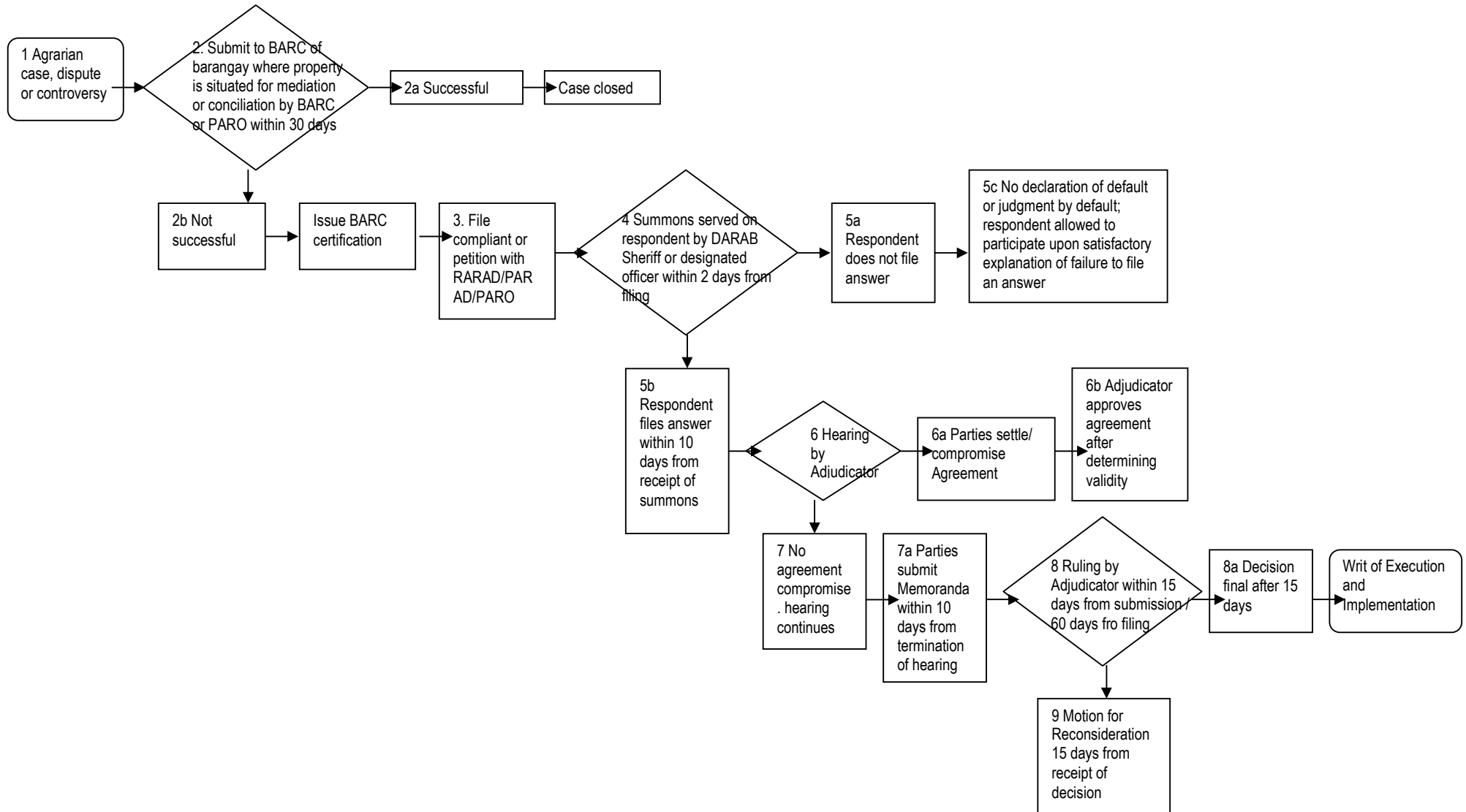
Activity	Responsible unit/person	Objective	Risk factor	Likelihood of occurrence	Significance of impact	Control activity/mechanism	Assessment of control	Area for improvement
11. OCI team prepares field investigation report	OCI team	To document OCI findings	Applicant can bribe the OCI party or the OCI party can demand payment from the applicant in exchange for a favorable report due to the possibility of collusion among the OCI party members	High	Major significance	None	NA	Ensure the participation of disinterested party
12. Examine requirements/ deliberation of FIR	RCLUPPI Excom	To confirm OCI findings	The Applicant can bribe the RCLUPPI RCLUPPI Excom members or the EXCOM can demand payment from the Applicant in exchange for a favorable finding or decision	High	Major significance	Three member committee	Not sufficient to prevent the risk	Ensure the participation of disinterested party



