

exercised from the date of the law's effectivity on June 15, 1988. This conclusion is based on a liberal interpretation of R.A. No. 6657 in the light of DAR's mandate and the extensive coverage of the agrarian reform program.

DAR Opinion No. 26, s. 2007
September 27, 2007

CONVERSION; DAR's AUTHORITY TO APPROVE OR DISAPPROVE AS MANDATED UNDER E.O. NO. 129-A

- The mandate of the Department of Agrarian Reform (DAR) in the area of land use conversion is found in the following provisions of law:

1. Sections 4 (j) and 5 (l) of Executive Order No. 129-A (**Modifying Executive Order No. 129 Reorganizing and Strengthening Department of Agrarian Reform and for Other Purposes**):

“Section 4. Mandate. The Department shall be responsible for implementing the Comprehensive Agrarian Reform Program and, for such purpose, it is authorized to:

x x x x x x x x x x x x x x x

- j) Approve or disapprove the conversion, restructuring or readjustment of agricultural lands into non-agricultural uses;*

x x x x x x x x x x x x x x x

Section 5. Powers and Functions. Pursuant to the mandate of the Department and in order to ensure the successful implementation of the Comprehensive Agrarian Reform Program, the Department is hereby authorized to:

x x x x x x x x x x x x x x x

- l) 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.”*

2. Section 65 of Republic Act No. 6657, otherwise known as the Comprehensive Agrarian Reform Law:

“SECTION 65. Conversion of Lands. – After the lapse of five (5) years from its award, when the land ceases to be economically feasible and sound for agricultural purposes, or the locality has become urbanized and the land will have a greater economic value for residential, commercial or industrial purposes, the DAR, upon application of the beneficiary or the landowner, with due notice to the affected parties, and subject to existing laws, may authorize the reclassification or conversion of the land and its disposition: Provided, That the beneficiary shall have fully paid his obligation.”

DAR Opinion No. 06, s. 2007
February 07, 2007