



Republic of the Philippines  
**DEPARTMENT of AGRARIAN REFORM**

MEMORANDUM CIRCULAR

No. 08

Series of 2004

To : Municipal Agrarian Reform Officers  
Provincial Agrarian Reform Officers  
Regional Directors  
All Heads of Legal Division of Regional Offices  
Regional Centers for Land Use Policy Planning and Implementation (RCLUPPIs)  
Center for Land Use Policy Planning and Implementation (CLUPPI)  
Director, Bureau of Agrarian Legal Assistance  
Undersecretary, Policy Planning and Legal Affairs Office

Date : 04 May 2004

Subject : Clarificatory guidelines on DAR Memorandum Circular No. 5, s. 2004  
(Moratorium on the Processing and Grant of Applications for Conversion and Exemption of All Lands Devoted to or Suitable for Agriculture)

On 3 March 2004, the Department of Agrarian Reform issued DAR Memorandum Circular No. 5, s. 2004 (Moratorium on the Processing and Grant of Applications for Conversion and Exemption of All Lands Devoted to or Suitable for Agriculture). This Circular declared a moratorium on the processing and grant of applications for conversion of lands into non-agricultural uses and exemption from CARP coverage of all lands devoted to or suitable for agricultural uses. It likewise stated that the moratorium shall remain effective pending the review of controversial and questionable conversion and exemption cases as well as the policies and mechanisms for the processing of applications for conversions and exemptions.


For purposes of clarifying the moratorium, the following guidelines are hereby issued:

1. All applications for conversion or exemption shall continue to be processed but the grant or denial thereof shall be held in abeyance until after the lifting of the moratorium. The moratorium shall be lifted upon completion of the review of controversial or questionable conversion and exemption cases as well as the existing policies on conversion and exemption applications but not later than June 30, 2004.
2. The moratorium does not cover applications for conversion or exemption falling under priority development areas and projects as certified by the proper government agencies, including housing projects, which shall be processed and deliberated upon in accordance with the periods provided under E.O. No. 45 s. 2001 and other existing rules.

3. The moratorium does not cover the resolution of appeal, motions for reconsideration, or petitions for revocation of prior Orders, Decisions, Resolutions of conversion or exemption cases, issuance of certificate of finality, and other post-judgment orders or incidents including application for extension of development period in conversion cases
4. Pursuant to existing rules, the conversion order or exemption clearance or their respective denial shall become final and executory after all the parties receive a copy of the Order and after the lapse of 15 calendar days from the date of receipt 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, as the case may be, shall issue the appropriate Certificate of Finality.
5. The issuance of Certificate of Finality is without prejudice to the filing of appropriate actions by those affected by the said Orders, Decisions, or Resolutions who have substantial interest on the subject matter thereof and are not directly impleaded in the said cases.
6. All MAROs are directed to ensure the posting of the said Orders, Decisions, or Resolutions upon receipt thereof for a period of 15 days in the barangay hall, municipal hall, and another conspicuous place near the subject property. A compliance thereof in the form of certificate of posting shall be immediately transmitted to the Office of the Regional Director or the Office of the Secretary, as the case may be, after the lapse of the said period.

Diliman, Quezon City, 04 May 2004.

For strict compliance.

  
JOSE MARI B. PONCE  
OIC-SECRETARY