



**DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
KAGAWARAN NG KAPALIGIRAN AT LIKAS NA YAMAN**



**MEMORANDUM**

**FOR/TO:** Director, Legal Affairs Service (Vice-Chairperson, PTWG)  
Assistant Director, Biodiversity Management Bureau  
Assistant Director, Ecosystems Research and Development Bureau  
Assistant Director, Environmental Management Bureau  
Assistant Director, Forest Management Bureau  
Assistant Director, Land Management Bureau  
Assistant Director, Mines and Geosciences Bureau  
Representative, Office of the Head Executive Assistant/Office of the Undersecretary and Chief of Staff  
Representative, Office of the Undersecretary for Legal, Administration, and Legislative Affairs  
Representative, Office of the Undersecretary for Finance, Information Systems and Climate Change  
Representative, Office of the Undersecretary Policy, Planning and International Affairs  
Representative, Office of the Undersecretary for Field Operations (FO) - Luzon, Visayas and Environment  
Representative, Office of the Undersecretary for FO - Mindanao  
Representative, Office of the Undersecretary for Integrated Environmental Science  
Representative, Office of the Undersecretary for Special Concerns and Legislative Affairs  
Representative, Office of the Assistant Secretary for Legal Affairs  
Representative, Office of the Assistant Secretary for Policy, Planning and Foreign Assisted and Special Projects  
Representative, Office of the Assistant Secretary for International Affairs  
Representative, Legal Affairs Service  
Representative, Climate Change Service  
Representative, Foreign-Assisted and Special Projects Service  
Representative, Knowledge and Information Systems Service  
Representative, Strategic Communication and Initiatives Service  
Representative, Internal Audit Service  
Representative, Geospatial Database Office

**FROM:** The OIC Director  
Policy and Planning Service

**SUBJECT:** HIGHLIGHTS AND AGREEMENTS DURING THE PTWG MEETING  
2024-03 HELD ON 09 MAY 2024

**DATE:** 30 MAY 2024

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We are furnishing herewith the highlights along with the agreements during the PTWG Meeting No. 2024-03, particularly on the draft DENR Administrative Order which

pertains to the Guidelines for the Commercial Propagation and Trade of *Aquilaria* species and Its By-product and Derivatives, that the Biodiversity Management Bureau (BMB) shall undertake and consider.

Moreover, please be advised that the Secretariat further recommends for the draft policy to undergo a Regulatory Impact Assessment (RIA) or a pilot testing in compliance with the implementation of the National Policy on Regulatory Management System (NPRMS) through a Memorandum dated 12 April 2024 (Annex A).

The refined DAO and relevant NPRMS documents such as the Preliminary Impact Statement (PIS) and Regulatory Notification Form (RNF) will then be submitted by the BMB to the Secretariat for review prior PTWG deliberation.

For your information.

  
CHERYL LOISE T. LEAL



**POLICY TECHNICAL WORKING GROUP MEETING No. 2024-03**  
**SUMMARY OF AGREEMENTS**  
09 May 2024 (09:25AM to 02:35PM)  
5<sup>TH</sup> Floor Conference Room

**I. Attendees:**

PRESIDING OFFICER: Atty. Rosette S. Ferrer, in lieu of Director Norlito A. Eneran	
PTWG MEMBERS:	
LAS – Atty. Rene Orallo II	OUFOLVE – For. Angela Tamoria
LAS – Atty. Angelie Maningas	OASIA – For. Kryshlaine T. Raquel
BMB – Mr. Anson Tagtag	OASFOLV - Dr. Josefina M. Ocampo
BMB – For. Rachell Abenir	IAS - Mr. Jake Lorenz Ardovino
BMB – Ms. Lorilie Salvador	SCIS - Engr. Ernestina Jose
BMB – Mr. Peter Dennis Gaba	SCIS - Mr. Roy O. Guiane
BMB - Ms. Mary Grace Ulatan	FASPS - Ms. Isabel Salas
FMB – Ms. Jessica Balite	ERDB – Assistant Dir. Butch Marquez
FMB – For. Dianne Lanugan	ERDB FWRDC – Mr. Renato Bacsal
LMB – Ms. Lovella Luzette Galindon	ERDB – Mr. Paul Cuadra
OULA – Ms. Lolita Presbitero	ERDB – Mr. Rustum Aguilos
OUFOM – For. Jeruz Mari Pahilanga	MGB – Mr. Marcial Mateo
OUFISCC – Ms. Charisse Toledo	MGB – Mr. Teodorico Marquez Jr
OUPPIA – For. Jeremy Rola	
SECRETARIAT	
For. Llarina S. Mojica	For. Jezreelyn L. Milar
Ms. Alyssa Calisay	For. Hazel Jasmine Chua
Ms. Anna Michelle Lim	Ms. Nim Hyde M. Eusebio
For. Raphael Celestino Baskiñas	For. Kelsie Miniano
Mr. Nehemiah Leo Carlo Salvador	Ms. Cherry Winsom Holgado
For. Emma Liwliwa Baradi-Medina	Ms. Debra Tante

