

- As regards alienable and disposable lands (A & D), it is provided under Section 4 of R.A. No. 6657 that public and private agricultural lands and lands of the public domain suitable for agriculture are covered by CARP. It provides, among others, that all alienable and disposable lands of the public domain devoted or suitable to agriculture and all lands of the public domain in excess of the specific limits of the public domain as determined by congress shall be covered by CARP.

DAR Opinion No. 12, S. 2006
February 02, 2006

COVERAGE; LANDOWNERS NOT REQUIRED TO PAY REAL PROPERTY TAXES DURING THE PERIOD OF ERRONEOUS COVERAGE

- On grounds of fairness and equity, it is our view that since there appears to be an erroneous coverage by DLR of the subject landholding the fault of which could not be attributed to the landowners, they may not therefore be penalized by requiring them to pay the real property taxes during the period of erroneous coverage of said landholding.

DAR Opinion No. 11, S. 2005
March 10, 2005

COVERAGE; FORECLOSED PROPERTIES OF FINANCIAL INSTITUTIONS

- Private agricultural lands foreclosed/owned by financial institutions are still subject to R.A. No. 6657 and not exempt for acquisition by SPVs under R.A. No. 9182.
- Under Section 7 of Republic Act No. 6657, the schedule of acquisition and distribution of agricultural lands covered by CARP include, among others, all lands (that means private and public lands) foreclosed by government financial institutions. Moreover, mortgage rights or security interests in agricultural lands of banks and other financial institutions are subject to existing laws on compulsory transfer of foreclosed assets and acquisition as prescribed under Section 16 of R.A. No. 6657 (Section 71, R.A. No. 6657).

DAR Opinion No. 09, S. 2005
March 01, 2005

COVERAGE; AGRICULTURAL LANDS WHICH ARE SUBJECT TO LEGAL EASEMENTS

- Given the above provisions of law, rules and regulations, we could infer that portions of titled or registered private agricultural lands subject of legal easements form as inseparable part of the landholding of the landowner, thus, they may be covered under Republic Act No. 6657 (**Comprehensive Agrarian Reform Law**) and accordingly be compensated by the Land Bank of the Philippines.

DAR Opinion No. 05, s. 2004
February 04, 2004