



Republic of the Philippines
DEPARTMENT of AGRARIAN REFORM

ADMINISTRATIVE ORDER 04
SERIES 2003

SUBJECT: 2003 Rules on Exemption of Lands from CARP Coverage under Section 3 (c) of Republic Act No. 6657 and Department of Justice (DOJ) Opinion No. 44, Series of 1990.

I. PREFATORY STATEMENT

Republic Act (RA) 6657 or the Comprehensive Agrarian Reform Law (CARL), Section 3, Paragraph (c) defines "agricultural land" as referring to "land devoted to agricultural activity as defined in this Act and not classified as mineral, forest, residential, commercial or industrial land."

Department of Justice Opinion No. 44, Series of 1990, (or "DOJ Opinion 44-1990" for brevity) and the case of *Natalia Realty versus Department of Agrarian Reform* (12 August 1993, 225 SCRA 278) opines that with respect to the conversion of agricultural lands covered by RA 6657 to non-agricultural uses, the authority of the Department of Agrarian Reform (DAR) to approve such conversion may be exercised from the date of its effectivity, on 15 June 1988. Thus, all lands that are already classified as commercial, industrial or residential before 15 June 1988 no longer need any conversion clearance.

However, the reclassification of lands to non-agricultural uses shall not operate to divest tenant-farmers of their rights over lands covered by Presidential Decree (PD) No. 27, which have been vested prior to 15 June 1988.

In order to implement the intent and purpose of the provisions of the aforecited laws, these guidelines are hereby issued.

II. REQUIREMENTS

The applicant shall submit in quadruplicate the following documents in four (4) separate bound folders (one [1] original set and three [3] photocopy sets) with table of contents and page numbers of all documents, sequentially numbered, except for maps which the applicant shall likewise submit in quadruplicate but in four separate envelopes with proper label of the contents of each envelope. The arrangement thereof shall follow the sequence of the enumeration below, with the requirement referred to in Section 2.1 hereof being the first document after the table of contents. All references in the masculine form (he/him/his) shall interchangeably mean the feminine form (she/her/hers) or group form (it/it's/their).

2.1. Official receipt showing proof of payment of filing and inspection fees.

2.2. Sworn Application for CARP Exemption or Exclusion, duly accomplished, and subscribed and sworn to before a notary public or any person authorized to administer oaths.

2.2.1. Special Power of Attorney (SPA) if the applicant is not the registered owner nor one of the co-owners of the property;

2.2.2. Notarized secretary's certificate of a corporate or cooperative board resolution authorizing the applicant's representative to file the Sworn Application for CARP Exemption if the applicant is a corporation or cooperative or some other juridical entity. The applicant shall also submit its latest notarized General Information Sheet (GIS) which must comply with the pertinent requirements of the Securities and Exchange Commission.

2.3. True copy of the Original Certificate of Title (OCT) or Transfer Certificate of Title (TCT) of the subject land, certified by the Register of Deeds not earlier than thirty (30) days prior to application filing date.

In case of untitled land, the following shall be required in lieu of a title:

2.3.1. Certification from the DENR Community Environment and Natural Resources Officer (CENRO) that the landholding has been classified as alienable and disposable; and

2.3.2. Certification from the DENR CENRO (for administrative confirmation of imperfect title) or the Clerk of Court (for judicial confirmation of imperfect title) that the titling process/proceedings has commenced and there are no adverse claimants;

2.4. Land classification certification:

2.4.1. 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.

2.4.2. For lands classified as mineral: certification issued by the DENR Mines and Geosciences Bureau or the proper DENR office attesting that the subject land is classified as mineral and covered by a mining permit issued by said Bureau or the proper Local Government Unit (LGU) in case of small scale mines.

2.4.3. For lands classified as forest: certification issued by the DENR Forestry Sector or the proper DENR office attesting that the subject land is classified as within the forest zone.

2.5. Certification of the National Irrigation Administration (NIA) that the area is not irrigated nor scheduled for irrigation rehabilitation nor irrigable with firm funding commitment.

2.6. Certification of the Municipal Agrarian Reform Officer (MARO) attesting compliance with the public notice requirement in Part III hereof and its corresponding report in 7.6 hereof.