**II. Agreements on the draft DENR Administrative Order on the Guidelines for the Commercial Propagation and Trade of *Aquilaria* species and Its By-products and Derivatives**

SECTIONS	AGREEMENTS
<b>Title</b> Guidelines for the Commercial Propagation and Trade of <i>Aquilaria</i> species and Its By-products and Derivatives	<ul style="list-style-type: none"><li>• For revision.</li></ul>
<b>Prefatory Statement</b>	<ul style="list-style-type: none"><li>• Atty. Orallo II suggested to include Chapters 3 and 4 of PD705 (Revised Forestry Code) with regards to the peculiar nature of <i>Aquilaria</i> species.</li></ul>
<b>Section 1. Basic Policy</b>	<ul style="list-style-type: none"><li>• No remarks were raised.</li></ul>

<p><b>Section 2. Objectives</b></p>	<ul style="list-style-type: none"> <li>• <b>Section 2 - Subject for another Small Group Discussion</b></li> <li>• Atty. Ferrer suggested to shift the focus on conservation rather than commercial propagation.</li> <li>• Atty. Orallo II suggested to incorporate provisions of PD 705 or use it as a basis in the objectives. He cited DAO 2022-05 as an example.</li> <li>• AD Marquez then stressed two points that need to be considered in crafting this Section: <ul style="list-style-type: none"> <li>• <i>Authenticity of the species</i> - Identify <i>Aquilaria</i> species that produces agarwood and the mother tree that produces agar.</li> <li>• <i>Conservation</i> - All agarwood currently comes from the wild, hence, there is no ample information or technology that can help towards its sustainability. Identify safety nets that can be used towards sustainability of the species, considering that whole tree will be cut to harvest the agarwood. Further, identify transition measures to its commerciality.</li> </ul> </li> <li>• For. Lanugan and For Balite suggested to state specific safe guards in the draft DAO thru inclusion of standard method/s of inoculation and the inoculant to be used to prevent contamination.</li> <li>• Engr. Ernestina Jose suggested ERDB to lead the crafting of the policy related to conservation and species authenticity.</li> <li>• Dr. Ocampo stressed the need to include legitimate/accredited sources of <i>Aquilaria</i>. An affidavit from private plantations/owners would not suffice. The policy should clarify the required documentary requirements to prove that the planting materials are imported instead of collected in the wild. Insertion of a provision regarding this is proposed.</li> </ul>
<p><b>Section 3. Scope and Coverage</b></p>	<ul style="list-style-type: none"> <li>• <b>Section 3 - Subject for another Small Group Discussion</b></li> </ul>
<p><b>Section 4. Definition of Terms</b></p>	<ul style="list-style-type: none"> <li>• Consider adding "National Park"</li> <li>• Further clarify item 4.14.</li> </ul>
<p><b>Section 5. Inventory of <i>Aquilaria</i> Species</b></p>	<ul style="list-style-type: none"> <li>• <b>Section 5 - Subject for another Small Group Discussion</b></li> <li>• Concerned Offices: FMB, ERDB, BMB, LEGAL, FO CENTRAL</li> </ul>