Activity	Responsible unit/person	Objective	Risk factor	Likelihood of occurrence	Significance of impact	Control activity/mechanism	Assessment of control	Area for improvement
13. Prepare favorable endorsement	RCLUPPI Excom	To inform RD of RCLUPPI decision	Collusion among RCLUPPI Excom members	NA	NA	NA	NA	NA
14. RD Approval/ Disapproval	Regional Director	Formal approval of the decision	The Applicant can bribe the Regional Director in exchange for a favorable decision	High	Major significance	Time frame/ appeal process	Not Sufficient	Encourage the remedy that any aggrieved stakeholder can appeal the decision of the Regional Director at the Regional level before elevating it to the Secretary
15. Issue Conversion Order	RCLUPPI Secretariat	Conversion Order document	None/ Ministerial	NA	NA	NA	NA	NA



Process Flow: AGRARIAN ADJUDICATION





Corruption Vulnerability Matrix: AGRARIAN ADJUDICATION					
Activity	Risk factor	Likelihood of occurrence	Significance of impact	Control activity/mechanism	Area for improvement
1. Submit to BARC of barangay where property is situated for mediation or conciliation by BARC or PARO within 30 days If successful, case closed.	None	NA	NA	NA	NA
2. If not successful, Issue BARC Certification	None	NA	NA	NA	NA
3. Filing of sworn complaint/verified petition to DARAB	None	NA	NA	NA	NA
4. Receiving clerk checks if the complainant has paid filing fee or not.	None	NA	NA	NA	NA



Activity	Risk factor	Likelihood of occurrence	Significance of impact	Control activity/mechanism	Area for improvement
	Counsel of the farmer complainant may ask for payment of filing fee even if complainant is exempted (pauper litigant)	High	Highly significant	List of fees (from DARAB rules)	Post Schedule of Fees Post notice that all payments must be made by the party concerned at the Cashiers Office Have a standard accountable form listing all fees Display anti-corruption slogans at prominent areas. Formulate and implement an internal Code of Conduct for DAR officials and employees
5. If complainant is not considered a pauper litigant, litigant is required to pay filing fee at the DAR cashier.	None	NA	NA	NA	NA
	COB may ask for payment of personal service fee exceeding prescribed amount	High	Highly significant	List of fees	Post the list of fees to be paid, have a standard format of fees to be used in all field offices.



Activity	Risk factor	Likelihood of occurrence	Significance of impact	Control activity/mechanism	Area for improvement
6. Complainant returns to COB for docketing of the complaint/petition	None	NA	NA	NA	NA
7. Raffling of case ²	Case may not be actually raffled but assigned to preferred sala.	Low	Low	None	<p>Have a fixed schedule for raffling of cases like regular courts to be participated by the regular members of the Board, and if not possible, their respective representatives.</p> <p>Invite a third party, such as non-government organizations, to witness actual raffling of cases and have them sign a certificate of raffle as evidence.</p>
	Possible collusion between COBs to get preferred case.	Low	Low	None	Actual raffling of cases to be conducted by DARAB Secretariat and participated by COBs of different salas.
8. PARAD/COB determines if the complaint has a BARC certification and certificate of non-forum shopping	None	NA	NA	NA	NA
9. If there is no certificate of non-forum shopping, PARAD issues order directing complainant to submit one.	None	NA	NA	NA	NA

² If there is more than one sala in the province.



Activity	Risk factor	Likelihood of occurrence	Significance of impact	Control activity/mechanism	Area for improvement
10. If complete, the COB will prepare summons	COB may ask for exorbitant fees for serving summons	High	Highly significant	List of fees	Post the list of fees to be paid, have a standard format of fees to be used in all field offices.
11. Summons served on respondent by DARAB sheriff or designated officer within 2 days from filing.	Sheriff may ask for fees for serving summons (exceeding actual and incidental expenses subject to approval of the Adjudicator)	High	Highly significant	List of fees	Post Schedule of Fees Display anti-corruption slogans in prominent areas. Set-up a mechanism for receiving face to face or anonymous complaints, at provincial and regional levels. Impose sanctions to erring personnel.
11a If respondent does not file answer, no declaration judgment by default, respondent allowed to participate upon satisfactory explanation of failure to file answer	None	NA	NA	NA	NA
11b If respondent files answer within 10 days from receipt of summons, conduct hearing by adjudicator	None	NA	NA	NA	NA
12. If parties settle/compromise agreement, adjudicator approves agreement after determining validity (then case closed)	None	NA	NA	NA	NA