- 2.7. Photographs, size 5R (five [5] inches by seven [7] inches), using color film, and taken on the subject land under sunlight. The applicant shall attach the pictures to a paper background, and the photographer who took said pictures shall sign on said paper background to certify the authenticity of the pictures. On each background paper shall be written a short description of each picture. The pictures shall consist of:
 - 2.7.1. At least four (4) photographs taken from the center of the landholding: one (1) facing north, one (1) facing east, one (1) facing south, and one (1) facing west;
 - 2.7.2. At least one (1) photograph per corner, taken from each corner of the landholding's borders;
 - 2.7.3. At least two (2) photographs each for all distinct man-made structures existing on the land, taken from opposite angles;
 - 2.7.4. At least two (2) photographs each of the front view of the billboard(s) required in Part III hereof. The applicant shall set aside the second copy of said billboard photographs for submission to the MARO; and
 - 2.7.5. Sufficient number of photographs of the most conspicuous landmarks on the ingress and egress routes leading to and from the subject landholding, for the purpose of assisting the ocular inspection team in locating the site.
- 2.8. Proof of receipt of payment of disturbance compensation or a valid agreement to pay or waive payment of disturbance compensation.
- 2.9. Affidavit/Undertaking in a single document of the applicant stating:
 - 2.9.1. The number and names of the farmers, agricultural lessees, share tenants, farmworkers, actual tillers, and/or occupants in the landholding; if there are no such persons, a statement attesting to such fact;
 - 2.9.2. That the applicant has erected the billboard(s) required in Part III hereof; and undertakes not to remove, deface or destroy the same; and that he shall repair or replace the same when damaged, until after the approving authority disposes of the application with finality;
 - 2.9.3. That he has not committed any act of forum shopping as defined in the rules governing Agrarian Law Implementation (ALI) cases; and
 - 2.9.4. That when there is a dispute on the fixing of disturbance compensation pending before the Provincial Agrarian Reform Adjudicator (PARAD) or Regional Agrarian Reform Adjudicator (RARAD) or DAR Adjudication Board (DARAB), the applicant shall abide with the decision of the Adjudicating Authority on the fixing of disturbance compensation.
- 2.10. Lot plan prepared by a duly-licensed geodetic engineer indicating the lots being applied for and their technical descriptions.

- 2.11. Vicinity or directional map to assist the ocular inspection team in locating the subject land. The directional map need not be drawn to scale but must show the orientation of the subject land in relation to adjoining lands; existing infrastructures and improvements thereon including any house or tillage by any occupant therein; owners of adjacent properties; the nearest barangay, municipal, city, and/or provincial feeder road; and other popular landmarks within a one (1) kilometer radius.

III. PUBLIC NOTICE

The applicant shall post in a conspicuous place within the subject property a public notice contained in a billboard made of strong materials such as weather-resistant plywood, galvanized iron, tin, panaflex, or other similar durable material, measuring 1.22 meters by 2.44 meters (4 feet by 8 feet). There shall be installed at least one (1) billboard for every twenty (20) hectares. The billboard shall be written in the local dialect and shall display the following information:

- 3.1. Announcement that the applicant is applying for exemption;
- 3.2. Complete name(s) of the landowner(s) and applicant(s);
- 3.3. Total area and exact location of the exemption proposal;
- 3.4. Date of filing of the application for exemption;
- 3.5. Date of posting of billboard;
- 3.6. Deadline for filing protest;
- 3.7. Addresses of DAR offices where resident oppositors may conveniently file their protests;
- 3.8. Address of the approving authority;
- 3.9. Date of ocular inspection, which shall be left blank, and which the applicant shall fill up after the MARO determines its exact date, but not later than seven (7) days before ocular inspection day; and
- 3.10. Date of approval or denial of the application, which shall be left blank, and which the MARO or applicant or any party-in-interest shall fill up after approval or denial of the application.

IV. DISTURBANCE COMPENSATION

- 4.1. The applicant shall pay disturbance compensation, in cash or kind or combination of cash and kind, to the farmers, agricultural lessees, share tenants, farmworkers, and actual tillers (as defined and following the order of priority in Section 22 of RA 6657) found in the subject landholding, in such amount and under such terms which the parties may mutually agree upon among themselves.
- 4.2. The amount of disturbance compensation shall not be less than five (5) times the average of gross harvests on the subject landholding during the last five (5) preceding calendar years, pursuant to Section 36 of RA 3844, as amended by Section 7 of RA 6389.

- 4.3. Compensation in kind may consist of some or all or mixture of housing, homelots, employment, and/or other benefits. The DAR shall approve the terms of any agreement for the payment of disturbance compensation and monitor compliance therewith.
- 4.4. Whenever there is a dispute on the fixing of disturbance compensation or entitlement to disturbance compensation, the Regional Director shall refer the matter to the Adjudicator who shall be bound to take cognizance of and resolve the case despite the non-finality of the issue on whether or not the subject land is exempt from CARP.
- 4.5. The Approving Authority may grant a conditional exemption order, despite non-payment of disturbance compensation or while awaiting determination of entitlement thereto, subject however to the condition that the applicant and/or landowner shall post a bond in an amount to be determined by the Adjudicator. Notwithstanding the posting of such bond, the property applied for exemption shall not be developed for non-agricultural purposes and the farmers, agricultural lessees, share tenants, farmworkers, and actual tillers thereof cannot be ejected therefrom until the finality of the exemption order.

