

**[ DAR ADMINISTRATIVE ORDER NO. 13, August  
30, 1990 ]**

**RULES AND PROCEDURES GOVERNING EXEMPTION OF LANDS  
FROM CARP COVERAGE UNDER SECTION 10, R.A. 6657**

**I  
Legal Mandate**

The general policy under CARP is to cover as much lands suitable for agriculture as possible. However, Section 10, R.A. 6657 excludes and exempts certain types of lands from the coverage of CARP, to wit:

A. Lands actually, directly and exclusively used and found to be necessary for parks, wildlife, forest reserves, reforestation, fish sanctuaries and breeding grounds, watersheds and mangroves, national defense, school sites and campuses including experimental farm stations operated by public or private schools for educational purposes, seeds and seedlings research and pilot production centers, church sites and convents appurtenant thereto, mosque sites and islamic centers appurtenant thereto, communal burial grounds and cemeteries, penal colonies and penal farms actually worked by the inmates, government and private research and quarantine centers; and

B. All lands with eighteen percent (18%) slope and over, except those already developed.

**II  
Policies**

In the application of the aforecited provision of law, the following guidelines shall be observed:

A. For an area in I.A above to be exempted from CARP coverage, it must be "actually, directly and exclusively used and found to be necessary" for the purpose so stated.

B. The security of tenure of tenants enjoyed prior to 15 June 1988 shall be respected even if the land is exempted. As to farmworkers, the exemption shall not mean the loss of the benefits to which they are entitled under other laws. In addition, they shall be granted preference in the award of other lands covered by CARP.

C. Lands which have been classified or proclaimed, and/or actually, directly and exclusively used and found to be necessary for parks, wildlife, forest reserves, fish sanctuaries and breeding grounds, and watersheds and mangroves shall be exempted from the coverage of

CARP until Congress, taking into account ecological, developmental and equity considerations, shall have determined by law, the specific limits of public domain, as provided for under Sec. 4 (a) of R.A. 6657, and a reclassification of the said areas or portions thereof as alienable and disposable has been approved.

D. Lands which have been actually, directly and exclusively used and found to be necessary for reforestation are likewise excluded and exempted from the coverage of the CARP, provided that the areas or portions thereof occupied by qualified forest occupants shall be included in the Integrated Social Forestry (ISF) program of DENR, if suitable.

E. All lands with a slope of eighteen percent (18%) and over are exempt from land acquisition and distribution. However those with 18% slope and over but already developed for agricultural purposes as of 15 June 1988 shall be allocated to qualified occupants in the following manner:

1. If classified as forest land, they shall be allocated by the DENR under the Integrated Social Forestry Program.
2. If classified as alienable and disposable, they shall be allocated by LMB-DENR and DAR pursuant to the provisions of the Public Land Act and the Joint DAR-DENR Administrative Order No. 2, series of 1988; and
3. If private agricultural land, they shall be acquired in accordance with the provisions of R.A. 6657.

F. In all cases, the DAR shall conduct a continuing review and verification of exempted lands to ascertain which of the areas declared exempt or which portions thereof are no longer actually, directly and exclusively used and found necessary for said purpose. If the purpose for the grant of exemption no longer exists, the area or portion involved shall be covered under CARP pursuant to the guidelines on land acquisition and distribution.

### **III**

#### **Application for Exemption**

The MARO shall determine whether or not lands within his jurisdiction may be covered by CARP.

To facilitate the identification of lands exempt from CARP coverage, applications may be filed by persons or representatives of persons owning, administering or managing lands believed to be actually, directly and exclusively used and necessary for any of the purposes mentioned in Sec. 10 of R.A. 6657.

### **IV**

#### **Operating Procedures**

##### *A. Municipal Agrarian Reform Officer (MARO)*

1. On his own initiative or upon representations by farmers/ occupants, take initial steps to cover an area under CARP, particularly by issuing a Notice of Coverage (Ex-Form