

**DENR Memorandum Order  
No. 99-26  
July 06, 1999**

**SUBJECT : Amending Certain Provisions Of  
Memorandum Order No. 96-04  
Re: Publication And Submission  
To The Up Law Center Of Rules  
And Regulations Adopted By The  
Department**

In the interest of the service and in order to ensure proper coordination among offices, bureaus and attached agencies of the Department of Environment and Natural Resources with regard to the publication and submission to the UP Law Center of rules and regulations adopted by the Department, Memorandum Order No. 96-04, dated January 30, 1996, is hereby amended as follows:

1. Publication

Existing jurisprudence provides guidance on which administrative rules and regulations require publication as a condition for effectivity.

Administrative rules and regulations that seek to enforce or implement existing law pursuant to a valid delegation must be published. On the other hand, interpretative regulations and those merely internal in nature, regulating only the personnel of the administrative agency and not the public need not be published. Neither is publication required of the instructions issued by administrative superiors concerning rules and regulations or guidelines to be followed by their subordinates in the performance of their duties.

To ensure effective, efficient and economical promulgation of DENR Rules and Regulations, all offices drafting rules and regulations which would:

- a) enforce or implement existing law, and/or
- b) affect the public,

**shall expressly include in the effectivity section of the draft rules and regulations or guidelines a provision that it shall be endorsed for publication by the Public Affairs Office (PAO).**

## 2. Filing at UP Law Center

The Records Management and Documents Division (RMDD) of DENR shall be the functionary designated to carry out the requirements provided under Section 3 (2) Book VII of the 1987 Administrative Code. The RMDD, through the Director, Administrative Service, shall be responsible for the filing with the UP Law Center three (3) certified copies of every Rule and Regulation adopted by the Department.

In this connection, all DENR issuances such as Department Administrative Orders, Memorandum Orders and the like must be submitted to the UP Law Center, except those concerning internal guidelines to be followed by DENR personnel only.

All bureaus and attached agencies are likewise instructed to submit to the RMDD, for submission to the UP Law Center, copies of all rules and regulations promulgated prior to the Department's reorganization that:

- a) establish an offense;
- b) define an act which, pursuant to law, is punishable as a crime or subject to a penalty; or
- c) may be used as basis for any sanction against any person.

However, orders, memoranda and other issuances that have already been submitted to the UP Law Center prior to this memorandum order need not be submitted again.

Please be guided accordingly.

**(Sgd.) ANTONIO H. CERILLES**  
Secretary