V. APPROVING AUTHORITIES

- 5.1. For properties with an area less than or equal to five (5) hectares, the approving authority shall be the Regional Director, acting upon the recommendation of the Regional Center for Land Use Policy Planning and Implementation (RCLUPPI).
- 5.2. For properties with an area larger than five (5) hectares, the approving authority shall be the Secretary, acting upon the recommendation of the Center for Land Use Policy Planning and Implementation - 2 (CLUPPI-2).
- 5.3. When the applicant owns (or represents the owner of) two (2) or more parcels of land within the same barangay or within two (2) or more barangays that are adjacent to each other, and the sum of the areas of said parcels of land exceeds five (5) hectares, the approving authority for an application involving any of said parcels of land shall be the Secretary, acting upon the recommendation of the CLUPPI-2.
- 5.4. When the applicant or any oppositor challenges the jurisdiction of the approving authority on the ground of error in computation of jurisdictional area, and a higher authority takes cognizance of the dispute, the Approving Authority herein shall hold in abeyance the processing of the present application until said higher authority determines with finality the correct jurisdictional area.

VI. INSPECTION COST

- 6.1. For applications involving lands with an area less than or equal to five (5) hectares:
 - 6.1.1. Ten thousand (10,000) pesos if the subject landholding is within the same island as that of the Office of the Regional Director; or

- 6.1.2. Fifteen thousand (15,000) pesos if the subject landholding is not within the same island as that of the Office of the Regional Director.
- 6.2. For applications involving lands with an area larger than five (5) hectares:
 - 6.2.1. Ten thousand (10,000) pesos if the subject landholding is within the main island of Luzon (except Bicol peninsula);
 - 6.2.2. Fifteen thousand (15,000) pesos if the subject landholding is within Regions I to IV but is not located within the main island of Luzon;
 - 6.2.3. Fifteen thousand (15,000) pesos if the subject landholding is in Bicol Peninsula or Visayas group of islands; or
 - 6.2.4. Twenty thousand (20,000) pesos if the subject landholding is in the Mindanao group of islands.

VII. PROCEDURE

- 7.1. The applicant shall first secure an Application Form from the RCLUPPI or CLUPPI-2.
- 7.2. The applicant shall:
 - 7.2.1. Fill-up the application form with all the necessary data;
 - 7.2.2. Indicate whether or not the application is for a housing project under Executive Order (EO) No. 45, Series of 2001 (EO-45-2001);
 - 7.2.3. Acknowledge the accomplished application form before a notary public;
 - 7.2.4. Attach the Title(s) required under either 2.3 or 2.4 hereof;
 - 7.2.5. Attach the vicinity or directional map required under 2.11 hereof;
 - 7.2.6. Reproduce the above documents into four (4) sets (one [1] original set and three [3] photocopy sets). At least one (1) photocopy set shall be forwarded to the MARO.
- 7.3. Following the instructions that accompany the Application Form, the applicant shall install the public notice billboard(s) required under Part III hereof.
- 7.4. Immediately thereafter, the applicant shall reproduce the application form into at least six (6) clear photocopy sets and place them in six (6) separate folders (plus a seventh folder for the original set), the distribution of which shall be as follows:
 - 7.4.1. The original copy for the RCLUPPI/CLUPPI-2;
 - 7.4.2. Three (3) photocopies for the RCLUPPI/CLUPPI-2; and
 - 7.4.3. Two (2) photocopies which the applicant shall furnish to the MARO as advance copies.