Activity	Risk factor	Likelihood of occurrence	Significance of impact	Control activity/mechanism	Area for improvement
13. If no agreement /compromise, hearing continues, parties submit memoranda within 10 days from termination of hearing	None	NA	NA	NA	NA
14. Draft resolution is prepared by COB or LO	LO may extort from parties for favorable decision	High	Major significance	PARAD reviews draft resolution	Maintain the integrity of the decision through strict confidentiality Professionalize LOs through legal and value formation trainings. In the Code of Conduct, there should be provisions peculiar to the functions of LOs.
	Parties may offer bribe to LO for favorable decision	High	Major significance	PARAD reviews draft resolution	
15. Ruling by Adjudicator within 15 days from submission, 60 days from filing. Decision final after 15 days, writ of execution and implementation	Possible collusion between complainant or defendant and the adjudicator.	High	Major Significance	Motion for reconsideration	The integrity of the PARAD must be beyond reproach. Conduct background investigations of would-be adjudicators and conduct performance assessment and lifestyle check for existing DARAB personnel. Conduct value-formation seminars to DARAB personnel.



Activity	Risk factor	Likelihood of occurrence	Significance of impact	Control activity/mechanism	Area for improvement
16. Motion for reconsideration 15 days from receipt of decision	Possible collusion between complainant or defendant and the adjudicator.	High	Highly Significant	Appeal to the DARAB Central Office	<p>The integrity of the PARAD must be beyond reproach. Conduct background investigations of would be adjudicators and conduct performance assessment and lifestyle check for existing DARAB personnel.</p> <p>Conduct value-formation seminars to DARAB personnel.</p>
17. Decision on the MR	Possible collusion between complainant or defendant and the adjudicator	High	Highly Significant	Appeal to the DARAB Central Office	<p>The integrity of the PARAD must be beyond reproach. Conduct background investigations of would be adjudicators and conduct performance assessment and lifestyle check for existing DARAB personnel.</p> <p>Conduct value-formation seminars to DARAB personnel.</p>
18. Filing of notice of appeal to DARAB Secretariat/ DARAB Adjudicator and pay appeal fee	None	NA	NA	NA	NA



Activity	Risk factor	Likelihood of occurrence	Significance of impact	Control activity/mechanism	Area for improvement
19. PARAD forwards the complete case folder to DARAB CO	Records may be lost in transit	Low	Minor significance	Parties are furnished copies of documents submitted	efficient records management like indexing of documents pagination of contents of case folder monitoring of documents in transit keeping of back up PDF copies in the local DARAB office.
20. DARAB Secretariat receives the case folder and checks if appeal fee is paid.	None	NA	NA	NA	NA
21. DARAB Secretariat conducts raffling of case and forwards case folder to ponente.	Case may not be actually raffled but assigned to preferred ponente.	Low	Minor significance	None	Have a fixed schedule for raffling of cases like regular courts to be participated by the regular members of the Board, and if not possible, their respective representatives. Invite a third party, such as non-government organizations, to witness actual raffling of cases and have them sign a certificate of raffle as evidence.



Activity	Risk factor	Likelihood of occurrence	Significance of impact	Control activity/mechanism	Area for improvement
	Possible collusion between Chief of staff and member of the DARAB Secretariat to get preferred case.	Low	Minor significance	None	Actual raffling of cases should be conducted by DARAB Secretariat and participated by COS of different.
22. Review of case	Possible offer of bribe from parties	High	Major significance	Review of ponente	There must be a deliberation of the case by the Board.
	LO may contact parties ask for money in exchange for favorable decision	High	Major significance	Review of ponente	
	Possible collusion between LO and ponente	High	Major significance	Subject to review and signature by other members of the Board	



Activity	Risk factor	Likelihood of occurrence	Significance of impact	Control activity/mechanism	Area for improvement
	Possible outside or political influence	Low	Major Significance		Make DARAB an independent body Consider the publication of decided cases in the internet, bulletin boards or gazettes. Make a compilation of Supreme Court rulings on agrarian cases available to all DARAB offices. Regular conduct of value formation seminars. Formulate and implement an internal Code of Conduct. Post anti-corruption slogans at conspicuous places.
23. Rerouting of decision ponente to other members of the Board	Possible collusion between LO and ponente	High	Major significance	Subject to review and signature by other members of the Board	Remove the routing of decisions from the process and strictly implement the DARAB Rules



Activity	Risk factor	Likelihood of occurrence	Significance of impact	Control activity/mechanism	Area for improvement
24. Promulgation of decision	Delay in the release of decision	High	Major significance	None	Adherence to DARAB Rules on the execution of decisions and impose sanctions for failure to comply.
25. Execution of Decision	Possible extortion and intentional delay in the execution of decision	High	Major significance	None	Strict adherence to time frames in the release of decision and impose sanctions for failure to comply.