	<ul style="list-style-type: none"> <li>• Per Mr. Tagtag, the Nationwide inventory of <i>Aquilaria</i> species will be further discussed.</li> <li>• For. Lanugan suggested to consider including the concern of ERDB regarding the procedures of inventory and identification of plus trees/mother trees, and the collection of wildlings. She further recommended for Section 5 to be included among the topics to be conferred during the small group discussion spearheaded by BMB where ERDB can serve as resource person.</li> <li>• Enhance this Section and focus on conservation.</li> <li>• Merge Section 15 (Research Studies on <i>Aquilaria</i> Species).</li> </ul>
<b>Section 6. Collection of Seeds and Wildlings of <i>Aquilaria</i> species in Forest Lands</b>	<ul style="list-style-type: none"> <li>• <b>Section 6 - Subject for another Small Group Discussion</b></li> <li>• Concerned Offices: FMB, ERDB, BMB, LEGAL, FO CENTRAL</li> <li>• Atty. Orallo II suggested to FMB to identify relevant permits covered by PD 705.</li> <li>• In item 6.2, Engr. Ernestina Jose suggested to exactly define <i>few</i> and <i>several</i>. With regards to the <i>supervision</i> of DENR personnel, clarification on the manpower requirement was raised.</li> </ul>
<b>Section 7. Commercial Propagation of <i>Auqilaria</i> Species</b>	<ul style="list-style-type: none"> <li>• <b>Section 7 - Subject for another Small Group Discussion</b></li> <li>• Interchange Sections 6 and 7</li> <li>• Ms. Presbitero suggested for 7.2.5.1 and 7.2.5.2 to be omitted in the draft DAO as this is incorporated in the Citizen's Charter. Other provisions that indicate "number of days" can be omitted as well.</li> </ul>
<b>Section 8. Importation of seeds and seedlings of <i>Aquilaria</i> species</b>	<ul style="list-style-type: none"> <li>• <b>Section 8 - Subject for another Small Group Discussion</b></li> </ul>
<b>Section 9. Exportation of seeds, by-products and derivatives of <i>Aquilaria</i> species</b>	<ul style="list-style-type: none"> <li>• <b>Section 9 - Subject for another Small Group Discussion</b></li> </ul>
<b>Section 10. Local Transport of seeds, seedlings/wildlings, by-products and derivatives of <i>Aquilaria</i> species</b>	<ul style="list-style-type: none"> <li>• <b>Section 10 - Subject for another Small Group Discussion</b></li> <li>• Mr. Tagtag considered identifying strategies to address the transport of <i>Aquilaria</i> for holders of Wildlife Culture Permit on a Regional basis.</li> <li>• Move after Section 6 (Collection of Seeds and Wildlings of <i>Aquilaria</i> species in Forest Lands).</li> </ul>

	<ul style="list-style-type: none"> <li>• Section 7 (Commercial Propagation) shall be placed prior to Collection. The proposed change is as follows:</li> <li>• Commercial Propagation</li> <li>• Collection</li> <li>• Local Transport</li> </ul>
<p><b>Section 11. Fees and Charges</b></p>	<ul style="list-style-type: none"> <li>• <b>Section 11 - Subject for another Small Group Discussion</b></li> <li>• The body stressed to reflect all references related to the costing.</li> <li>• For. Balite suggested to include "increase fees and charges" based on inflation rate. With this, FMB will provide BMB the existing policy with similar arrangement for reference.</li> </ul>
<p><b>Section 12. Transition Period</b></p>	<ul style="list-style-type: none"> <li>• Move after Section 17. Funding</li> </ul>
<p><b>Section 13. Criminal and Administrative Liability</b></p>	<ul style="list-style-type: none"> <li>• <b>Section 13 - Subject for another Small Group Discussion</b></li> <li>• Concerned Offices: FMB, BMB, LEGAL, FO CENTRAL</li> <li>• Atty. Orallo II suggested to align this Section with the penal code. Consultation with the Legal Service is highly advised. He further suggested that the Administrative Liability can be aligned with the Draft DAO on Administrative Adjudication within Protected Areas being developed by the BMB. Provisions in DAO 97-32 could also be of use for the Administrative Liability.</li> <li>• After Republic Act 9147 include this statement to wit - "<i>and Section 77 of PD 705 as amended</i>". Also, include JAO 2004-01 and DMC 2010-17 after this phrase - "Rules for the Administrative Adjudication of Illegal Forest Products and the Machinery, Equipment, Tools and Conveyances Used in Connection Therewith" per Atty. Orallo II.</li> <li>• Atty. Orallo II further recommends for the word "<i>ipso facto</i>" to be omitted because this terminology violates the administrative due process.</li> <li>• Moreover, Ms. Salvador stated that the source for the <i>finis and charges</i> came from the "international market"</li> <li>• To reiterate, references used in determining the costing are recommended to be reflected in the draft DAO:</li> </ul>