- 7.5. Within five (5) days from receipt of the folders containing the documents in Section 7.4 hereof, the MARO shall keep one folder for himself and transmit the other folder to the PARO.
- 7.6. *MARO certification* – Within ten (10) days from receipt of the above folder, the MARO shall: check the status of CARP coverage on the subject land; inspect the billboard; check presence of farmers, agricultural lessees, share tenants, farm workers, actual tillers, or occupants; post notices of the application in a conspicuous place in the municipality and a conspicuous place/s in the barangay/s covering the subject land (or in the barangay where a larger portion of the subject land is situated when said land overlaps into another barangay); prepare a single-document MARO certification reporting the result of all the foregoing tasks; and make available to the applicant the original copy of said MARO certification.
- 7.7. *MARO inaction* – If the MARO fails to act upon the request for said certification within ten (10) days from receipt of the request, the applicant shall notify the RCLUPPI/CLUPPI-2 of such failure by personally filing an affidavit reporting such inaction. The RCLUPPI/CLUPPI-2 shall investigate the reason for the non-issuance and take the steps necessary for the judicious resolution of the pending application for exemption. Simultaneously, the disciplining authority of the DAR shall, after proper investigation, impose upon the erring MARO the proper administrative sanction(s).
- 7.8. At this juncture, the applicant has four (4) folders left after furnishing two (2) advance copies for the MARO and PARO. The applicant shall place in said four (4) folders all the applicable documentary requirements set forth in Part II hereof, all the originals being in one (1) folder, and the photocopies thereof being in the three (3) other folders. These four (4) folders shall be the initiatory pleading of the application for exemption.
- 7.9. *Filing Date* – The applicant shall submit to the RCLUPPI/CLUPPI-2 the four (4) folders containing all the applicable requirements set forth in Part II hereof. The RCLUPPI/CLUPPI-2 shall then review the completeness of the application. If found complete, the applicant shall pay the inspection cost in accordance with Part VI hereof, after which the RCLUPPI/CLUPPI-2 may accept the application. Acceptance date of the folders shall be the “Filing Date” of the application.
- 7.10. The distribution of the four (4) folders shall be as follows: The RCLUPPI/CLUPPI-2 shall keep a folder containing the originals and a folder containing the photocopies. At the same time, the RCLUPPI/CLUPPI-2 Secretariat shall transmit the remaining two (2) folders to the PARO and MARO respectively. Immediate transmittal of said folders is important because the PARO shall utilize the information therein when acting upon any protest against the application, or when issuing any comment that he may wish to submit to the RCLUPPI/CLUPPI-2 in connection with the application.
- 7.11. Within five (5) days from Filing Date, the RCLUPPI/CLUPPI-2 shall issue to the applicant a Notice of Conduct of Ocular Inspection, indicating the date thereof. The ocular inspection shall be held not earlier than ten (10) days nor later than fifteen (15) days from issuance date of the Notice of Conduct of Ocular Inspection. The RCLUPPI/CLUPPI-2 shall inform

the MARO of the date of ocular inspection through the speediest means of communication with instructions to ensure dissemination of the Notice to all farmers, agricultural lessees, share tenants, farmworkers, actual tillers, or occupants in the subject landholding.

- 7.12. The applicant shall transmit said Notice to the MARO and indicate the ocular inspection date on the billboard(s) at least five (5) days before conduct of ocular inspection. On or before ocular inspection date, the applicant shall submit to the RCLUPPI/CLUPPI-2 a proof that the MARO received a copy of said Notice.
- 7.13. The RCLUPPI/CLUPPI-2 shall then conduct ocular inspection, and if possible, hold a dialogue with the farmers, agricultural lessees, share tenants, farmworkers, actual tillers, and/or occupants found in the subject landholding. Notwithstanding the finding of the NIA on the irrigation status of the subject land, the ocular inspection team shall make its own determination on the irrigation status. Where irrigation is absent in the subject land but present in adjoining or neighboring lands, the RCLUPPI/CLUPPI-2 shall determine whether or not the subject land is a servient estate of an easement of irrigation waterway such that irrigation water crosses thru a portion of the subject land en route to or from the adjoining or neighboring lands. If in the affirmative, any grant of exemption herein shall in no way give the applicant (or any of his successor-in-interest) any right to block or otherwise impede the free flow of water thru said easement.
- 7.14. The RCLUPPI/CLUPPI-2 ocular inspection team shall, within five (5) days from conduct of ocular inspection, accomplish an Investigation Report which shall include the result of its dialogue.
- 7.15. The RCLUPPI/CLUPPI-2 shall deliberate on the merits of the application and may call the applicant and/or oppositor(s), if any, for clarificatory questioning to judiciously resolve any dispute arising from the application. The RCLUPPI shall invite the PARO to participate in the deliberations. Upon his discretion, the PARO may submit a written comment to the RCLUPPI/CLUPPI-2.
- 7.16. *RCLUPPI/CLUPPI-2 recommendation* – Within thirty (30) days from issuance of the MARO certification or filing of affidavit of MARO inaction, but not later than forty (40) days from Filing Date, the RCLUPPI/CLUPPI-2 shall forward its recommendation, together with the records, to the approving authority.
- 7.17. The filing of any protest shall interrupt the running period for processing applications for exemption and shall lift the deadline for approving or disapproving the application. Upon receipt of a protest, the RCLUPPI/CLUPPI-2 shall order the filing of a comment, reply, rejoinder, and such other pleadings that may aid in a judicious resolution of the protest issues, and thereafter, schedule hearings where the parties may present their respective evidence. After conclusion of the hearings, the RCLUPPI/CLUPPI-2 shall submit its recommendation to the approving authority which shall resolve the protest simultaneously with the application.
- 7.18. Protests against applications involving housing projects shall likewise interrupt the running period and lift the deadline for approving or

disapproving the application. In line with Section 4 (c) of EO-45-2001, the RCLUPPI/CLUPPI-2 shall make a preliminary determination on whether or not the protest stands on valid grounds. When the protest is prima facie meritorious, the RCLUPPI/CLUPPI-2 shall order the filing of a comment, reply, rejoinder, and such other pleadings that may aid in a judicious resolution of the protest issues, and thereafter, schedule hearings where the parties may present their respective evidence. After conclusion of the hearings, the RCLUPPI/CLUPPI-2 shall submit its recommendation to the approving authority which shall resolve the protest simultaneously with the application.

