



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

DAR MEMORANDUM CIRCULAR)

NO. 12 :

SERIES OF 2000 )

TO : The Undersecretary for Field Operations  
and Support Services,  
The Executive Director, CLUPPI,  
The Secretariats, CLUPPI 1 and 2,  
Regional Directors,  
Provincial Agrarian Reform Officers,  
Municipal Agrarian Reform Officers, and  
All Concerned

SUBJECT : ISSUANCE OF POST-HARVEST FACILITY  
CLEARANCE IN DISTRIBUTED LANDS

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To encourage and facilitate the establishment of post-harvest facilities in distributed lands, the following guidelines are hereby promulgated:

SECTION 1. *Statement of Policy* - Under Sec. 3(b) of RA 6657, as amended by RA 7881, agriculture, agricultural enterprise or agricultural activity means the cultivation of the soil, planting of crops, growing of fruit trees, including the harvesting of such farm products, and other farm activities and practices performed by a farmer in conjunction with such farming operations done by persons whether natural or juridical.

The establishment of post-harvest facilities, as contemplated in Sec. 2 hereof, shall be deemed an integral part of an agricultural enterprise or agricultural activity which shall not be required to undergo the conversion procedures as provided in DAR Administrative Order (AO) No. 1, Series of 1999.

Nonetheless, to ensure that the structures to be constructed are indeed post-harvest facilities and to prevent indiscriminate conversion of distributed lands, agrarian reform beneficiaries (ARBs) or their duly authorized representatives shall be required to secure a post-harvest facility clearance before they are established.

SEC. 2. *Type of Post-Harvest Facilities Covered* - These guidelines shall cover post-harvest facilities such as rice/corn/feed mills, warehouses, and solar driers to be established in distributed lands. All other types of post-harvest facilities shall require prior determination by the Secretary on whether they need a conversion clearance under AO 1 (1999) or a post-harvest facility clearance as provided herein. The applicant shall file a written request with the Office of the Secretary, through the CLUPPI Executive Director, for this purpose.

SEC. 3. *Criteria for Issuance of Post-Harvest Facility Clearance* - A post-harvest facility clearance shall be issued upon satisfactory showing by the applicant of the following:

- a) The post-harvest facility is indispensable to the agricultural activity therein;
- b) There is no other post-harvest facility in the vicinity which can adequately service the needs of the applicant;
- c) The post-harvest facility shall not adversely affect irrigation facilities in the area, nor substantially reduce the extent of the irrigated or irrigable area therein, if any; and
- d) Such other factors as the DAR may deem appropriate to fairly and equitably resolve the application.

SEC. 4. *Approving Authority* - The officials authorized to issue post-harvest facility clearances are as follows:

- a) The Provincial Agrarian Reform Officer (PARO) for areas involving 0.5 ha and below;
- b) The Regional Director (RD) for areas more than 0.5 ha. up to 1.0 ha; and
- c) The Undersecretary for Field Operations and Support Services Office for areas more than 1.0 ha.

SEC. 5. *Documentary Requirements* - The applicant for a post-harvest facility clearance shall submit the following documents:



- a) Duly accomplished application form (*Annex "A"*) subscribed and sworn to before the Barangay Captain of the locality;
- b) Location plan of the land where the post-harvest facility will be constructed;
- c) Photocopy of the Emancipation Patent (EP)/Certificate of Land Ownership Award (CLOA) duly certified by the Register of Deeds;
- d) Description and importance of the post-harvest facility;
- e) Proof of financial capacity to construct the post-harvest facility such as agreement with or letter of commitment from the financier, funding agency or project, or any other equivalent proof.

SEC. 6. *Operating Procedures* - The procedures to be followed in the processing of applications for a post-harvest facility clearance are as follows:

- a) Applicant shall accomplish the application form (*Annex "A"*) and submit the same with the Municipal Agrarian Reform Officer (MARO) who has jurisdiction over the area together with the supporting documents;
- b) Upon receipt of the application, the MARO shall undertake field investigation and verify the data submitted by the applicant within three (3) days. The MARO shall submit his investigation report with his findings and recommendations within two (2) days from completion of the field investigation;
- c) The MARO shall then forward the application together with his investigation report to the Provincial Agrarian Reform Officer (PARO) for appropriate action;
- d) The PARO shall approve or deny applications falling under the scope of his authority within three (3) days from receipt thereof. If the application involves more than 0.5 ha, he shall forward the same to the Regional Director with his recommendation.



