

- Here, since the acquisition is by the government through expropriation for public use or national interest in the exercise of the power of eminent domain, your request for DAR clearance which is necessary for registration is hereby granted. However, it must be stressed that this clearance is solely for purposes of registration without prejudice to NPC still applying for conversion.

DAR Opinion No. 07, s. 2003
June 06, 2003

DAR CLEARANCE: SIGNIFICANCE

- DAR clearance involving the disposition or transfer of agricultural lands coverable under the Comprehensive Agrarian Reform Program (CARP) merely signifies that the transaction is not in circumvention of the Comprehensive Agrarian Reform Law (CARL) and may therefore be registered. It is not synonymous with a DAR Conversion Order/Clearance which is issued only after determination on the merits of a duly filed application for conversion the effect of which is to change the current physical use of a piece of agricultural land into some other use.

DAR Opinion No. 07, s. 2003
June 06, 2003

DAR CLEARANCE: WHEN MAY BE ISSUED

- Provided there is no violation of the provisions of Sections 6, 70 and 73 (a) of R.A. No. 6657 as regards the 5-hectare retention limit and landownership ceiling, DAR clearance may be issued pursuant to the provisions of DAR Administrative Order No. 1, series of 1989 (**Rules and Procedures Governing Land Transactions**). However, **the productivity of the land shall be maintained** and any change in the nature of its use shall not be allowed except with approval of the DAR under its rules on conversion or exemption.

DAR Opinion No. 02, s. 2003
January 20, 2003

DAR CLEARANCE; WHEN NECESSARY

- The DAR clearance would be necessary whether the land is originally owned by government, or acquired through expropriation, so long as the agency involved is an agent of the national government.

DAR Opinion No. 22, s. 2002
September 09, 2002

DAR LAWYER/PERSONNEL; ENTITLED TO A SPECIAL COUNSEL ALLOWANCE

- Section 50 of the General Appropriations Act readily suggests that a lawyer-personnel can automatically claim for a Special Counsel Allowance without being deputized by the Office of the Solicitor General. This is in view of the conjunction "**and**" as used in the provision which simply signifies the intent to include both the lawyer-personnel and those officials or employees who were