<b>Section 14. Monitoring and Evaluation</b>	<ul style="list-style-type: none"> <li>• <b>Section 14 - Subject for another Small Group Discussion</b></li> <li>• Move after Section 16: CEPA</li> </ul>
<b>Section 15. Research Studies on <i>Aquilaria</i> Species</b>	<ul style="list-style-type: none"> <li>• <b>Section 15 - Subject for another Small Group Discussion</b></li> <li>• Concerned Offices: FMB, ERDB, BMB, LEGAL, FO CENTRAL</li> <li>• Merge with Section 5 (Inventory).</li> <li>• AD Marquez suggested to consider the whole value chain from the:</li> <li>• Identification of species by stipulating the barcoding process (CFNR Project) and/or Formulation of Dichotomous Key for <i>Aquilaria</i> sp. identification;</li> <li>• Conduct of capacity building for field offices on species identification;</li> <li>• Include maintenance, conservation, and protection that considers the private plantations intended for the Mother Tree;</li> <li>• Collection/Cloning through seeds, wildlings, cuttings (from identified mother tree);</li> <li>• Harvesting/Treatment as well Utilization;</li> <li>• Inoculation procedures within the 2-year timeframe; and/or</li> <li>• Conservation and protection measures.</li> </ul>
<b>Section 16. Capacity Building Activities and Communication, Education and Public Awareness (CEPA)</b>	<ul style="list-style-type: none"> <li>• Move before Section 13. Criminal and Administrative Liability</li> </ul>
<b>Section 17. Funding</b>	<ul style="list-style-type: none"> <li>• No remarks were raised.</li> </ul>
<b>Section 18. Separability Clause</b>	<ul style="list-style-type: none"> <li>• No remarks were raised.</li> </ul>
<b>Section 19. Repealing Clause</b>	<ul style="list-style-type: none"> <li>• No remarks were raised.</li> </ul>
<b>Section 20. Effectivity</b>	<ul style="list-style-type: none"> <li>• No remarks were raised.</li> </ul>
<b>Annexes</b>	<ul style="list-style-type: none"> <li>• Atty. Ferrer suggested to indicate in Annex A which are native, indigenous, and endemic <i>Aquilaria</i> species in the Philippines. Further, it was recommended to include the Agarwood in the list of Economically Important species as directed by RA 9147.</li> <li>• ERDB may provide step by step procedures on DNA Barcoding under Annex B.</li> </ul>





<p><b>3. Additional remarks</b></p>	<p>Recommendation to conduct a study on <i>Aquilaria's</i> distribution in Luzon and Visayas – similar with ERDB's on-going study conducted in Mindanao.</p> <p>Consider not specifying the number of days for the issuance of permits in the DAO as this will be difficult to amend.</p> <p>Consider categorizing the draft DAO in terms of Conservation, Collection and/or Propagation. Inclusion of provisions focused on specific areas/groups such as Community Based Forest Management Agreement (CBFMA) in which <i>Aquilaria</i> species are believed to be thriving.</p> <p>Harmonization of existing policies related to the draft DAO with regards to the Quality Management System (QMS).</p>
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Atty. Ferrer directed BMB to convene another round of small group discussions (SGD) which shall be attended by relevant Offices - particularly the LAS, FMB, ERDB and Field Operations, to finalize the agreements from the initial SGD.

The refined DAO incorporating the above-stated agreements will then be submitted by the BMB to the Secretariat for review prior PTWG deliberation.

The meeting adjourned at 02:35 PM.

