

Administrative Order
No. 41
August 20, 1991

SUBJECT: Guidelines Governing the Deputation of Environment and Natural Resources Officers (ENRO)

Pursuant to Executive Order No. 192, Section 80 of PD 705, as amended, and PD 1281 and in order to directly involve the citizenry in the protection and conservation of the country's environment and natural resources, the following guidelines on the deputation of environment and natural resources officers are hereby promulgated for the information and guidance of all concerned:

Section 1. Definition. For purposes of this Order, the following terms shall be construed to mean as follows:

- 1.1 **Deputy Environment and Natural Resources Officer (DENRO)** - refers to individuals or entities duly deputized by the DENR in accordance with the provisions of this Order for a period of one year, or longer, over a specific area of jurisdiction as stated in the deputation order.
- 1.2 **Special Deputy Environment and Natural Resources Officer (SDENRO)** - refers to persons or entities duly deputized by the DENR to act on a specific case or cases within a limited period not to exceed three (3) months under a special deputation order. SDENROs are those who have certain expertise on the enforcement of a particular environment and natural resources laws.

Section 2. Functions and Duties of Deputy and Special Deputy Environment and Natural Resources Officers. Persons or entities deputized as environment and natural resources officer shall have the following functions and duties:

- 2.1 To assist in the enforcement of laws, rules and regulations governing environment, forestlands, mineral lands, national parks and other lands of the public domain under the jurisdiction of the DENR;
- 2.2 To assist in the conduct of surveillance and monitoring of compliance with the environment and natural resources laws, rules and regulations;
- 2.3 In the absence of an authorized DENR personnel, to arrest even without warrant any person who has committed or is committing in his presence any of the

offenses provided in environment and natural resources laws, rules and regulations;

- 2.4 To deliver within the period prescribed by law from the time of arrest and seizure, the offender including the confiscated natural resources products, tools/equipment and conveyances to, and file the proper complaint with, the appropriate official designated by law to conduct preliminary investigation and file information in Court through the CENRO or PENRO or Regional Executive Director, whoever is most expediently available;
- 2.5 To act as witness in Court for the speedy prosecution of criminal complaints against environment and natural resources law violators;
- 2.6 To assist in the conduct of environment and natural resources information campaign, such as meetings, public assembly, and other extension activities within their areas of jurisdiction in coordination with DENR officers and personnel of other government or private agencies involved in a similar work; and
- 2.7 To submit monthly accomplishment reports to the CENRO having jurisdiction over their area of responsibility using the standard reporting form provided with this Order.

Section 3. Who May be Deputized. The following may be deputized as DENRO or SDENRO:

- 3.1 Duly elected local government officials;
- 3.2 Military and Police Officers;
- 3.3 Company Foresters and Concession Guards under the employ of TLA Holders;
- 3.4 Concession Guards employed by other forest users like holders of Rattan Cutting Contract (RCC), Pasture Lease Agreement (PLA), Forest Land Grazing Lease Agreement (FLGLA) and Industrial Tree Plantation Lease Agreement (ITPLA), etc.;
- 3.5 Qualified employees of mining concessionaires and other holders of environment and natural resources agreements;

- 3.6 DENR Program participants such as Integrated Social Forestry Program (ISFP) beneficiaries, Forestland Management Agreement holders (FLMA), Community Forestry Program (CFP) participants, and others;
- 3.7 DENR-accredited non-government organizations as defined under DENR Administrative Order No. 120, series of 1989;
- 3.8 Other individuals/entities that may be deputized upon the discretion of the Secretary.

Section 4. Qualifications. Prospective DENRO or SDENRO must possess the following qualifications:

- 4.1 A resident of, or assigned to, the area specified in the deputation order;
- 4.2 Knows how to read and write;
- 4.3 Not less than 21 years old and not more than 60 years old;
- 4.4 Physically fit and mentally sound;
- 4.5 Of good moral character;
- 4.6 Willing to perform and undertake the functions and duties of a DENRO/SDENRO;

Section 5. Documentary Requirements. To substantiate compliance with the provisions of Section 4 of this Order, the following documents must be submitted to the Community Environment and Natural Resources Officer (CENRO) concerned:

- 5.1 Endorsement from their respective office or organization duly signed by their respective head or employer, as the case may be;
- 5.2 Judge or Fiscal and Police Clearance;
- 5.3 Biodata with ID picture;
- 5.4 Medical Certificate;
- 5.5 Certificate of good moral character issued by the Barangay Captain of the area where the applicant resides or Parish Priest/Minister/Pastor;

- 5.6 Sworn Statement to the effect that the applicant is willing to undertake the functions and duties of a DENRO/SDENRO.

