NATIONAL ADMINISTRATIVE REGISTER · FEBRUARY 24, 1992

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

DA ADMINISTRATIVE ORDER NO. 2 s.1992, February 24, 1992

Read online (full-text search, related cases, audio case brief): https://batas.org/library/845352396d7a/

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 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.

C. Land devoted to or suitable for agriculture shall not be converted to non-agricultural uses except when it ceases to be economically feasible and sound for agricultural purposes.

D. The utilization of agricultural land shall be guided by the objectives of the Department of Agriculture as laid out in the Philippine Agricultural Development Plan. These objectives are:

1. To increase the productivity and real incomes of small farmers especially in upland and other poverty-stricken areas;

2. To help ensure the productivity of the agricultural resource base over the longer term;

3. To ensure food security principally through self-sufficiency in the basic food items; and,

4. To help attain a favorable trade balance and agro-industrial development for the country.

V.
COVERAGE

These rules shall apply to all public and private agricultural land, regardless of crops or commodity produced.

VI.
RULES OF PROCEDURE FOR THE ISSUANCE OF CERTIFICATE
OF ELIGIBILITY FOR CONVERSION (CEC)

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

A. All applicants shall inquire from the Municipal Agrarian Reform Officer (MARO) and/or any DAR official whether or not a CEC is required. The DAR shall determine whether or not the applicant is covered by the DOJ opinion. If yes, the concerned DAR official shall make a note to the DA that a CEC is required.

B. The applicant shall apply for a CEC using the standard CEC application form (DA-CEC Form # 1) at the DA Regional Office which has jurisdiction over the area where the land is located.

The DA Regional Office shall not accept an application unless all the documentary requirements specified in the CEC Form #1 are complied with.

C. The DA Regional Director shall instruct the Regional Land Use Technical Working Group (RLTWG) to review the application and perform the following:

- Determine whether the area sought to be converted for non-agricultural use is within the Network of Protected Areas, according to the Map of Protected Areas (MPAs).

In the absence of the MPAs, the Technical Working Group shall instruct the Soils and Water Action Team (SWAT) in their respective areas to evaluate and determine whether or not the proposed conversion site should be classified as a protected area and to submit its findings to the Bureau of Soils and Water Management (BSWM) for verification.

The BSWM, after reviewing the findings of the SWAT, shall recommend to the RLTWG whether or not the site should be placed under the Protected Areas.

- If the area is classified in the MPA as "Highly Restricted from Conversion", AND the purpose for which the conversion is applied for is NOT the development of agro-based activities, nor the construction of agro-related infrastructure, nor the provision of support services that will improve the agricultural potentials of the protected area, the application shall be recommended for denial.

- If the area is classified in the MPA as "Moderately Restricted from Conversion", AND the purpose for which the conversion is sought IS the development of agro-based activities, or the construction of agro-related infrastructures as defined in this Order, or the provision of support services that will improve the agricultural potentials of the protected area, the application shall be recommended for approval, subject to the social benefit-cost analysis. The application shall be recommended for denial if the purpose of the conversion is contrary to the abovementioned conditions.

- If the area is not classified as protected area, the recommendation of the RLTWG shall be based one the evaluation resulting from the social benefit-cost analysis.

- Whenever applicable, the RLTWG will prepare a benefit-cost analysis in accordance with the social benefit-cost evaluation procedure.

- In the absence of a social benefit-cost evaluation procedure, the RLTWG shall utilize the provisional procedure formulated by the Planning and Monitoring Service (PMS) of the Department of Agriculture.

The provisional procedure is: in the absence of the social benefit-cost analysis, the RLTWG shall perform an investigation of the site and its environs, and submit its findings and recommendation to PMS for evaluation. The PMS shall then make a recommendation to the Regional Director on whether or not to issue a CEC.

- The RLTWG shall then submit its recommendation to the Regional Director.

D. The Regional Director shall render a decision in writing using the appropriate CEC form (DA-CEC Form #2) with the original given to the applicant and copies sent to the concerned DAR office and to the DA Regional

Study hands-free: podcast-style lessons with read-along highlighting - batas.org

Operations Group.

The DAR shall not accept applications for conversion without the submission of CECs.

The processing of CEC applications shall not exceed forty (40) working days from their submission together with all relevant documents to the DA regional office.

VII.
CANCELLATION OR WITHDRAWAL OF CEC
The grant of the CEC shall be withdrawn or cancelled by the Department of Agriculture on any of the following grounds:

A. Misrepresentation or concealment of material facts for the issuance of a CEC.

B. Any attempt to misrepresent or conceal any material fact for the issuance of a CEC.

C. Any cause similar or analogous to the abovementioned causes.

The foregoing provisions shall not in any way prevent the filing of other actions allowable under the laws of the Republic of the Philippines.

VIII.
REPEALING CLAUSE
This Administrative Order repeals all previous issuances inconsistent with this Order.

IX.
EFFECTIVITY
This Administrative Order takes effect ten days after publication in a newspaper of general circulation.

Adopted: 24 Feb. 1992

(Sgd.) SENEN C. BACANI
Secretary

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at https://batas.org

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.