

Memorandum of Agreement signed between and among the DENR, U.P. and DAR, should be pursued to its completion." (Emphasis supplied)

- However, should, in the process, a vested right stands to be adversely affected, considering that pursuant to Article I, Section 5 of DENR Administrative Order No. 96-29, the Community-Based Forest Management Program (CBFMP) is subject to prior vested right, then it behooves upon the implementing agency to have it resolved before full implementation is effected. For the University of the Philippines, the UP Land Grant Law of 1930 shall be the basis of its vested rights, if any.

DAR Opinion No. 03, s. 2002
February 20, 2002

COVERAGE; EFFECT WHEN THERE IS A PENDING APPLICATION FOR CONVERSION

- Under Section 14 (a) of DAR Administrative Order No. 6, series of 2000 [**Rules of Procedure for Agrarian Law Implementation (ALI) Cases**], a notice of coverage may not be issued if there is already a pending application for conversion. However, it appears that there was no application for conversion filed in the instant case. What was filed was a complaint for illegal conversion, hence, the coverage of subject landholding may proceed.

DAR Opinion No. 24, s. 2001
December 21, 2001

COVERAGE; SCOPE OF CARL

- Section 4 of the Comprehensive Agrarian Reform Law (R.A. No. 6657) is explicit. It mandates the coverage, regardless of tenurial arrangement and commodity produced, all public and private lands devoted to or suitable for agriculture, regardless of the agricultural products raised or that can be raised therein. Thus, for as long as the land in issue is agricultural and coverable, we may proceed with the coverage.

DAR Opinion No. 24, s. 2001
December 21, 2001

COVERAGE; SCOPE OF CARL

- It should be stressed that all agricultural lands are automatically covered under the Comprehensive Agrarian Reform Program. Landowners whose agricultural lands are covered by CARP have really no choice except to submit to the program. Only those lands specifically exempted from the coverage of CARP may be transferred irrespective of agrarian laws. Since your queries involve agrarian matters, such as the lands being agricultural, the transfer being in favor of alleged farmers, and the segregation and titling of the lands, then the transfer agreement should still comply with all the requirements of agrarian laws.

DAR Opinion No. 05, s. 2001
May 24, 2001