VIII. EFFECT ON PRE-EXISTING CARP COVERAGE

When the filing of an application for exemption clearance is in response to a notice of CARP coverage, the DAR shall deny due course to the application if it was filed after sixty (60) days from the date the landowner received a notice of CARP coverage.

IX. PROTESTS

- 9.1. *Who may file* – Any person may file a written protest against the application within thirty (30) days from posting of the requisite billboard(s), or within fifteen (15) days from conduct of ocular inspection, whichever is later.
- 9.2. *Where to file* – Protests against applications for exemption may be filed in the office of the PARO or RCLUPPI having jurisdiction over the applied property, or at the CLUPPI-2.
- 9.3. *Grounds:*
 - 9.3.1. The subject landholding is classified as within the agricultural zone based on the Zoning Ordinance or Comprehensive Land Use Plan (CLUP) of the LGU approved by the HLURB prior to 15 June 1988. A protest based on this ground shall not be given due course unless the oppositor invoking said ground submits the necessary certification from the HLURB Regional Office or the proper government agency.
 - 9.3.2. The subject property has been covered by Operation Land Transfer (OLT) under PD 27.
- 9.4. The RCLUPPI/CLUPPI-2 shall make a preliminary determination on whether or not the protest stands on valid grounds. When the protest is prima facie meritorious, the RCLUPPI/CLUPPI-2 shall order the filing of a comment, reply, rejoinder, and such other pleadings that may aid in a judicious resolution of the protest issues, and thereafter schedule hearings where the parties may present their respective evidence. After conclusion of the hearings, the RCLUPPI/CLUPPI-2 shall submit its recommendation to the approving authority which shall resolve the protest simultaneously with the application.
- 9.5. An oppositor who files a protest before the PARO shall do so by personal service, not by mail. Upon receipt of a protest by personal service, the PARO shall, before the end of the next working day, communicate with the RCLUPPI/CLUPPI-2 by telephone or text message, to inform the

members thereof of such protest, and send a corresponding telegram and/or radiogram which shall serve as written proof of compliance with the protest notification requirement herein. Within five (5) working days from receipt of the protest, the PARO shall transmit, by courier or speed delivery, to the RCLUPPI/CLUPPI-2 the original copy of the protest itself, and keep a photocopy thereof in his custody. Failure of the PARO to comply with the directive under this Section shall subject him to the appropriate disciplinary action.

X. PROVISIONAL REMEDIES

In cases where grave and irreparable damage will result to the parties or where the doing and continuance of certain acts will render the case moot and academic, or where there is a need to maintain peace and order and prevent loss to life or property, the Secretary or Regional Director may, *motu proprio* or at the instance of any party, issue a Cease and Desist Order (CDO) pending the resolution of the case. In this regard, the issuing authority may request the assistance of law enforcement agencies to implement the CDO.

XI. MOTION FOR RECONSIDERATION AND APPEAL

This Order shall adopt the provisions of the ALI rules on motion for reconsideration and appeal.

XII. FINALITY OF THE ORDER

The Exemption Clearance or its denial shall become final and executory after all parties receive a copy of the Order, and after the lapse of fifteen (15) calendar days from date of receipt date by the last recipient of an official copy of the Order, and no motion for reconsideration or appeal therefrom has been filed. The Head of the Legal Division of the Regional Office or the BALA Director shall issue the appropriate Certificate of Finality.

XIII. REVOCATION OR WITHDRAWAL OF EXEMPTION CLEARANCES

Any person may file a petition to revoke, or the landowner may file a petition to withdraw, the Exemption Clearance, when there is a serious violation of agrarian laws or DAR rules, or on any other substantial ground which the Secretary may deem proper, within ninety (90) days from discovery of the fact(s) constituting the ground(s) for cancellation or withdrawal, but not more than one (1) year from issuance of the Exemption Clearance.

XIV. SANCTIONS

The DAR may impose against its own officials or employees the following sanctions, in accordance with RA 6713 or the *Code of Conduct and Ethical Standards for Public Officials and Employees*, and the *Uniform Rules on Administrative Cases in the Civil Service* (effective 26 September 1999), specifically Rule IV, Section 52, sub-section "C", numbers "13" to "15" thereof, to wit:

- "13. Failure to act promptly on letters and request within fifteen (15) days from receipt, except as otherwise provided in the rules implementing the Code of Conduct and Ethical Standards of Public Officials and Employees."

“14. Failure to process documents and complete action on document and papers within a reasonable time from preparation thereof, except as otherwise provided in the rules implementing the Code of Conduct and Ethical Standards of Public Officials and Employees.”

