

DAR Opinion No. 01, s. 2007  
January 16, 2007

**COVERAGE; EFFECT OF COURT OF APPEALS DECISION**

- The Court of Appeals decision will not affect the coverage of the subject property as land acquisition is done through the mandate of the law whether or not the landowner disagrees to part with his property. Moreover, it appears that the Court of Appeals has only ruled for the cancellation of the titles issued to the children and for the reinstatement of the title of spouses Ferreras.

DAR Opinion No. 32, s. 2007  
November 16, 2007

**COVERAGE; AGRICULTURAL LANDS NOT EXCEEDING FIVE (5) HECTARES NOT SUBJECT TO ACQUISITION AND DISTRIBUTION**

- Section 4, Art. XIII of the 1987 Constitution subjects the distribution of agricultural lands for agrarian reform to reasonable limits as Congress may prescribe. Section 6 of R.A. No. 6657 operationalizes this mandate and observes the right of persons to own, or retain, directly or indirectly, any public or private agricultural land, the size of which shall vary according to the factors governing a viable family-size farm such as commodity produce, terrain, infrastructure, and soil fertility, but in no case shall exceed five (5) hectares.

DAR Opinion No. 22, s. 2007  
June 15, 2007

**COVERAGE; LANDS FORECLOSED/OWNED BY FINANCIAL INSTITUTIONS**

- Section 6 of CARL provides that no person may own or retain directly or indirectly, any agricultural land in excess of five (5) hectares. It shall be understood that the term "*person*" includes both natural and juridical persons.
- Private agricultural lands foreclosed/owned by financial institutions are still subject to the Comprehensive Agrarian Reform Program (CARP) pursuant to R.A. No. 6657, E.O. No. 407 and E.O. No. 360, and not exempt for acquisition by SPVs under R.A. No. 9182.

DAR Opinion No. 13, s. 2007  
February 16, 2007

**COVERAGE; LANDS PREVIOUSLY EXEMPT FROM CARP WHEN SUBSEQUENTLY DEVELOPED FOR AGRICULTURAL PRODUCTION MAY BE COVERED UNDER R.A. NO. 6657**

- Pertinent provision of the Civil Code of the Philippines, provides, quote:

*"Art. 428 The owner has the right to enjoy and dispose of a thing, without other limitations than those established by law."*

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