

CONVERSION OF AGRICULTURAL LAND



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CONVERSION:

Conversion is the act of changing the Current Use of an Agricultural Land into *Non-Agricultural Use* as approved by the DAR.

CONVERSION vis-à-vis RECLASSIFICATION

RECLASSIFICATION IS THE ACT OF SPECIFYING HOW AGRICULTURAL LANDS SHALL BE UTILIZED FOR NON-AGRICULTURAL USES SUCH AS RESIDENTIAL, INDUSTRIAL, AND COMMERCIAL, AS EMBODIED IN THE LAND USE PLAN, SUBJECT TO THE REQUIREMENTS AND PROCEDURES FOR LAND USE CONVERSION.

CONVERSION vis-à-vis RECLASSIFICATION

- MERE RECLASSIFICATION OF AN AGRICULTURAL LAND DOES NOT AUTOMATICALLY ALLOW A LANDOWNER TO CHANGE ITS USE. HE HAS TO UNDERGO THE PROCESS OF CONVERSION BEFORE HE IS PERMITTED TO USE THE AGRICULTURAL LAND FOR OTHER PURPOSES.

CREBA VS. THE SECRETARY OF DAR, G.R. NO. 183409, 18 JUNE 2010

CONVERSION (LEGAL BASIS):

- ❖ Section 65 of REPUBLIC ACT (R.A.) No. 6657, AS AMENDED;
- ❖ DAR AO No. 1, Series of 2002;
- ❖ DOJ Opinion No. 44, SERIES of 1990;
- ❖ Memorandum Circular No.1, Series of 2015;

WHEN IS CONVERSION ALLOWED?

- LAPSE OF FIVE (5) YEARS FROM THE AWARD OF EP / CLOA;
- LAND CEASES TO BE ECONOMICALLY FEASIBLE AND SOUND FOR AGRICULTURAL PURPOSES, OR THE LOCALITY HAS BECOME URBANIZED;
- LAND WILL HAVE GREATER ECONOMIC VALUE FOR RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL PURPOSES; AND
- APPLICANT MAY EITHER BE A BENEFICIARY OR LANDOWNER (FOR RETAINED AREA ONLY WHICH IS TENANTED)

CONVERSION (PROCEDURE)

Applicant gets Application Form.

Applicant installs billboard, takes photos of billboard, land & structures on land.

MARPO transmits one folder to the PARPO. Within twenty (20) days, MARPO checks status of CARP coverage, inspects billboard, checks presence of farmers, posts notices in conspicuous places, prepares MARPO certification, & gives original copy of certification to applicant. If MARPO refuses to act, PARPO shall take over.

Applicant submits two (2) Land Use Conversion Folders (LUCFs) to MARPO containing application, titles, sketch map & billboard photo.

Applicant files four (4) complete LUCFs, plus MARPO certification at Regional Land Use Cases Committee (RLUCC) or LUCD.

RLUCC/LUCD evaluates completeness of LUCFs using LUC Form A; if complete, issues assessment of fee, inspection cost and cash/surety bond.

Applicant pays filing fee, inspection cost, & posts cash/surety bond.

Within ten (10) days from filing, RLUCC/LUCD shall issue notice indicating the date of On-Site Inspection and Investigation (OSII), which must be held not earlier than ten (10) days nor later than twenty (20) days from notice.

Applicant writes OSII schedule in billboard & transmits notice of conduct of OSII to the MARPO, within five (5) days before OSII.

Investigating Team (IT) conducts OSII & dialogue, if applicable, with applicant/s & farmer/ farmer beneficiary.

IT accomplished investigation report within five (5) days from OSII.

RLUCC/LUCD deliberates on the merits of the Application.

RLUCC/LUCD forwards recommendation and the entire records to Approving Authority, within eighty (80) days from filing.

The Presidential Agrarian Reform Council (PARC) Land Use Technical Committee (PLUTC) shall participate in the deliberation when the land is highly restricted for conversion & more than five (5) hectares, or when deliberation requires inter-agency inputs except lands for housing projects.

Approving Authority shall issue the Conversion Order or its denial, within thirty (30) days from submission of the recommendation.

CONVERSION (DOCUMENTARY REQUIREMENTS)

1. MAJOR CERTIFICATIONS: HLURB; DA; and DENR. (SEE A.O. 1, SERIES of 2002)
2. OTHER REQUIRED DOCUMENTS (SEE Section 10 of A.O. 1, SERIES of 2002)



THANK YOU

