

**[DA ADMINISTRATIVE ORDER NO. 31, October
21, 1991]**

**GUIDELINES ON THE CERTIFICATION OF ELIGIBILITY FOR
CONVERSION OF AGRICULTURAL LAND TO NON-AGRICULTURAL
USES**

I

Governing Principle

The conversion of private agricultural land to non-agricultural uses shall be guided by the Philippine Constitution, Article III, Section 21 and Article XII, Section 1; Republic Act (RA) 6657, Section 2; Executive Order (EO) 292, Series of 1987; and the Department of Agriculture Charter on Agricultural Land.

II

Legal Mandate

The Department of Agrarian Reform Administrative Order (DAR-AO) No. 1, Series of 1990, Section VI-A6 requires from applicants for land conversion a certification from the Department of Agriculture, through its Regional Directors "that the land has ceased to be economically feasible and sound for agricultural purposes."

EO 292, otherwise known as the Revised Administrative Code of 1987, in its Title IV, Chapter I, Section 2, states that the Department of Agriculture is the government agency responsible for the promotion of agricultural development by providing the policy framework, public investments, and support services needed for domestic and export-oriented business enterprises.

The above Code empowers the Department of Agriculture to promulgate and enforce all laws, rules and regulations governing the conservation and proper utilization of agricultural and forestry resources.

III

Definition of Terms

A. **Conversion** shall refer to the authorized act of changing the current use of a piece of land into some other use.

B. **Agricultural Land** refers to land devoted to or suitable for agricultural activity as defined below and not classified as mineral, forest, residential, commercial or industrial land.

C. **Agriculture or Agricultural Activity** means the cultivation of soil, planting of crops, growing of fruit trees, raising of livestock, poultry, fish or aquaculture products, including the harvesting and immediate processing of such farm products, and other farm activities and practices performed in conjunction with such farming operations done by persons whether natural or juridical.

D. **Network of Protected Areas for Agricultural Development** refers to land reserved for agricultural activities. The specific types of land reserved for agricultural activities covered by the Network of Protected Areas are:

1. All irrigated and potentially irrigable land;
2. All alluvial plain land that are highly suitable for agricultural production and/or can be devoted to food production;
3. All sustainable land that are traditional sources of food;
4. All crop land that support the existing economic scale of production required to sustain the economic viability of existing agricultural infrastructure and agro-based enterprises in the province or region;
5. All productive land in the low-calamity risk areas that are suitable for the production of economic trees and other cash crops;
6. All agricultural land that are ecologically fragile and whose conversion will result in serious environmental problems.

E. **Map of Protected Areas** identifies the Network of Protected Areas for agricultural development in maps scaled at 1:50,000.

F. **Agro-based Enterprises or Agro-based Activity** refers to activities involved in the supply of agricultural inputs as well as those which process, trade or provide significant value-added to the products of agriculture.

G. **Agro-based Infrastructure** includes all types of infrastructure that will support activities of the agricultural and agro-based enterprise.

IV

Policy Guidelines

A. The State, through the Department of Agriculture, shall promote the well-being of farmers, including share-tenants, leaseholders, settlers, and other rural workers by providing an environment in which they can increase their income, improve their living conditions, and maximize their contributions to the national economy.

B. Recognizing the vital importance of the ownership of land to the farmer's ability to increase productivity and secure social and political participation, the Department of Agriculture strongly advocates and supports the effective and speedy implementation of agrarian reform. The Department of Agriculture's stewardship over agricultural land shall be guided by the principles of agrarian reform as envisioned in the Constitution and enunciated in RA 6657, EO 292, and other laws.