- e) The Regional Director shall approve or deny applications falling under the scope of his authority within three (3) days from receipt thereof. If the application involves more than 1.0 ha, he, shall forward the same to the Undersecretary for Field Operations and Support Services who shall act within three (3) days from receipt thereof;
- f) The application shall be deemed approved upon failure of the PARO, RD or Undersecretary for Field Operations and Support Services to resolve the same within the periods provided herein;
- g) The PARO and the RD shall furnish the offices of the Undersecretary Field Operations and Support Services and the CLUPPI Executive Director copies of post-harvest facility clearances issued by them.

SEC. 7. *Effectivity* - This Circular shall take effect ten (10) days after publication in two (2) newspapers of general circulation.

Diliman, Quezon City, August 29, 2000.

  
HORACIO R. MORALES JR  
Secretary

Published in two (2) newspapers  
of general circulation:

1. THE PHILIPPINE DAILY INQUIRER
2. MALAYA

Date of Publication - September 4, 2000



Serial No. \_\_\_\_\_

PFC FORM NO. 1

SERIES OF 2000

(To be filled up by the applicant.)

APPLICATION NO. \_\_\_\_\_

**SWORN APPLICATION FOR  
POST-HARVEST FACILITY CLEARANCE**

(Must be filled-up completely, otherwise the  
same shall not be accepted.)

The Honorable Secretary  
Department of Agrarian Reform  
Quezon City

Sir:

Pursuant to DAR Memorandum Circular No. \_\_\_\_\_, Series of 2000, I  
hereby apply for the issuance of a post-harvest facility clearance and submit  
the following information:

**I. APPLICANT'S PERSONAL CIRCUMSTANCES**

**A. Individual Beneficiary**

Name: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

**B. Cooperative**

Name: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

**C. Representative**

Name: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_



## II. FACILITY DEVELOPER

Name: \_\_\_\_\_  
Postal Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
License/Registration Number: \_\_\_\_\_

## III. TYPE AND PURPOSE OF FACILITY

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Use additional sheets as may be necessary.)

## IV. DESCRIPTION OF LANDHOLDING/S

### A. LAND TITLE/S AND AREA APPLIED

Registered Owner	Lot No/ Survey No.	TCT /EP/ CLOA No/	Area per Title (ha)	Area Applied (ha)
1. _____	_____	_____	_____	_____
2. _____	_____	_____	_____	_____
3. _____	_____	_____	_____	_____

TOTAL

(Please attach Sketch Plan showing the relative location of area applied for clearance in relation to the whole portion of the lot.)

B. LOCATION: \_\_\_\_\_  
(Barangay, Municipality, Province)

### C. LAND USE OF APPLIED AREA

Land Use (e.g., riceland, coconut, pineapple, etc.)                      Area

1. Dominant: \_\_\_\_\_  
2. Others: \_\_\_\_\_

### D. SURROUNDING LAND USE

Land Use (e.g., riceland, coconut, pineapple, etc.)                      Area

1. Dominant \_\_\_\_\_  
2. Others \_\_\_\_\_



E. TERRAIN/TOPOGRAPHY OF APPLIED AREA

☐ Flat  
☐ Upland

☐ Hilly  
☐ Mountainous

I hereby certify that all information stated above are true and correct to the best of my knowledge and that no similar/previous application has been filed, in my name or in my behalf, over the same portion of the area applied for, neither is this application part of a bigger project involving other landholdings. It is understood that any misrepresentation on my part will be sufficient cause for denial of this application or cancellation or withdrawal of clearance and a perpetual ban of my person or entity or my representative from any transaction involving application for post-harvest facility clearance with the DAR.

IN WITNESS WHEREOF, I have hereunto affixed my signature this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_.

\_\_\_\_\_  
*Signature of Applicant/Authorized Representative*

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_ with the applicant/authorized representative exhibiting his/her Community Tax Certificate No. \_\_\_\_\_ issued on \_\_\_\_\_ at \_\_\_\_\_.

\_\_\_\_\_  
*Barangay Captain*