“15. Failure to attend to anyone who wants to avail himself of the services of the office, or act promptly and expeditiously on public transactions.”

“1st Offense Reprimand”

“2nd Offense Suspension 1-30 days”

“3rd Offense Dismissal”


XV. TRANSITORY PROVISION

The rules and procedures herein shall apply to cases pertaining to the *Lungsod Silangan Townsite*, provided that the requirements in Memorandum Circular No. 25, Series of 1997, as amended, shall continue to govern.

XVI. REPEALING CLAUSE AND EFFECTIVITY

This Order amends or repeals all issuances inconsistent herewith and shall take effect ten (10) days after its publication in two (2) national newspapers of general circulation, in line with Section 49 of RA 6657.

Diliman, Quezon City, 16 January 2003.


HERNANI A. BRAGANZA
Secretary

Published in two (2) national newspapers
of general circulation:

1. THE PHILIPPINE DAILY INQUIRER
2. MALAYA

Date of Publication - January 30, 2003

Application for CARP Exemption (ACE)
Form # 1

Republic of the Philippines
DEPARTMENT OF AGRARIAN REFORM
Center for Land Use Policy Planning & Implementation – 2
RCLUPPI: _____

For CLUPPI-2 / RCLUPPI to fill up:	
COMPLETE APPLICATION RECEIVED	
Date: _____	200__
Time: _____	Number of Pages: _____
Signature of Evaluator: _____	

**SWORN APPLICATION
FOR
EXEMPTION CLEARANCE**

For the CLUPPI-2 / RCLUPPI to fill up:	
FILING FEE OFFICIAL RECEIPT:	INSPECTION COST OFFICIAL RECEIPT:
Amount: _____ Pesos	Amount: _____ Pesos
Date: _____ 200__	Date: _____ 200__
Number: _____	Number: _____

May I / we request for EXEMPTION CLEARANCE for the following parcel of land:

Area in hectares: _____

Street / Road / access: _____

Sitio / Purok / vicinity: _____

Barangay: _____

Municipality: _____

Province / City: _____

Owner/s: _____

Title (if any): _____

In support of this application, I / we hereby submit the following information under oath:

APPLICANT'S PERSONAL CIRCUMSTANCES

**INDIVIDUAL LANDOWNER
IF THE APPLICANT IS THE LANDOWNER**

Name: _____
Address: _____

Telephone: _____ Fax: _____
Telephone: _____ E-mail: _____

CORPORATION/PARTNERSHIP/CO-OWNERSHIP/GOVERNMENT ENTITY

Name: _____
Address: _____

Telephone: _____ Fax: _____
Telephone: _____ E-mail: _____

PRESIDENT or HEAD of corporation or government entity:

Name: _____
Telephone: _____ Fax: _____
Telephone: _____ E-mail: _____

For CO-OWNERSHIP:

Number of co-owners: _____
Name and address of co-owners:

Co-owner Name: _____
Address: _____

Co-owner Name: _____
Address: _____

Co-owner Name: _____
Address: _____

Co-owner Name: _____
Address: _____

Co-owner Name: _____
Address: _____

Fill in the blanks or write a check mark in the appropriate brackets "[]". Any false statement in this application or attachments thereto shall be a ground for outright denial of the application and criminal prosecution. Any portion left blank is equivalent to a sworn statement by the applicant that the information for the blank line is "N/A" or "Not Applicable", which, if found to be otherwise, shall likewise be subject to criminal prosecution.

Co-owner Name: _____
Address: _____

REPRESENTATIVE

IF APPLICANT IS NOT THE LANDOWNER:

Name: _____
Address: _____
Telephone: _____ Fax: _____
Mobile phone: _____ E-mail: _____
SOURCE OF AUTHORITY:
 Special Power of Attorney Board Resolution

DESCRIPTION OF LANDHOLDINGS

Main Access Road: _____
Barangay: _____
Municipality/City: _____
Province: _____

TITLE OF OWNERSHIP

WITH TITLE (PLEASE ATTACH CERTIFIED TRUE COPY OR COPIES)

NO TITLE

Tax Declaration as of 15 June 1988 (attach photocopy):

Latest Tax Declaration (attach photocopy):

Year _____
Number _____

Alienable and Disposable

Pending Administrative Confirmation of Imperfect Title

When Filed: _____
Where Filed: _____
Case Number: _____

Pending Judicial Confirmation of Imperfect Title

When Filed: _____
Where Filed: _____
Case Number: _____

Name(s) Adverse Claimant(s):

Fill in the blanks or write a check mark in the appropriate brackets "[]". Any false statement in this application or attachments thereto shall be a ground for outright denial of the application and criminal prosecution. Any portion left blank is equivalent to a sworn statement by the applicant that the information for the blank line is "N/A" or "Not Applicable", which, if found to be otherwise, shall likewise be subject to criminal prosecution.

