

**DENR Administrative Order
No. 35
May 6, 1988**

**SUBJECT : Regulations Governing the Grant of
Rewards to Informers on Violations of
Forest Laws, Rules and Regulations**

Pursuant to Section 68-B of Presidential Decree No. 705, as amended, otherwise known as the Revised Forestry Code of the Philippines which provides for the granting of rewards to informers who shall furnish information leading to the apprehension and conviction of any offender of forest laws, rules and regulations, or confiscation of forest products, the following rules and regulations are hereby promulgated:

Section 1. Rewards of informants. Any person who shall provide any information leading to the apprehension and conviction of any offender for any violation of PD 705, as amended, otherwise known as the Revised Forestry Code, or other forest laws, rules and regulations, or confiscation of forest products, shall be entitled to a reward. A total of twenty (20%) per centum of the proceeds of the confiscated forest products shall be available for rewards subject to evaluation by the Rewards Committee.

Section 2. Who are entitled to rewards. Any person, including officials and employees of the Department of Environment and Natural Resources and the Bureaus and Offices under it, members of the military and police and other public officials, who shall qualify as informers under these regulations may be entitled to the reward. The term officials shall include forest guards but not Division Chiefs and other positions of equivalent rank and above. DENR officials and employees performing law enforcement and intelligence work and similarly related functions are not qualified to be informers.

The informer may be a private person, public official or employee as above, whose information led directly and immediately to the apprehension and conviction of any offender for violation of PD 705, as amended, or other forest laws, rules and regulations, or confiscation of forest products, without which information, such apprehension, conviction or confiscation could not have been effected.

Section 3. Form and contents of the information. The information given by the informer shall be in the form of voluntary statement and shall state definitely the facts constituting the violation of the Revised Forestry Code and/or other forest laws, rules and regulations. The information shall, in appropriate cases, state the description of the contraband, estimate of the volume, location and/or manner of conveyance, etc, such information shall be subject to authentication by the Regional Executive Director concerned.

Any documents, records or books, or copies or excerpts thereof, which may serve as evidence of the violation shall be submitted with the statement, unless the informer does not have possession or control thereof. If, however, the informer has knowledge of the person who has the custody, possession or control thereof and/or the place where such books/documents or records are kept, he shall state the name of the person and/or the place where such books/documents or records are kept.

Section 4. Kinds of information entitled to reward. In order to entitle an informer to a reward, the information submitted must not yet be in the possession of the Department, nor shall it refer to a case or violation already pending or previously investigated or examined by the DENR. In case the informer is not entitled to a reward, he shall be immediately advised of such fact.

Section 5. To whom information shall be furnished. The information may be furnished either to the Secretary of the Environment and Natural Resources, or his duly designated representative, or to the Regional Executive Director or in case of the latter's absence or incapacity, the Regional Technical Director.

If the information is not given to the Secretary of Environment and Natural Resources or his designated representative, the other above-mentioned officers who may have received the information shall forward to the Secretary of Environment and Natural Resources a copy of the information on the exact day of the receipt thereof.

Section 6. Recording of information in entry book. Any information received must be immediately entered in a confidential entry book provided for the purpose by the official to whom the information is directly given and the entries shall be consecutively numbered in

chronological order. The individual entries must indicate the day and time the information is received, the name and address of the informer, the name and address of the person reported, the names and addresses of witnesses, if any, the particular violation reported, nature and/or subject matter of the information given, and the list of records, documents and books submitted, if any. If a bundy clock is in use, the date and time of receipt must be stamped on the envelope and letter.

The statement received shall be assigned a corresponding entry number in the entry book. The statement shall be stamped with the official date stamp of the custodian of the entry book, and shall bear his signature or initial, and exact time of its receipt. The informer shall retain a stamped, timed, and signed or initialed copy of his statement as his identification or evidence that he is the informer.

There shall also be entered in the entry book, at the close of each business or working day, a certification by its custodian as to the number of information received and entered, and, if no information received on that day, that fact shall also be certified and entered.

In case the information filed by an informer requires urgent or expeditious action and its immediate posting on the entry book cannot be made, the officer taking action on the information must report the fact immediately after the termination of his action to the Secretary of Environment and Natural Resources or to his authorized representative.

Section 7. Action on the information. Information given conformably with these regulations shall immediately be the subject of a discrete investigation or surveillance, and proper action taken based on the findings. A complete action report, including the disposition of the subject matter of the information shall be submitted to the Secretary of Environment and Natural Resources or his representative, as the case may be, upon termination and final resolution of the case.

Section 8. Payment of reward. If discovery, apprehension and/or prosecution of the offender or violator or confiscation of forest products is made or accomplished as a result of the information given in accordance with these regulations, the Secretary of Environment and Natural Resources or his representative, shall advise the informer that he is entitled to the reward. Within the thirty (30) days from receipt of notice, the formal claim of reward, stating his name and address, his

means of identification, date when the information was filed, the nature of the information, his copy of the information filed and such other data as may be needed to evaluate his claim. The treasury warrant or check, representing the reward shall be delivered by the Secretary of Environment and Natural Resources or his representative duly authorized with special power of attorney or shall be sent to the informer by registered mail with return card. The informer or his authorized representative shall acknowledge receipt of the treasury warrant or check, in case of personal delivery, or the informer shall sign the registry return card, in case of delivery or registered mail and shall, in either case, surrender his copy of his statement.

In case of the rewards to DENR field officials and employees, payments may be given through the Regional Executive Director or in his absence (unavailability at a particular date), to the Regional Technical Director concerned.

In no case, and under no circumstance shall any sum be paid as reward to the informer without the prior approval of the Secretary of Environment and Natural Resources.

Section 9. Appropriation for reward. The payment of claims for rewards shall come from the proceeds of forest products sold/bidder. Subject to budgeting and accounting procedures, the Office of the Secretary shall allocate in its yearly appropriation the estimated amounts for the purpose.

Section 10. Conflicting claims for reward. Where there are two or more informers claiming the reward in the same case, the following factors may be considered in the evaluation of said claims.

- a. Compliance of the information given with the rules and conditions stipulated in this regulations.
- b. Priority as to time of submission of said information;
- c. Such other relevant and material factors.

In meritorious case, the rewards may be apportioned equally or pro-rata among the qualified informers.

Section 11. Confidentiality Of Informer's Identity. Except when the information is proven to be malicious or false, the identity of the informer shall be kept confidential at all times, either before or after the termination of the case, and shall not be divulged to any unauthorized persons, particularly to the offender or violator, without the consent of the informer. Any officer or employee of the DENR, who reveals the identity of any informer without his consent shall be subject to severe disciplinary action which may include but not limited to dismissal or suspension.

The Department may designate authorized informers for the purpose of gathering information who may be entitled to rewards and whose identities are known to the Secretary or his authorized representative.

Section 12. Rewards Committee. The Secretary of Environment and Natural Resources shall create a Rewards Committee to evaluate information received and claims for reward and settle any issue that may arise from the information received and from claims for reward filed, and submit appropriate recommendations to the Secretary.

SECTION 13. Effectivity. These regulations shall take effect after fifteen (15) days following its publication either in the Official Gazette or in a Newspaper of general circulation in the Philippines.

(Sgd.) FULGENCIO S. FACTORAN, JR.
Secretary