Prepared by the Secretariat

Noted by:

  
**ATTY. NORLITO A. ENERAN**  
 Director, Legal Affairs Service and  
 Vice Chairperson, DENR-PTWG

# PHOTO DOCUMENTATION



Butch Marquez

DENR-Debz Tante

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ERDB-FWRDEC,Jun

Kelsie Miniano

FWRDEC-Rustum...

DENR Hazel Chua

DEPARTMENT OF ENVIRONMENT AND NATURE RESOURCES



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<b>Section 20. Effectivity</b>	<ul style="list-style-type: none"> <li>• No remarks were raised.</li> </ul>
<b>Annexes</b>	<ul style="list-style-type: none"> <li>• Atty. Ferrer suggested to indicate in Annex A which are native, indigenous, and endemic <i>Aquilaria</i> species in the Philippines. Further, it was recommended to include the Agarwood in the list of Economically Important species as directed by RA 9147.</li> <li>• ERDB may provide step by step procedures on DNA Barcoding under Annex B.</li> </ul>





<p><b>3. Additional remarks</b></p>	<p>Recommendation to conduct a study on <i>Aquilaria</i>'s distribution in Luzon and Visayas – similar with ERDB's on-going study conducted in Mindanao.</p> <p>Consider not specifying the number of days for the issuance of permits in the DAO as this will be difficult to amend.</p> <p>Consider categorizing the draft DAO in terms of Conservation, Collection and/or Propagation. Inclusion of provisions focused on specific areas/groups such as Community Based Forest Management Agreement (CBFMA) in which <i>Aquilaria</i> species are believed to be thriving.</p> <p>Harmonization of existing policies related to the draft DAO with regards to the Quality Management System (QMS).</p>
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Atty. Ferrer directed BMB to convene another round of small group discussions (SGD) which shall be attended by relevant Offices - particularly the LAS, FMB, ERDB and Field Operations, to finalize the agreements from the initial SGD.

The refined DAO incorporating the above-stated agreements will then be submitted by the BMB to the Secretariat for review prior PTWG deliberation.

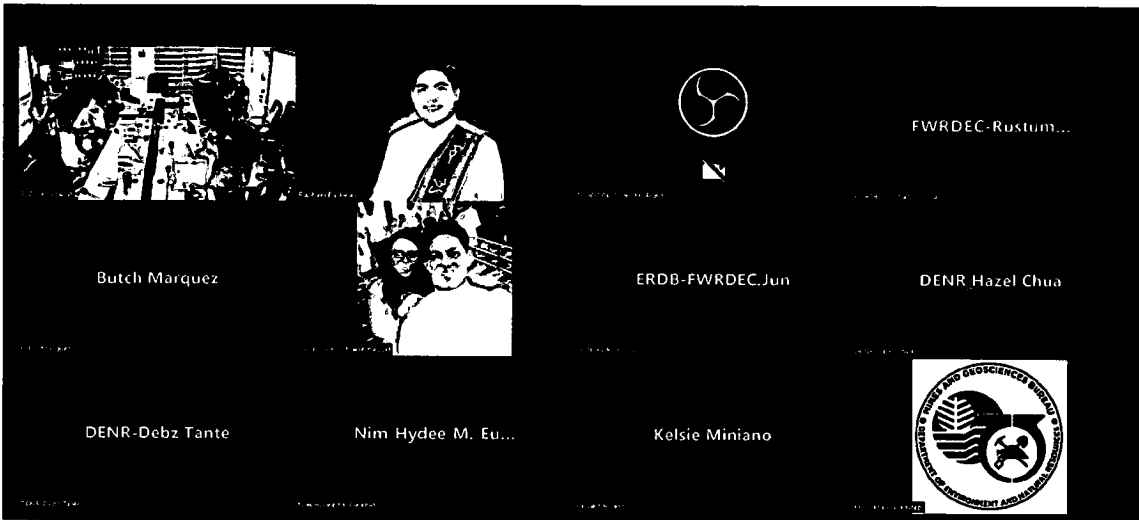
The meeting adjourned at 02:35 PM.

