

CONVERSION; NECESSARY BEFORE EXEMPTED LANDS UNDER DAR A.O. NO. 13, S. OF 1990 AND DAR A.O. NO. 3, S. OF 1995 BE CONVERTED TO OTHER NON-AGRICULTURAL USES

- It bears noting that aforesaid exemption **does not include or contemplate** exemption orders or clearances issued **not** in pursuance of DOJ 44 or Section 3 (c) of R.A. No. 6657 in relation to DAR Administrative Order No. 6, series of 1994 **such as** those exempted pursuant to DAR Administrative Order No. 13, series of 1990 (Section 10, R.A. No. 6657 as amended), DAR Administrative Order No. 9, series of 1993 (Livestock, Poultry and Swine) and DAR Administrative Order No. 3, series of 1995 (Fishponds and Prawn Farms). The lands under the latter-enumerated exemptions may **revert** to agricultural if they are **no longer** actually, directly and exclusively used for the purpose for which they were exempted. Thus, they would still necessitate a conversion clearance should they later be converted to other non-agricultural uses such as residential, commercial or industrial.

DAR Opinion No. 03, s. 2003
March 19, 2003

CONVERSION; INSTANCES WHEN CONVERSION CLEARANCE MAY BE DISPENSED WITH

- DAR conversion clearance is no longer needed for lands exempted from CARP coverage by reason of its reclassification as commercial, residential or industrial before 15 June 1988. Thus, in DAR Opinion No. 11, series of 2001, we stated that a conversion order is no longer necessary for properties already classified as non-agricultural prior to June 15, 1988 or before the effectivity of CARP and, that, only an exemption clearance is required.
- Although in said opinion it was opined that exemption from CARP coverage is not in the same nature as conversion of agricultural land from agricultural use to non-agricultural use, we qualified the same in the penultimate paragraph of the same opinion that "DOJ Opinion No. 44, series of 1994 (sic) is the only ground for exemption which does not require a conversion order/clearance". Thus, exemption from CARP coverage pursuant to DOJ Opinion No. 44, series of 1990 as implemented by DAR Administrative Order No. 6, series of 1994 partakes in effect, as in the instant case, of the nature of a conversion of agricultural lands from agricultural to non-agricultural use since said lands reclassified as non-agricultural prior to 15 June 1988 are no longer deemed agricultural and covered by CARP pursuant to DOJ Opinion No. 44, series of 1990 and Sections 3 (c) and 4 of R.A. No. 6657.

DAR Opinion No. 21, s. 2002
July 12, 2002

CONVERSION; REQUIRED BEFORE AN AGRICULTURAL LAND IS TO BE USED AS A CELL CITE

- DAR's mandate is to preserve and maintain agricultural lands with increased productivity. But where, as apparently it is herein, there is need for conversion in the land use of an agricultural land, existing laws and issuances have provided for the conditions and requirements therefore. Should there be non-compliance, same