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AMENDMENTS TO JOINT ADMINISTRATIVE ORDER NO. 4, SERIES OF 1993, ON ILLEGAL CONVERSION OF AGRICULTURAL LANDS

DAR JOINT ADMINISTRATIVE ORDER NO. 05, April 22, 1994

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The following provisions of Joint Administrative Order No. 4, Series of 1993, are hereby amended to read as follows:

II
Definition and Legal Basis

A. Conversion is the act of changing the use of agricultural land into non-agricultural use/s. Conversion of agricultural land covered by the Comprehensive Agrarian Reform Law (R.A. No. 6657) is deemed illegal if undertaken after June 15, 1988 without the required order of conversion from the DAR.

B. The crime of illegal conversion is based on Section 73 (c) and 73 (e) of RA 6657 which respectively penalize the following acts.

- The conversion by any landowner of his agricultural land into any non-agricultural use with intent to avoid the application of this Act to his landholdings and to dispossess his tenant farmers of the land tilled by them. (Sec 73 [c])

- The sale, transfer, conveyance or change of the nature of lands outside of urban centers and city limits either in whole or in part after the effectivity of this Act. The date of the registration of the deed of conveyance in the Register of Deeds with respect to tilled lands and the date of the issuance of the tax declarations to the transferee of the property with respect to unregistered lands, as the case may be, shall be conclusive for the purpose of this Act. (Sec. 73 [e])

III.
Creation of Provincial/City Task Forces on Illegal Conversion

A. Composition - To monitor the cases of illegal conversion of agricultural lands in the provinces or cities, as the case may be, a Provincial/City Task Force in Illegal conversion is created in each province and city, the Provincial/City Task Force shall be headed jointly by the DAR Chief legal Officer in the province and the Provincial or City Prosecutor. Members of the Provincial/City Task Forces shall be:

- Chief Agrarian Reform Program Officer (CARPO) in the province;

- Assistant Provincial/City Prosecutors to be designated by the Provincial/City Prosecutor;

- Two (2) Municipal Agrarian Reform Officers (MARQ'S) to be designated by the Provincial Agrarian Reform Officer (PARO).

B. Delineation of Duties and Responsibilities of the Provincial/City Task Forces.

1. DAR Members -

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a. Conduct actual field investigation and case build-up;

b. File the necessary complaint-affidavit together with supporting documents before the task force member prosecutor;

c. Investigate all ongoing development project and conversion of agricultural land;

d. Monitor the conversion situation in the province and cities within the province;

e. Report to the National Task Force on the conversion situation in the province and cities within the province;

f. Perform such other related functions which may be assigned by the National Task Force on Illegal Conversion.

2. DOJ Prosecutor Members -

a. Conduct inquest or preliminary investigation, as the case may be;

b. Recommend and file criminal cases against the landowners and developers involved in illegal conversion of agricultural lands under RA 6657;

c. Submit to the National Task Force monthly progress/status report of all cases involving illegal conversion of agricultural lands;

d. Perform such other related functions which may be assigned by the National Task Force in Illegal Conversion.

This Joint Administrative Order shall take effect immediately.

Adopted: 22 Apr. 1994

(SGD.) ERNESTO D. GARILAO
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