

landowner for tenant to work on the land given either orally or in writing, expressly or impliedly; that the purpose is agricultural production; and that there is compensation in terms of payment of a fixed amount in money and/or produce.

DAR Opinion No. 02, s. 2007
January 19, 2007

NOTARY PUBLIC; DAR LEGAL OFFICERS NOT AUTHORIZED TO SIGN AS NOTARY PUBLIC

- A DAR Legal Officer who is not a full-fledged lawyer is not authorized to sign as Notary Public in any kind of legal document. The 2004 Rules on Notarial Practice provides for the qualifications of a petitioner for a commission as Notary Public. Rule III, Section 1 thereof provides, quote:

“Section 1. Qualifications. - A notarial commission may be issued by an Executive Judge to any qualified person who submits a petition in accordance with these Rules.

To be eligible for commissioning as notary public, the petitioner:

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- 4. must be a member of the Philippine Bar in good standing with clearances from the Office of the Bar Confidant of the Supreme Court and the Integrated Bar of the Philippines.*

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- Clearly, only members of the Philippine Bar are eligible for a commission to act as a Notary Public.

DAR Opinion No. 04, s. 2007
January 31, 2007

RECLASSIFICATION; CIRCUMSTANCES THAT AUTHORIZE RECLASSIFICATION

- Under Section 20 of RA 7160 (1991) or the “Local Government Code of 1991,” a city or municipality may authorize the reclassification of agricultural lands and provide for the manner of their utilization or disposition under the following circumstances:
 - a) when the land ceases to be economically feasible and sound for agricultural purposes as determined by the DA; or
 - b) where the land shall have substantially greater economic value for residential, commercial, or industrial purposes, as determined by the sanggunian concerned.

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

RECLASSIFICATION; PUBLIC HEARING IS REQUIRED

- RA 7160 mandates that the reclassification should be made after conducting public hearing and that it shall be limited to the following percentage of the total agricultural land area at the time of the passage of the ordinance: (a) for highly