

**EXEMPTION; REQUIREMENTS FOR LANDHOLDING CLASSIFIED AS MINERAL LAND**

- Paragraphs 2.4.1, 2.4.2 and 2.4.3 of DAR A.O. No. 4, Series of 2003 provide:

**“II. REQUIREMENTS**

**2.4. Land Classification certification:**

*Certification from the Housing and Land Use Regulatory Board (HLURB) Regional Officer on the actual zoning or classification of the subject land in the approved comprehensive land use plan, citing the municipal or city zoning ordinance number, resolution number, and date of its approval by the HLURB or its corresponding board resolution number.*

- Likewise, we also agree that paragraph 2.4.2 may apply in your case, but **there must be a certification issued** by the DENR Mines and Geosciences Bureau that your landholding is classified as mineral. Considering that there is no certification as yet issued in this regard, you are therefore required to secure it first from the Office of the DENR.

DAR Opinion No. 22, S. 2006  
August 1, 2006

**EXEMPTION; SIGNIFICANCE OF A DAR ORDER OF EXEMPTION**

- While it is admitted that a DAR Order of Exemption pursuant to DOJ Opinion No. 44 signifies that a landholding may not be acquired and distributed under the Comprehensive Agrarian Reform Program (CARP), this does not render, total and absolute, the exemption from the application of the Comprehensive Agrarian Reform Law (CARL) and other applicable existing laws, rules, regulations, agreements and practices.

DAR Opinion No. 04, s. 2003  
May 06, 2003

**EXEMPTION; PURSUANT TO DOJ OPINION NO. 44, SERIES OF 1990**

- Exemption from CARP coverage pursuant to DOJ Opinion No. 44, series of 1990 as implemented by DAR Administrative Order No. 6, series of 1994 may be deemed to partake, in effect, of the nature of a conversion of agricultural lands 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. In both instances, said exemption and conversion **exempt or remove** the lands subject thereof from CARP coverage **except** that in the case of conversion, if a conversion order is revoked or withdrawn, the lands subject thereof shall revert to the status of agricultural lands and shall be subject to CARP coverage as circumstances may warrant (Section 49, DAR Administrative Order No. 1, series of 2002).
- It should be stressed, however, that in order that an exemption clearance/order may be deemed as of the same nature and effect as a conversion clearance/order, said exemption order or clearance should have been issued on the basis of a **duly filed application** for exemption and **approved on the merits** by the DAR