

Republic of the Philippines  
DEPARTMENT OF AGRARIAN REFORM  
- DEPARTMENT OF JUSTICE

Joint Administrative Order No. 04  
Series of 1993

Subject: ILLEGAL CONVERSION OF AGRICULTURAL LANDS

I. PREPARATORY STATEMENT

It is the policy of the State to pursue a Comprehensive Agrarian Reform Program (CARP). The welfare of the landless farmers and farmworkers will receive the highest consideration to promote social justice and to move the nation toward sound rural development and industrialization, and the establishment of owner cultivatorship of economic-size farms as the basis of Philippine agriculture.

Pursuant to the legal mandate set forth in Republic Act No. 6657, the Secretary of Agrarian Reform issued Department of Agrarian Reform (DAR) Administrative Order No. 1, Series of 1990 which disallows the conversion of lands devoted to or suitable for agriculture into non-agricultural uses, except in the following instances:

"1. When the land ceases to be economically feasible and sound for agricultural purposes as certified by the Regional Director of the Department of Agriculture (DA) or the land or locality has become highly urbanized and the land will have a greater economic value for residential, commercial or industrial purposes as certified by the Deputized Zoning Administrator of the HLURB; or

2. When lands are classified as commercial, industrial and residential in new or revised town plans approved by Inter-Agency Planning Task Forces organized by the HLURB with the participation of the DA, DENR, DAR, Department of Trade and Industry (DTI), National Economic and Development Authority (NEDA) and in applicable cases, the Department of Tourism (DOT). In the town planning process, the communities affected and the concerned NGOs shall be involved; or

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3. When in the case of the city/municipality which does not have land use plans or integrated zoning ordinance duly approved by HLURB, the dominant use of the area surrounding the land subject of the application for conversion is no longer agricultural. If the proposed use is similar to, or compatible with the dominant use of the surrounding area, the petition for conversion may be given due course. Moreover, the Regional Physical Framework Plan as approved by the Regional Development Council (RDC) shall be used as a basis for decision-making."

Despite the policy guidelines set in DAR Administrative Order No. 1, Series of 1990, there are a lot of reported cases of conversion which are not authorized by the DAR.

The continued unauthorized conversion of lands from agricultural to non-agricultural uses is an obstacle to the implementation of the CARP.

## II. DEFINITION

A. Illegal Conversion is the act of changing the current use of agricultural land into non-agricultural uses, without the required order of conversion from the DAR.

## III. CREATION OF A NATIONAL TASK FORCE ON ILLEGAL CONVERSION

### A. COMPOSITION

A Joint Department of Agrarian Reform-Department of Justice (DAR-DOJ) Task Force at the national level, hereinafter referred to as National Task Force, is created to monitor cases of illegal conversion.

The National Task Force shall be composed of the following:

1. DAR Assistant Secretary for Legal Affairs Office who shall head the Task Force;
2. Two (2) Representatives from the DAR to be appointed by the Secretary of Agrarian Reform; and

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3. Three (3) Representatives from the DOJ to be appointed by the Secretary of Justice.

B. DUTIES AND RESPONSIBILITIES OF THE NATIONAL TASK FORCE

1. Identify and set as priority areas, provinces where illegal conversion of agricultural lands are rampant;
2. Report to the Secretaries of the DAR and DOJ on the conversion situation in the country;
3. Recommend the issuance or the amendment of guidelines and circulars on conversion and illegal conversion of agricultural lands;
4. Designate such persons who will coordinate and monitor the activities of the Provincial Task Forces on Illegal Conversion; and
5. Perform such other related functions which may be assigned by the Agrarian Reform and the Justice Secretaries.

IV. CREATION OF PROVINCIAL TASK FORCES ON ILLEGAL CONVERSION

A. COMPOSITION

To monitor the cases of illegal conversion of agricultural lands in the provinces, a Provincial Task Force on Illegal Conversion is created in each province. The Provincial Task Forces shall be headed jointly by the DAR Chief Legal Officer in the province and the Provincial Prosecutor. Members of the Provincial Task Forces shall be the:

1. Chief Agrarian Reform Program Officer (CARPO) in the province;
2. Assistant Provincial Prosecutor to be designated by the Provincial Prosecutor; and
3. Two (2) Municipal Agrarian Reform Officers (MAROs) to be designated by the Provincial Agrarian Reform Officer (PARO).

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B. DUTIES AND RESPONSIBILITIES OF THE PROVINCIAL TASK FORCE

1. Investigate all ongoing development projects and conversion of agricultural lands;
2. Monitor the conversion situation in the province;
3. Recommend and file criminal cases against the landowners and the developers for the illegal conversion of agricultural lands which is in violation of R.A. No. 6657;
4. Report to the National Task Force on the conversion situation in the province;
5. Perform such other related functions which may be assigned by the National Task Force on Illegal Conversion.

V. POSTING REQUIREMENT

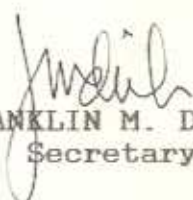
Henceforth, all developers, landowners, and similar entities shall post in a conspicuous place in their project the notice: "DAR Conversion Order dated \_\_\_\_\_." The absence of such a notice shall be a ground for the investigation of such project by the authorities emanating from the DAR or the DOJ on the possibility of illegal conversion.

VI. EFFECTIVITY

This Joint Administrative Order shall take effect immediately.

Quezon City, 4 May 93, 1993

  
ERNESTO D. GARILAO  
Secretary

  
FRANKLIN M. DRILON  
Secretary