



Republic of the Philippines
Department of Social Welfare and Development

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MEMORANDUM CIRCULAR

No. 04

Series of 2009

**SUBJECT: AMENDMENT TO THE GUIDELINES IN THE
PREPARATION OF ADMINISTRATIVE ISSUANCES**

A. RATIONALE

The Department Secretary, under Section 7, Chapter 2, Book IV of Executive Order No. 292 (Revised Administrative Code of the Philippines), is empowered, among others, to:

- a. Establish the policies and standards for the operation of the Department pursuant to the approved programs of government;
- b. Promulgate rules and regulations necessary to carry out Department objectives, policies, functions, plans, programs and projects and;
- c. Promulgate administrative issuances necessary for the efficient administration of the Department and for proper execution of laws relative thereto.

To rationalize the preparation of different administrative issuances and to provide uniform policies and procedures for effective coordination and dissemination of the same, the following guidelines shall be observed.

B. POLICIES

1. Pursuant to Section 7 (4), Chapter 2, Book IV of E.O. No. 292, administrative issuances promulgated for efficient administration and proper execution of laws shall not prescribe penalties for their violation, except when expressly authorized by law.
2. Administrative issuances shall be in the form of circulars or orders, and signed by the Secretary, subject to the provisions of DSWD Department Order No. 5, series of 2002, as amended, on the subject, "*Delegation of Signing and Other Financial and Administrative Authorities to Central and Field Offices.*"
 - 2.1 *Circulars* shall refer to issuances relating to internal administration, for observance or compliance by all units of the Department.
 - 2.2 *Orders* shall refer to issuances prescribing policies, rules and regulations, and procedures promulgated pursuant to law, applicable to individuals and organizations within and outside the Department.

3. Every circular or order issued pursuant to the preceding section shall properly be identified as such and chronologically numbered. Each class of issuance shall begin with number 1 for each calendar year.
4. The Records Unit under the Administrative Service shall keep and preserve records of all administrative issuances of the Department in chronological order. It shall likewise record the actual date and time of each issuance in an official record which shall be open to the public for inspection.
5. All administrative issuances of a general or permanent character shall be compiled, indexed and published pursuant to this Circular and the provisions of E.O. No. 292.

C. CLASSIFICATION

Administrative issuances shall be classified according to their area of concern, purpose or objective, the features to be defined as follows:

1. **Memorandum Circular** – lays out policies and standards for the efficient administration of the Department.
 - 1.1. Comprises only of administrative matters which the Secretary or his/her authorized representative intends to bring to the attention of officials and employees, for information and compliance;
 - 1.2. Issued by the Secretary or his/her authorized representative relative to particular aspects of Department operations in pursuance of his/her duty as administrative head;
 - 1.3. Generally, of Department-wide application, although it may cover administrative matters (excluding disciplinary actions) that concern only a particular cluster (OCBG, GASSG or PPG) or office;
 - 1.4. Merely internal to the DSWD and;
 - 1.5. Numbered by year series.
2. **Administrative Order** – prescribes policies, rules and regulations in carrying out the Department's mandates and designed to supplement provisions of the law or to provide means for carrying them out, including information relating thereto.

- 2.1. Covers the implementing rules and regulations (IRRs) of the Department's mandates and related laws which the DSWD is tasked to implement;
 - 2.2. Of general application and covers units/offices and individuals within and outside the DSWD;
 - 2.3. Permanent in nature and;
 - 2.4. Numbered by year series.
3. **Special Order** – gives instructions to particular officials and employees on specific matters.
- 3.1. Directed to particular officials or employees;
 - 3.2. Of limited application and covers specific matters, including assignments, detail and transfer of personnel, attendance to training, and authority to travel and;
 - 3.3. Numbered by year series.
4. **Inter Office Communications** – formal exchange of communication between and among officials / employees of the Department.
- 4.1. Comprises communication/transmittal within the DSWD;
 - 4.2. Records shall be kept by concerned offices/personnel and;
 - 4.3. Not numbered by year series.

The Records Unit, in coordination with the Legal Service, shall provide such assistance as may be necessary to effect general adherence to the foregoing classification of issuances, including the conduct of studies for developing sub-classifications and guidelines to meet the peculiar needs of the Department.

D. PROCEDURES

1. All units at the Central and Field Offices may identify policy issues and operational or programmatic concerns which need to be addressed through the promulgation of an administrative issuance.
2. The Executive Committee (EXECOM), as the highest policy-making body of the Department, shall serve as the final venue for the discussion of proposed administrative issuances, particularly Memorandum Circulars and Administrative Orders, which are permanent in character and of

Department-wide and general application. Before elevation to the EXECOM, such issuances must have passed through:

- 2.1 Cluster Meetings (OCBG, GASSG or PPG) and Field Offices for consultation and coordination purposes and;
 - 2.2 Management Committee (MANCOM) which is the technical and recommendatory body to the EXECOM.
3. All administrative issuances should contain the following:
- 3.1 Issuance number and series
 - 3.2 Title/Subject Matter
 - 3.3 Rationale and/or Objectives
 - 3.4 Legal Basis
 - 3.5 Coverage/Scope
 - 3.6 Definition of Terms (whenever applicable)
 - 3.7 Policy and/or Operational Guidelines
 - 3.8 Implementing Mechanism
 - 3.9 Repealing Clause
 - 3.10 Transitory Provision (if applicable)
 - 3.11 Effectivity Clause
4. The place and date of issue must be stated in the last paragraph of all administrative issuances. The particular offices/personnel which should be given copies of the issuance shall likewise be specified.

E. MONITORING AND REPORTING

The Office/Bureau/Service/Unit within the Central Office from which the administrative issuance emanated shall be responsible for monitoring its implementation. The concerned office shall likewise submit an annual monitoring report to the MANCOM every 15th day of December for discussion and to the EXECOM for policy decision, if needed. (See Annex A for the Reporting Template)

F. EFFECTIVITY

This order shall take effect immediately.

Issued in Quezon City, this 29th day of March, 2009


ESPERANZA I. CABRAL
Secretary

DSWD - OSEC



In Replying Please Cite: R0000011446

Reporting Template for the Monitoring of Administrative Issuances

Calendar Year ____

Proponent O/B/S/U:

Administrative Issuance (AO/MC Number & Title)	Implementing Units (refer to the Section on Implementing Mechanism)	Specific Actions Taken in view of the Assigned Role	Other Significant Activities Undertaken	Implementation Gaps

Prepared by

(Name)
Designation

Noted by

(Name)
Designation