Prepared by the Secretariat

Noted by:

  
**ATTY. NORLITO A. ENERAN**  
 Director, Legal Affairs Service and  
 Vice Chairperson, DENR-PTWG

# PHOTO DOCUMENTATION





**DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
KAGAWARAN NG KAPALIGIRAN AT LIKAS YAMAN**



**MEMORANDUM**

**FOR/TO :** ALL UNDERSECRETARIES  
ALL ASSISTANT SECRETARIES  
ALL BUREAU DIRECTORS  
ALL HEADS OF ATTACHED AGENCIES

**FROM :** THE UNDERSECRETARY  
Legal and Administration *and* Chairperson, DENR  
Committee on Anti-Red Tape (CART)

**SUBJECT :** IMPLEMENTATION OF ARTA MEMORANDUM  
CIRCULAR NO. 2022-06 OR THE ESTABLISHMENT  
OF THE NATIONAL POLICY ON REGULATORY  
MANAGEMENT SYSTEM (NPRMS)

**DATE :** APR 12 2024

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This pertains to the implementation of Anti-Red Tape Authority (ARTA) Memorandum Circular No. 2022-06 or the establishment of the National Policy on Regulatory Management System (NPRMS) in consonant with Section 5 of Republic Act (RA) No. 11032 or *the Ease of Doing Business and Efficient Government Service Delivery Act of 2018* that directs the conduct of Regulatory Impact Assessment (RIA) in all proposed regulations of all government offices and agencies.

The ARTA - Better Regulations Office (ARTA-BRO) conducted a series of orientations regarding the roll-out and implementation of NPRMS. The CART and Sub-CART representatives from Central Office, Bureaus, and Attached Agencies attended the following activities:

- Online Orientation Meeting on ARTA MC No. 2022-06 dated 08 June 2023, attended by representatives from the Policy and Planning Service-Policy Studies Division (PPS-PSD), FMB, BMB and QMS Core Team.
- Special Orientation Meeting for DENR on ARTA MC No. 2022-06 held on 06 July 2023 at the FMB Conference Room, attended by the ARTA- BRO, Sub-Committee on Anti-Red Tape (Sub-CART) on Policy and Regulation- Regulatory Impact Assessment (RIA), CART Focal from each Bureaus and Attached Agencies, DENR- CART Secretariat, and PPS-PSD.
- Orientation for Accomplishing Annual Regulatory Plan (ARP) dated 23 January 2024, attended by DENR CART Secretariat and Sub-CART RIA representative.

- **Special Session re: ARP dated 05 March 2024, attended by Sub-CART RIA representative, BMB, EMB, and LMB CART representatives.**

In view of the foregoing activities and for the DENR to comply and streamline the NPRMS, all bureaus, attached agencies, and other offices shall conform to the attached summarized procedures, as shown in **ANNEX A** of this Memorandum, in developing a sound regulatory policy.

In addition, for timely submission of documents and reports, all Offices are obliged to observe the activities and requirements with, the date of submission, where to submit, and the responsible Office and Signatory of document/s as shown in the table below.

**Table 1: NPRMS Requirements**

<b>Activities</b>	<b>Date of Submission</b>	<b>Responsible Office (Signatory)</b>	<b>Where to Submit</b>
<b>Submission of Annual Regulatory Plan (ARP) of Bureaus and Offices</b>	<b>January 10 of each year</b>	<b>Bureaus and Offices (Bureau Director or Head of Office)</b>	<b>Sub-CART RIA (Policy and Planning Service)</b>
<b>Submission of DENR Annual Regulatory Plan (ARP)</b>	<b>On or before 15 January of each year</b>	<b>Sub-CART RIA (Sub-CART Head)</b>	<b>Undersecretary for Policy, Planning and International Affairs and CART Chairperson</b>
	<b>Every March 7 of each year</b>	<b>DENR CART (Secretary)</b>	<b>ARTA</b>
<b>Submission of Regulatory Notification Form (RNF)</b>	<b>Every formulation, amendment, or repeal of regulations</b>	<b>Bureaus and Offices copy furnished Sub-CART RIA (Bureau Director or Head of Office)</b>	<b>ARTA</b>
<b>Submission of Preliminary Impact Statement (PIS) and copy of the initial draft of the proposed regulation</b>	<b>Every formulation, amendment or repeal of regulations</b>	<b>Bureaus and Offices copy furnished Sub-CART RIA (Bureau Director or Head of Office)</b>	<b>ARTA</b>