LAND COVER AND USE OF APPLIED AREA

DOMINANT LAND USE				
LOT	LAND COVER CROP, GRASS, STRUCTURES	LAND USE	AREA HECTARES	REMARKS SPECIFY CROPS PRODUCTIVITY LEVEL OTHER SIMILAR INFO

OTHER LAND USE				
LOT	LAND COVER CROP, GRASS, STRUCTURES	LAND USE	AREA HECTARES	REMARKS SPECIFY CROPS PRODUCTIVITY LEVEL OTHER SIMILAR INFO

SUROUNING LAND COVER AND USE				
	LAND COVER crop, grass, structure, etc.	LAND USE	AREA Hectares	REMARKS If planted with crops, specify type of crops, and productivity level.
NORTH				
North East				
EAST				
South East				
SOUTH				
SouthWest				
WEST				
NorthWest				

Fill in the blanks or write a check mark in the appropriate brackets "[]". Any false statement in this application or attachments thereto shall be a ground for outright denial of the application and criminal prosecution. Any portion left blank is equivalent to a sworn statement by the applicant that the information for the blank line is "N/A" or "Not Applicable", which, if found to be otherwise, shall likewise be subject to criminal prosecution.

TERRAIN / TOPOGRAPHY:

TOPOGRAPHY:	HECTARES:	PEAK ELEVATION:
[] Flat	_____	[] Not above 500 meters
[] Upland	_____	[] Above 500 meters
[] Hilly	_____	
[] Mountainous	_____	
[] Plateau	_____	
[] Valley	_____	

ACCESSIBILITY (approximate distance in kilometers):

Barangay Road	_____	Barangay Center	_____
Municipal Road	_____	Municipal Hall	_____
Provincial Road	_____	Provincial Capitol	_____
National Highway	_____		
Public Market	_____		
School	_____		
Other Landmarks	_____	Specify:	_____
Other Landmarks	_____	Specify:	_____

Remarks (specify type of road, means of access, others):

EXISTING CARP coverage

- [] With Notice of Acquisition / Valuation date issued: _____
- [] With perfected Voluntary Land Transfer / Direct Payment Scheme date executed: _____
- [] With approved Stock Distribution Option date approved: _____
- [] Within landed estate / resettlement
- [] Not covered by any of the above

NUMBER of PERSONS and STATUS of OCCUPANCY

	NUMBER:
[] with agricultural lessee(s)	_____
[] with share tenant(s)	_____
[] with regular farmworker(s)	_____
[] with seasonal farmworker(s)	_____
[] with other farmworker(s)	_____
[] with actual tiller(s)	_____
[] with occupant(s)	_____
[] with _____	_____
[] none	

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CHECK IF AVAILABLE AND ATTACH CERTIFIED TRUE COPIES OF THE FOLLOWING:

- 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
 - Comprehensive Land Use Plan (CLUP)
 - Not yet approved by the Sanggunian
 - Approved by the Sanggunian
 - Municipal or City Zoning Ordinance Number _____
Date: _____
 - Not yet approved by HLURB
 - Approved by HLURB resolution Number _____
Date: _____
- Certification issued by the DENR Mines and Geosciences Bureau or the proper Department of Environment and Natural Resources (DENR) office attesting that the subject land is classified as mineral and covered by a mining permit issued by said Bureau or the proper Local Government Unit (LGU) in case of small scale mining.
- Certification issued by the DENR Forestry Sector or the proper DENR office attesting that the subject land is classified as within the forest zone.
- Certification issued by the National Irrigation Administration (NIA).
- Lot Plan: date: _____ Geodetic Engineer: _____
- Vicinity or directional map

