

**DAR CLEARANCE; REQUIRED IN TRANSACTIONS INVOLVING  
TRANSFER OR SALE OF AGRICULTURAL LAND**

- In all transactions involving the transfer or sale of agricultural land to another, the issuance of a DAR Clearance is an essential requisite in order that it may be considered a valid transfer. This is in view of the DAR's policy to protect the rights of tenants and other farmworkers who may be displaced therein.

DAR Opinion No. 15, S. 2006  
March 21, 2006

**DAR CLEARANCE; REQUISITE BEFORE A VALID TRANSFER COULD BE  
EFFECTED**

- Compliance with the required DAR clearance prior to registration with the Register of Deeds pursuant to DAR Administrative Order No. 1, Series of 1989 (**Rules and Procedures Governing Land Transactions**) is compulsory for transactions involving transfer of ownership. The issuance of DAR clearance signifies and guarantees that the transaction does not violate agrarian laws and its other related implementing rules and regulations.

DAR Opinion No. 23, S. 2006  
August 01, 2006

**DAR CLEARANCE; REQUISITE BEFORE A VALID TRANSFER COULD BE  
EFFECTED**

- Any change in the nature of the awarded lands' use shall not be allowed except with the approval of the DAR under its rules on conversion or exemption. Further, Item II.1 of DAR Administrative Order NO. 08, Series of 1995 clearly provides that lands awarded to agrarian reform beneficiaries (ARBs) pursuant to either P.D. No. 27 or R.A. No. 6657 may be transferred and registered by the Register of Deeds only after the issuance of a DAR Clearance. The issuance of a DAR Clearance is therefore an essential requisite before a valid transfer could be effected, otherwise the sale or transfer is void.

DAR Opinion No. 03, s. 2006  
January 20, 2006

**DAR CLEARANCE; SIGNIFICANCE**

- DAR Clearance is not synonymous with DAR Exemption Clearance. A DAR Clearance for registration signifies that the transaction involved does not contravene the mandate under Comprehensive Agrarian Reform Law (CARL). It is only issued upon showing that the subject of the deed in the case of sale for example, is the retention area of the vendor and that the total landholding that shall be owned by the vendee inclusive of the land to be acquired shall not exceed the landownership ceiling provided in R.A. No. 6657.

DAR Opinion No. 31, s. 2006  
October 20, 2006