

**[DAR ADMINISTRATIVE ORDER NO. 9 S. 1991,
September 02, 1991]**

**RULES AND PROCEDURES ON LEASEHOLD OPERATIONS IN
TENANTED COCONUT LANDS**

I

Preliminary Statement

Under Section 12 of R.A. 6657, the DAR is mandated to determine and fix immediately the lease rentals in tenanted lands under the retention limit and lands not yet acquired under R.A. 6657. Pursuant to said provision, DAR Administrative Order No. 4, series of 1989 was issued providing the guidelines for the establishment of leasehold and the determination of lease rentals for tenanted lands.

However, experience has shown that tenurial and working relationships in coconut lands have peculiar characteristics. Thus, the following guidelines are hereby promulgated as a supplement to Administrative Order No. 4 series of 1989 insofar as leasehold in coconut lands are concerned.

II

Coverage

These rules shall apply to all tenanted coconut lands including, but not limited to, the areas retained by the landowner and those not yet acquired for distribution pursuant to RA 6657.

III

Governing Principles

A. A tenancy relationship is essential in the establishment of agricultural leasehold. Such relationship exists when the following requisites are present:

1. The parties are the landowner and the tenant;
2. There is consent by the landowner for the tenant to work on the land — either orally or in writing, expressly or impliedly;
3. The subject land is agricultural in nature;
4. The purpose is agricultural production;
5. There is personal cultivation on the part of the tenant; and