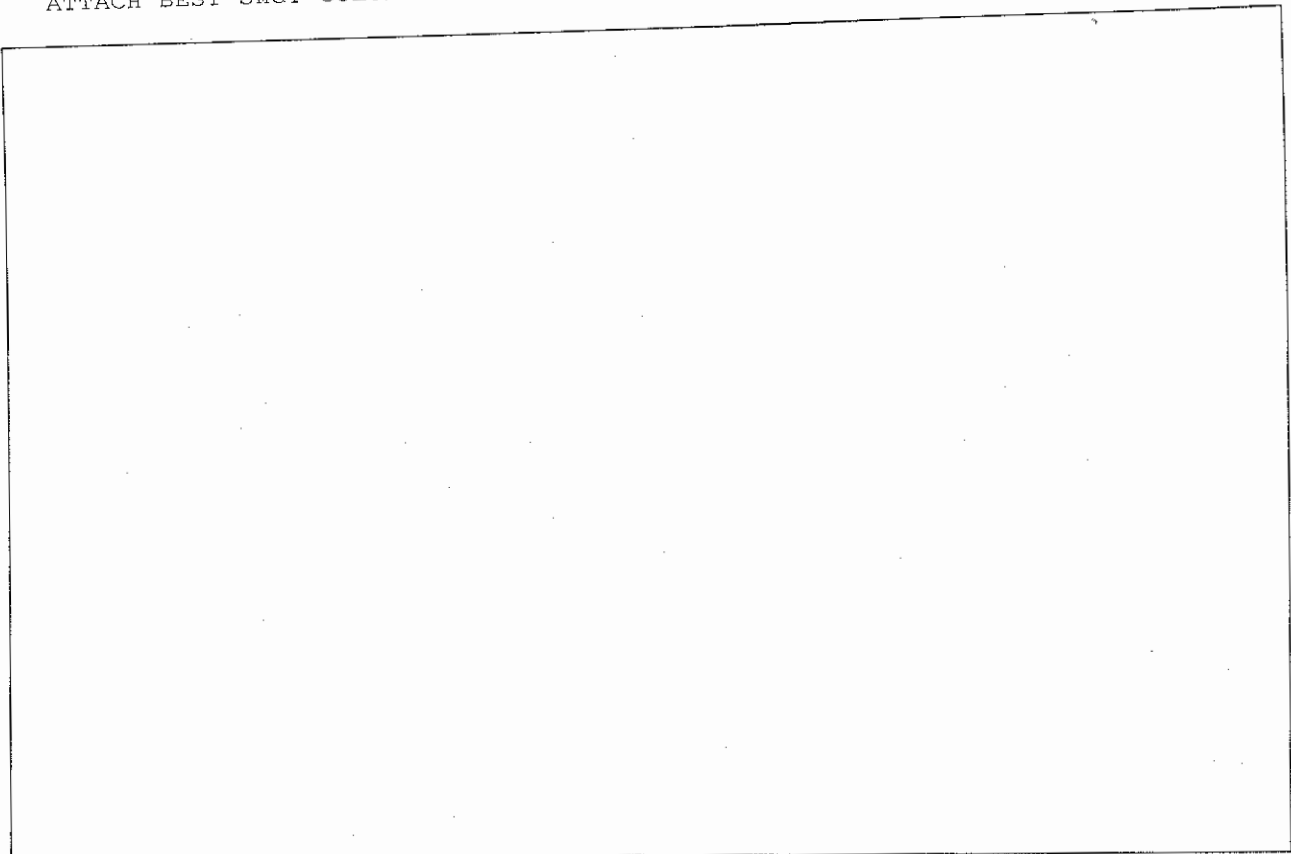
BILLBOARD

Number of Billboards Erected: _____ Billboard Height in meters: _____
 Date Erected: _____ Billboard Length in meters: _____
 Materials used for billboard: _____
 Exact Location(s) of Billboard(s): _____
 Billboard 1 _____
 Billboard 2 _____
 Billboard 3 _____
 MESSAGE WRITTEN ON BILLBOARD
 DIALECT: _____

REQUIRED INFORMATION	MESSAGE ACTUALLY APPEARING IN BILLBOARD
Announcement that the applicant/s is/are applying for exemption	
Complete name(s) of the landowner(s) and applicant(s)	
Total area and exact location of the exemption proposal	Total Area: Exact Location:
Date of Filing of Application	
Date of posting of billboard	
Deadline for filing protest	
Addresses of DAR offices where resident oppositors may conveniently file their protests	
Address of the approving authority	
Schedule of ocular inspection	
Date of Approval or Denial of the Application	

Fill in the blanks or write a check mark in the appropriate brackets "[]". Any false statement in this application or attachments thereto shall be a ground for outright denial of the application and criminal prosecution. Any portion left blank is equivalent to a sworn statement by the applicant that the information for the blank line is "N/A" or "Not Applicable", which, if found to be otherwise, shall likewise be subject to criminal prosecution.

ATTACH BEST SHOT COLOR PHOTOGRAPH OF BILLBOARD (size 5 inches by 7 inches)



LANDOWNER/APPLICANT
TIN: _____
Community Tax Certificate
Number: _____
Place: _____
Date: _____

LANDOWNER/APPLICANT
TIN: _____
Community Tax Certificate
Number: _____
Place: _____
Date: _____

LANDOWNER/APPLICANT
TIN: _____
Community Tax Certificate
Number: _____
Place: _____
Date: _____

LANDOWNER/APPLICANT
TIN: _____
Community Tax Certificate
Number: _____
Place: _____
Date: _____

WITNESS

WITNESS

SUBSCRIBED and SWORN to before me this 200
in _____ personally appeared the above, known to me and
to me known to be the person(s) who executed this SWORN APPLICATION FOR
EXEMPTION after exhibiting to me his/her/their respective Tax Identification Number (TIN)
and Community Tax Certificate, and he/she/they acknowledge the voluntary execution of this
sworn application and full comprehension of its legal consequences.

Document _____
Page _____
Book _____
Series of 200