

[DAR ADMINISTRATIVE ORDER NO. 2, March 22, 1990]

RULES OF PROCEDURE GOVERNING THE PROCESSING AND APPROVAL OF APPLICATIONS FOR LAND USE CONVERSION

These Rules of Procedure shall govern the processing and approval of applications for land use conversion under Administrative Order No. 1, Series of 1990.

**I.
RULES OF PROCEDURE**

A. Applicant submits application on prescribed form and required supporting documents to the Municipal Agrarian Reform Office concerned where the property is located.

B. *Municipal Agrarian Reform Officer (MARO)*

The MARO shall perform the following duties and functions:

1. Review documents for completeness and compliance with requirements under these Rules.
2. Conduct field investigation including ocular inspection to verify the following.
 - a. Veracity of information contained in the application;
 - b. Whether or not subject land is devoted to or suitable for agriculture. Suitability shall be based on the classification made by the Department of Agriculture.
 - c. Whether or not subject land falls within the appropriate zone of the land use plan or town plan;
 - d. If the city/municipality does not have a land use plan information on the dominant use of the area surrounding the land subject of conversion and its compatibility with the proposed use, in consultation with the Deputized Zoning Administrators or the Municipal Development Coordinator.
 - e. Existence of tenancy/ farmworker relationship. If tenanted or cultivated by a farmworker, the MARO shall interview the occupants therein.
 - f. Whether or not the tenants/ farmworkers, have agreed to the terms of an undertaking of the applicant to pay the disturbance compensation and terms thereof, and

- g. Other information relevant and useful to the decision-making process.
- 3. Post Notices for at least two (2) weeks in the local dialect of intention to convert land in:
 - a. the premises of the land sought to be converted;
 - b. the barangay hall, or in the absence thereof, the residence of the barangay captain; and
 - c. municipal hall

The MARO shall subject Certification of Posting after the prescribed period of posting.

- 4. In case of protest/opposition against the conversion, the MARO shall advise the party(ies) concerned to file his/their protest in writing and attach a copy of the same in his investigation report.
- 5. Prepare report and recommendation based on field investigation and verification together with the Land Use Conversion folder (LUCF) and submit to the Provincial Agrarian Reform officer (PARO).

The MARO shall perform the duties and functions enumerated above within twenty (20) working days from the filing of an application with complete supporting documents.

C. Provincial Agrarian Reform Office (PARO)

The PARO shall perform the following duties and functions:

- 1. Evaluate MARO report and supporting documents for completeness and compliance with requirements under these Rules. If found in order, forward LUCF together with his recommendation, to the PARO
- 2. If the MARO report indicates need for further verification, conduct further field investigation and submit supplemental report together with recommendation.
- 3. Endorse to the Provincial Agrarian Reform Adjudicator (PARAD), or Provincial Hearing Officer any protest/opposition against the conversion for investigation and resolution. Thereafter, the PARAD or Hearing Officer shall furnish the PARO a copy of the action/decision on the protest/opposition.

The PARO shall perform the duties and functions enumerated above within ten (10) working days from receipt of the LUCF from the MARO.

D. Regional Agrarian Reform Office (RARO)

The Regional Director shall approve or disapprove applications for conversion of lands of five (5) hectares and below. Upon his approval the Regional Director shall furnish a copy to the Undersecretary for Field Operations, Legal Affairs, Management Information Service and the Office of the Secretary.