



MINISTRY MEMO-CIRCULAR NO. 11-79  
Series of 1979

To: All Regional Directors  
District Officers  
Team Leaders & Fieldmen  
To all Concerned

Subject: GUIDELINES GOVERNING CONVERSION OF PRIVATE AGRICULTURAL LANDS TO NON-AGRICULTURAL PURPOSES OR TO CHANGE/SHIFT TO OTHER AGRICULTURAL USES.

In order to effect an orderly and systematic implementation of Rules and Regulations to govern the conversion of private agricultural lands to non-agricultural uses or to other agricultural purposes, the following guidelines are hereby issued supplementary to Memorandum Agreement executed by and among the Ministry of Agrarian Reform, Ministry of Local Government and Community Development and Human Settlements Regulatory Commission dated May 13, 1977.

### I. Scope of Application

These guidelines shall apply to all petitions for conversion of private agricultural lands to non-agricultural uses or to change or shift to other agricultural purposes.

### II. Who May Petition for Conversion

1. Owners of land not covered by P.D. 27.
2. Farmer-beneficiaries of P.D. 27.

### III. General Criteria for Conversion

1. No private agricultural lands which are tenanted, fully irrigated and devoted to rice and/or corn may be converted to non-agricultural uses, except by the government or private entities granted the power of eminent domain.

2. Farmer-beneficiaries of P.D. 27 may convert their landholdings acquired under the said decree into other agricultural uses, or non-agricultural purposes, provided, that the conversion to non-agricultural purposes is by reason of the change in the predominant land use brought about by urban development or zoning regulations which render their landholdings more economically suitable to non-

agricultural uses, and provided, further, that the farmer-beneficiaries shall pay their obligations to the Land Bank in full or such other arrangements as shall be made between him and the Bank.

In case of change or shift to other agricultural uses, the same maybe allowed provided, no transfer of ownership is involved and its suitability is certified by a duly authorized representative of the Ministry of Agriculture and/or Ministry of Natural Resources as the case maybe.

#### IV. Venue of Application

Application for conversion may be filed with the Ministry of Agrarian Reform Central Office or any of its field offices. However, for purposes of expediency, application for conversion should be filed with the Agrarian Reform Team Offices concerned.

#### V. Operational Procedures

1. Petition for conversion to non-agricultural uses
  - a. All applications for conversion filed with the Ministry of Agrarian Reform Field Team (MARFT) shall be processed to determine the completeness of the application and accompanying documents as enumerated in Rule V of the Joint Memorandum of Agreement of the Ministry of Agrarian Reform (MAR), Human Settlement Regulatory Commission (HSRC), and Ministry of Local Government and Community Development (MLGCD).
  - b. The MAR Field Team Office shall immediately effect proper investigation and/or verification of the following:
    1. Name of Petitioner; registered owner as of October 21, 1972 and of present owner;
    2. Names and addresses of tenants, if any;
    3. Area and location of the land;
    4. Whether covered by OLT or within the retained area;
    5. Land category including crops planted and the corresponding average gross production thereof;
    6. If land is within the retained area, the written conformity of tenant/tenants to the conversion and the agreement relative to the payment of disturbance compensation and the corresponding amount including all other considerations or concessions;

7. If the disturbance compensation was already paid, determine the amount whether it is in accordance with the provisions of RA 3844, as amended;
  8. Location of land in relation to existing roads, community, commercial and industrial sites, actual land use/development, community needs and basic services and facilities in the barangay and/or in exceptional cases, the municipal level;
  9. Verify the other major potential uses of the land and whether the proposed conversion is in accordance with the zonal improvement plan of the municipality;
  10. Potential economic and social benefits.
- c. After due investigation and/or verification by the MAR Field Team Office, the Team Leader shall then prepare a written report and submit the same with his recommendations and all necessary documents pertinent thereto to the District Officer as soon as possible.

The District Officer shall immediately evaluate the report submitted, and if found to be in order, shall submit the same to the Regional Office with his recommendation. The District Officer may however conduct further investigation and/or verification if the circumstances so warrant.

- d. The Regional Director shall review the report submitted and if found to be in order, the same shall be transmitted to the Ministry of Agrarian Reform Central Office thru the Bureau of Land Acquisition, Distribution and Development (BLADD) with his recommendation.
- e. The BLADD jointly with the Bureau of Land Tenure Improvement (BLTI) shall evaluate and review the reports and supporting documents. If the application for conversion is found to be meritorious, the same shall be referred to the Ministry of Local Government and Community Development and Human Settlement Regulatory Commission for their comments and/or recommendation as provided for in the Memorandum of Agreement.

- f. Upon receipt of the comments/recommendation from MLGCD and HSRC, the BLADD and BLTI shall jointly review the reports and prepare its report and the proposed action for submission to the Minister thru the Bureau of Agrarian Legal Assistance (BALA).
2. Petition for Change and/or Shift to Other Agricultural Uses
    - a. All applications for change and/or shift to other agricultural uses filed with the MAR Field Teams shall be supported by a certification as to the suitability of the land to the proposed agricultural use, issued by a duly authorized representative of the Ministry of Agriculture or the Ministry of Natural Resources, as the case maybe.
    - b. Upon receipt of the application, verification and/or investigation shall be conducted by MARFT and on the basis of which a report shall be submitted by the Team Leader together with his recommendation to the District Officer.
    - c. The District Officer shall immediately evaluate the report submitted and if found to be in order, shall submit the same with his recommendation for action by the Regional Director.

#### VI. Nature and Form of Action

All actions relative to conversion to non-agricultural purposes shall be covered by an Order signed by the Minister.


Actions relative to change or shift to other agricultural uses shall be signed by the Regional Director.

For monitoring purposes, the BLTI shall be furnished copies of all Orders issued.

All Orders, Circulars and Memoranda which are inconsistent herewith are hereby revoked, cancelled or modified as the case maybe.

This Memorandum Circular shall take effect immediately.

Quezon City, June 25, 1979.

  
CONRADO F. ESTRELLA  
Minister