Section 6. Processing of Applications and Approval of Deputation Orders. The following procedures shall be observed in the processing of applications for deputation:

- 6.1 At the Community Environment and Natural Resource Office (CENR Office):
- 6.1.1 Receive applications for deputation to ensure completeness of the documents submitted for the purpose;
 - 6.1.2 Verify and evaluate the qualifications of the applicant based on the supporting documents submitted;
 - 6.1.3 Forward to the Office of the Regional Executive Director thru the Provincial and Natural Resources Officer (PENRO), all processed applications for deputation with findings and categorical recommendation.
- 6.2 At the Provincial Environment and Natural Resource Office (PENR Office):
- 6.2.1 Review all applications submitted by the CENRO;
 - 6.2.2 Indorse all applications to the Office of the Regional Executive Director with categorical recommendation.
- 6.3 At the Regional Office (RED):
- 6.3.1 The Regional Technical Director concerned shall further review all applications indorsed by the PENRO and act accordingly.
 - 6.3.2 The Regional Executive Director shall approve the deputation order of Special Deputy Environment and Natural Resources Officers.
 - 6.3.3 The Regional Executive Director shall indorse applications for Deputy Environment and Natural Resources Officer, when proper, to the Secretary with categorical recommendation for final consideration and approval.

Section 7. Orientation and Training of DENRO and SDENRO.

The DENR shall cause the orientation of DENRO and SDENRO immediately prior to assumption of duty to ensure that they can effectively perform their functions as such. These orientations shall be conducted at the CENRO level in coordination with the Regional Human Resources Development Service.

The orientation shall consist of, but not limited to, the following and other topics contained in the Handbook on Natural Resources Laws Enforcement:

- 7.1 Basic knowledge on forest laws, rules and regulations;
- 7.2 Basic investigation work;
- 7.3 Basic preparation of complaints, filing of cases in court; and
- 7.4 Functions and duties of a DENRO/SDENRO.

The deputation order and the corresponding identification card shall be given after the DENRO/SDENRO shall have attended the orientation.

To update DENROs/SDENROs on the latest developments on environment and natural resources sector, including laws, rules and regulations, trainings shall be undertaken as often as may be necessary within the regional level.

DENRO/SDENRO whose deputation orders are still valid must participate in scheduled training. Failure to attend such training will be a ground for the automatic revocation of their deputation orders unless justified by non-existence of training within their area of assignment.

Section 8. Revocation/Termination of the Deputation Order. The Deputation Order of DENRO/SDENRO may be revoked by the approving authority on the following grounds:

- 8.1 When the specific case that gave rise to the approval and issuance of the Special Deputation Order is terminated or ceases to exist even prior to the expiration of the said deputation order;
- 8.2 When the DENRO/SDENRO is found to be ineffective in the implementation of DENR laws, rules, and regulations based on the performance evaluation as provided for in Section 9 hereof;

- 8.3 When found to have committed an act or acts in violation of the regulatory functions of the DENR without prejudice to the filing of criminal charges; and
- 8.4 When the DENRO/SDENRO fails to attend trainings referred to in Section 7 hereof.

Section 9. Performance Evaluation of DENRO/SDENRO. The performance and compliance of the DENRO/SDENRO with the provisions of this Order shall be evaluated by the Community Environment and Natural Resources Officer using the criteria and evaluation form to be prescribed by the Undersecretary for Field Operations.

Section 10. Renewal of Deputation Order. Duly accomplished performance evaluation form for DENRO/SDENRO will be the sole basis for renewal.

Recommendations for the renewal of deputation orders for DENRO with satisfactory or better rating shall be forwarded by the Regional Executive Director concerned to the Office of Undersecretary for Field Operations who is hereby authorized to approve such renewals.

Renewal of deputation orders for SDENRO shall be issued by the Regional Executive Director subject to clearance by the Assistant Secretary for Field Operations concerned.

Section 11. DENRO/SDENRO Desk. A Special desk for DENRO/SDENRO within each CENRO shall be created to have complete control and supervision over DENROs/SDENROs operating within its jurisdiction.

Monthly reports on the activities and accomplishments of DENROs/SDENROs and reports on deputation orders issued shall be submitted to the Office of the Undersecretary for Field Operations.

Section 12. Repealing Clause. All orders, circulars, memoranda inconsistent herewith are hereby repealed and/or amended accordingly.

Section 13. Effectivity. This Order shall take effect immediately.

FULGENCIO S. FACTORAN, JR.
Secretary