<b>Submission of Regulatory Impact Statement (RIS) and copy of RIA documents</b>	<b>Every formulation, amendment or repeal of regulations</b>	<b>Bureaus and Offices / Bureau Director or Head of Office</b>  <b>Sub-CART RIA endorsed to the Secretary through the Undersecretary for Policy, Planning and International Affairs and CART Chairperson</b>	<b>Sub-CART RIA</b>  <b>ARTA</b>
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Moreover, please submit the following information to the Sub-CART RIA (Policy and Planning Service- Policy Studies Division) for monitoring purposes.

1. Bureau's Principal and Alternate Focal Person for Sub-CART RIA;
2. Copy of the submitted ARP for the year 2024; and
3. Provide the list of Personnel who have completed training/s on Basic and Advanced RIA.

For questions or clarifications, your designated CART/Sub-CART Focal Persons may coordinate with the Policy Studies Division at 8925-1183 or send your concerns through electronic mail to [policy@denr.gov.ph](mailto:policy@denr.gov.ph).

We are also attaching to this Memorandum a copy of ARTA MC No. 2022-06 for your reference. You may also download the NPRMS-related documents using the link below.

RIA Manual Download:	<a href="https://bit.ly/RIA-Manual-2022">https://bit.ly/RIA-Manual-2022</a>
ARTA MC No. 2022-06:	<a href="https://arta.gov.ph/nprms/">https://arta.gov.ph/nprms/</a>
ARTA Advisory No. 15:	<a href="http://tinyurl.com/ARP-Advisory">tinyurl.com/ARP-Advisory</a>
ARP Template and Handout Guide:	<a href="http://tinyurl.com/ARP2024-Downloadables-GDrive">http://tinyurl.com/ARP2024-Downloadables-GDrive</a>

For compliance of concerned Offices.

  
**ATTY. ERNESTO D. ADOBO, JR., CESO I**

## **ANNEX A**

### **PROCESS OF SUBMISSION OF ENR REGULATORY POLICIES**

Pursuant to ARTA Memorandum Circular No. 2022-06 or the National Policy on Regulatory Management System (NPRMS) and DENR Administrative Order No. 2021-15 or the Enhanced Policy Development System of the DENR, following are the steps in the submission of ENR Regulatory Policies, for compliance of concerned Offices.

- a. Bureaus and Offices shall submit the Annual Regulatory Plan (ARP) to Sub-CART RIA **not later than 10 January of each year**. The ARP shall contain the summary of regulatory actions (drafting new policy/ amendment/ repeal) planned for a specific year. It shall be posted to the Bureaus/ Offices' websites, and contain at a minimum the following information:
  - i. Identification and description of/ Updates on expected regulatory actions/ changes (i.e. development of new regulations, review of existing regulations, repeal or amendment of regulations);
  - ii. Objective of the regulatory actions/ changes;
  - iii. Information on planned consultations;
  - iv. Alignment to the current Philippine Development Plan and other national development plans; and
  - v. Contact details of the government agency such as e-mail, landline, and/or mobile phone number/s which the public may reach to obtain further information.

The submission of ARP also includes the completed Regulatory Notification Form (RNF) for each regulatory policy to be developed by Bureaus and Offices.

The Sub-CART RIA will consolidate and endorse the ARP to the Office of the Secretary through the Offices of the Undersecretary for Policy, Planning, and International Affairs and the Chairperson of CART **on or before 15 January of each year**.

Submission of the ARP of the Agency to ARTA **shall not be later than 07 March of each year**.

- b. In the absence of the proposed regulation in the submitted ARP, the proponent office/agency shall submit the Regulatory Notification Form (RNF) to ARTA. The RNF, together with the transmittal letter *duly signed by the head of the regulating entity or any authorized officer delegated by the head of the regulating entity*, shall be transmitted through email at [ria@arta.gov.ph](mailto:ria@arta.gov.ph) with the subject "RNF Submission- [Agency Name]-[Title of Proposed Regulation], copy furnished the Sub-CART RIA at [policy@denr.gov.ph](mailto:policy@denr.gov.ph).

