

MEMORANDUM CIRCULAR

NO. 22

SUBJECT: Policy on the Size of Grants Covering Public Agricultural Lands.

In line with the legislative policy expressed in Republic Act No. 6657, otherwise known as the Comprehensive Agrarian Reform Law (CARL) which provides a retention limit of not more than five (5) hectares to a landowner for public or private agricultural land, no public land application shall be accepted and given due course if it exceeds –

1. Five (5) hectares in the case of sales application.

With respect to pending sales application in excess of 5 hectares accepted prior to the promulgation of the aforesaid R.A. No. 6657 wherein no vested right has yet accrued in favor of the applicant, the area covered thereby shall be limited to a maximum of five (5) hectares and the right to choose the area to be retained, which shall be compact and contiguous, shall pertain to the applicant. However, where the sales right has ripened into a vested right as a result of the compliance by the applicant of the requirements of law which entitles him to issuance of patent the sales application shall continue to be given due course.

2. Five (5) hectares in the case of homestead application.

As to subsisting homestead application prior to the promulgation of R.A. No. 6657, where no vested right has yet accrued, the same shall be limited to a maximum area of five (5) hectares. But where the homestead right has ripened into a vested right as a result of the entry of an order of approval of application and the filing/submission of final proof, properly accomplished, the homestead application shall continue to be given due course for the area thus applied.

Lease of public lands shall be governed by existing policies.

Corresponding rules and regulations shall be issued upon approval of the legislation on the extension of the free patent law.

All officials and employees of the DENR Land Sector are hereby directed to see to it that the policy enunciated above is observed strictly.

This policy shall also be observed in connection with the survey of public lands.

This Circular shall take effect immediately.

Recommending Approval

ABELARDO G. PALAD, JR.
Director

APPROVED:

FULGENCIO S. FACTORAN, JR.
Secretary of Environment and
Natural Resources

Signed on November 20, 1989