



MEMORANDUM CIRCULAR NO. 10 '83  
Series of 1983 *DP 8-5-83*

TO : All Regional Directors  
District Officers  
Team Leaders  
Field Personnel

SUBJECT : ISSUANCE OF CERTIFICATION OF NON-  
COVERAGE UNDER OLT AND/OR NON-  
TENANCY.

We have received reports about the indiscriminate and unauthorized issuances of certifications to the effect that certain agricultural lands are not tenanted or not covered by operation Land Transfer. These certifications are often utilized by landowners in illegal conversion of agricultural lands into urban purposes or registering transactions involving lands covered by P.D. 27. It is hereby clarified that only in the following instances may certifications be signed and issued by the proper MAR Officials:

I. Certification Under P.D. 316 and 1038.

The Certification to the effect that a case is either proper or not proper for trials shall be issued by the Regional Director concerned after reviewing with the assistance of his legal staff the investigation report and recommendation of the hearing officer.

II. Certifications Under Circular 14 dated March 15, 1979 of the Ministry of Justice.

This is a certification to the effect that a land subject of a transaction is not covered by Operation Land Transfer pursuant to P.D. No. 27.

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Under this circular, it is necessary that the land must be the subject of a voluntary deed or instrument purporting to be a subdivision, mortgage, sale or any other mode of encumbrance or conveyance of private agricultural lands or portions thereof.

It is hereby emphasized that the MAR has no jurisdiction to issue a certification in favor of a landowner that his agricultural land is not tenanted or that there exist no tenancy relationship over such land on the basis of a document purporting to be a Deed of Voluntary Surrender or an alleged abandonment by a tenant as such extinguishment or termination of tenancy relationship is a matter that needs declaration of the appropriate court.

MAR Team Leaders are the Officials authorized to issue the certification except in Metro Manila, Rizal, Cavite, and Bulacan where the certification is signed by the Deputy Minister or the Director, BLADD.

In the issuance of the certification, observe strictly the guidelines contained in the Memorandum dated May 8, 1979.

Please be guided accordingly.

Diliman, Quezon City,

*August 4, 1983*

CONRADO F. ESTRELLA  
Minister