- c. The proponent Office shall subject the draft regulatory policy to Preliminary Impact Assessment (PIA) and submit the PIS to ARTA. ARTA will assess the PIS, subject to proportionality rules, whether a full RIA will be required in the assessment of a proposed regulation. Otherwise, the regulation will be required to undergo a full RIA by default.

At the early stages of policy development, the proponent office/agency shall consult with ARTA to gather feedback and recommendations on the impact of a proposed regulation.

The PIS, a copy of the initial draft of the proposed regulation (if available), and transmittal letter duly signed by the *head of the regulating entity or any authorized officer delegated by the head of the regulating entity*, shall be submitted through email at [ria@arta.gov.ph](mailto:ria@arta.gov.ph) with the subject "PIS SUBMISSION-[Agency Name] - [Title of Proposed Regulation], copy furnished the Sub-CART RIA at [policy@denr.gov.ph](mailto:policy@denr.gov.ph).

In case of disagreement on whether the proposed regulation shall undergo full RIA, the proponent office/agency may promulgate or implement the regulatory proposal, provided, that the regulatory proposal be subjected to a *pilot implementation*.

Its regulatory impact shall undergo a *post-implementation review* pursuant to the provisions of Section 9 D.2.b. However, if it is **determined based on the result of the PIR that the regulatory proposal has substantial impact as per proportionality rules, the agency shall conduct a full RIA.**

- d. Together with the Completed Staff Work and the draft regulatory policy, the proponent office/agency shall submit to the Office of the Undersecretary for Policy, Planning, and International Affairs, a copy of the RNF and PIS received by ARTA. The PTWG Secretariat shall then subject the proposed regulatory policy to initial review;
- e. All major regulations shall undergo the same process pursuant to EPDS parallel to the review of ARTA. **A pilot implementation of the policy is required** in order to comply with the requirement of ARTA in case of a returned Regulatory Impact Statement (RIS) as per section 9.3, item iii of ARTA MC No. 2022-06 on the Interim Rule Stage;
- f. If the proposed regulation fall under major regulation based on ARTA's assessment of the submitted PIS, ARTA will notify the proponent Office to conduct a full RIA, including the conduct of stakeholders' consultation/s, and the subsequent submission of the RIS.

RIS and the draft regulation shall be available on the proponent's website. Thereafter, the Head of Agency shall submit to ARTA the Final RIS with inputs from the conducted consultation/s. The resulting RIS, and a copy of the draft regulation and transmittal letter duly signed by the head of the regulating entity or any authorized officer delegated by the head of the regulating entity, shall be submitted to ARTA through [ria@arta.gov.ph](mailto:ria@arta.gov.ph) for its review with the subject "RIS SUBMISSION- [Agency Name]-[Title of Proposed Regulation];

- g. ARTA shall officially inform the proponent government office or agency if the RIS is approved and endorsed for implementation of the regulatory proposal or return the RIS, together with its findings and recommendations, for adoption or consideration by the proponent government office or agency.

The RIS acts as a trigger for the proponent government office or agency to re-undergo RIA and revise its respective RIS and re-submit to ARTA. *The returned RIS shall be without prejudice to the discretion of the proponent Office to promulgate or implement the regulatory proposal provided, that the regulatory proposal should be subject to pilot implementation.* Its regulatory impact shall undergo **ex-post review** pursuant to the monitoring and evaluation plan in their submitted RIS.

The Final RIS shall be posted on the website of the government office or agency for the affected parties and general public to access; and

- h. Regulations shall generally take effect after 15 days following the completion of their publication in the Official Gazette or in a newspaper of general circulation in the Philippines, unless a different date of effectivity is fixed by law or the regulation. A copy shall be filed with the ONAR with three certified copies for every rule adopted.
- i. Moreover, for **emergency regulations** or policies issued by the Agency that do not undergo steps a-g due to exceptional circumstances which require immediate response such as national or regional emergencies, disasters, epidemic, or *other similar situations affecting the communities or environment* shall undergo the Ex-Post Review using the ex-post RIA, post-implementation review, or standard cost model. The details shall form part of the ARP submission



# REGULATORY MANAGEMENT SYSTEM

Reference: ARTA MC No. 2022-06

