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DEPARTMENT ORDER

No. 03

Series of 2025

SUBJECT : INSTITUTIONAL FRAMEWORK FOR REGULATORY GOVERNANCE IN THE DEPARTMENT OF AGRICULTURE

WHEREAS, pursuant to Executive Order (EO) No. 292, series of 1987, otherwise known as the Administrative Code of 1987, the Department is mandated to promulgate and enforce all laws, rules, and regulations governing the conservation and proper utilization of agricultural and fishery resources;

WHEREAS, the Department exercises its regulatory functions primarily through the DA regulatory agencies under the oversight and supervision of the Undersecretary for Policy, Planning, and Regulations and the Assistant Secretary for Policy and Regulations;

WHEREAS, the Philippines is a World Trade Organization (WTO) Member State, and has the obligation to abide with WTO's fundamental principles, which encompass trade without discrimination, the promotion of freer trade, ensuring predictability in trade relations, fostering fair competition, and actively encouraging development and economic reform;

WHEREAS, Republic Act (RA) No. 10611, otherwise known as the Food Safety Act of 2013, vested in the Department the authority to formulate and enforce regulations to ensure the safety of food for human consumption;

WHEREAS, Department Order (DO) No. 3, series of 2016, otherwise known as "*Establishing the Department of Agriculture Institutional Structure and Arrangements on Regulatory Policy Work Streams, Coordination and Monitoring*", as amended DO No. 7, series of 2016, was issued to provide the institutional framework for the coordination and monitoring of regulatory policy;

WHEREAS, Republic Act (RA) No. 11032, otherwise known as the Ease of Doing Business and Efficient Government Services Delivery Act of 2018, directed the conduct of Regulatory Impact Assessment (RIA) for all proposed regulations to establish if the proposed regulation does not add undue regulatory burden and cost to these agencies and the applicants or requesting parties;

WHEREAS, Administrative Circular (AC) No. 1, series of 2024, otherwise known as "*Guidelines on the Conduct of Regulatory Impact Assessment (RIA) for the Proposed Regulations in the Department of Agriculture*", institutionalized the framework for the observance of RIA in the formulation of regulations by the Department;

WHEREAS, DO No. 10, series of 2024, otherwise known as "*Guidelines on the Conduct of Regulatory Impact Assessment (RIA) for the Proposed Regulations in the Department of Agriculture*", provided the framework for the updating of regulatory policies consistent with the principles of good regulatory practice and institutionalized the regular conduct of review of regulations in the Department;

WHEREAS, there is a need to review and update the framework for the coordination and harmonization of all DA Regulatory Agencies in relation to the formulation and implementation of regulations in view of recent laws and issuances affecting the nature of the Department's regulatory mandates;

WHEREAS, the updating of the framework shall integrate the adoption and observance of the principles of good regulatory practice, thereby ensuring coherence and consistency of regulations with existing laws and issuances;

WHEREAS, the organizational and functional relationship of the Department with the various agencies mandated to perform regulatory functions through an institutional framework for regulatory oversight and harmonization in the Department shall be clarified to avoid confusion arising from duplication and overlap in roles concerning regulatory governance in the Department; and,

WHEREAS, there is a need to create a new institutional framework for regulatory governance in the Department in order to balance its regulatory and developmental roles.

NOW, THEREFORE, I, FRANCISCO P. TIU LAUREL JR., Secretary of the Department of Agriculture, by virtue of the powers vested in me by law and other issuances, do hereby order:

Section 1. *Regulatory Governance Framework.* The DA Regulatory Governance Framework is hereby established. This framework shall cover the adoption of the regulatory functional areas, the institutionalization of regulatory oversight principles, and the rationalization of regulatory coordination mechanisms.

Section 2. *Regulatory Functional Areas.* All regulatory oversight and coordination activities are hereby organized into three work streams to be known as the DA Regulatory Functional Areas. There shall be three work strands, namely: (1) Regulatory Management; (2) Regulatory Policy Development; (3) Regulatory Implementation.

Section 3. *Regulatory Policy Development.* The functional area of regulatory policy shall involve the development of regulatory policies consistent with existing laws, policies, and other issuances, and international agreements wherein the Republic of the Philippines is a signatory. This also includes the development of relevant standards for adoption as technical regulation. The Food, Agriculture and Fisheries Policy Division (FAFPD) of the Policy Research Service (PRS) is hereby mandated to serve as the lead

office responsible in ensuring coherence and consistency of proposed regulations with existing laws, international agreements, and other issuances. The standards development mandates of the Bureau of Agriculture and Fisheries Standards (BAFS) and its role in regulatory policy development is hereby affirmed.

Section 4. *Regulatory Management.* The functional area of regulatory management shall involve the continuous review and streamlining of regulations consistent with the principles of good regulatory practice and in observance of the objectives of regulatory impact assessment (RIA) as stipulated in RA 11032.

Section 5. *Regulatory Program Implementation.* The functional area of regulatory program implementation shall involve the execution of regulatory policies by the DA Regulatory Agencies and the Regulatory Divisions in the DA Regional Field Offices (RFOs) through the administration of various regulatory services such as quality control and inspection, registration and licensing, quarantine services and, agriculture and fisheries product standards. This includes the harmonization of Programs, Activities, and Projects (PAPs) under the Agriculture and Fishery Regulatory Support Program under the existing Program Expenditure Classification (PREXC) System pursuant to National Budget Memorandum No. 111, series of 2013, on the Adoption of the Performance-Informed Budget Structure for the National Expenditure Program (NEP) and the General Appropriations Act (GAA).

Section 6. *Oversight.* The Undersecretary for Policy, Planning, and Regulations is hereby designated as the most senior official responsible for oversight over the development, implementation, and review of regulations by the regulatory agencies of the Department. There shall also be an Assistant Secretary for Policy and Regulations responsible for the regulations portfolio in the Department.

Section 7. *General Assembly of Regulatory Agencies.* There shall be a General Assembly of Regulatory Agencies (GARA) to be composed of all DA Regulatory Agencies which shall serve as the platform for the coordination of all concerns pertaining to coherence and consistency of regulations and resolution of issues relating to conflict in regulations. The GARA, which shall meet at least once every quarter, shall be supported by the Agriculture and Fishery Regulatory Support Office (AFRSO), created pursuant to Section 13 of this Order, as its Secretariat.

Section 8. *Facilitation of the Creation of a Regulatory Support Division.* The Office of the Assistant Secretary for Policy and Regulations (OASPR) is hereby directed to facilitate the creation of a Regulatory Support Division to be established under the PRS, which shall then be renamed as the Policy Research and Regulations Service (PRRS), with the approval of the DBM.

Section 9. *Rationalization of Existing Coordination Mechanisms.* The DA Food Safety Focal Group (FSFG) created under DO No. 7, series of 2018, with the subject "*Establishing the DA Food Safety Program for the Primary and Post-Harvest Food and Feed*

Production Sectors of Agriculture and Fisheries”, shall serve as the forum to coordinate all concerns and activities pertaining to the implementation of RA 10611. The Sanitary and Phytosanitary (SPS) Measures Focal Group, hereinafter referred to as the SPS Focal Group, shall be retained for the purpose of coordinating issues, concerns, and activities pertaining to the compliance of the Republic of the Philippines with its commitments under the WTO and the coordination of policy development on sanitary and phytosanitary measures. The FAFPD under the PRS shall act as the Secretariat of the aforementioned Focal Groups.

Section 10. DA Regulatory Policy Framework. For the purpose of regulatory policy development, the DA Regulatory Framework institutionalized under DO No. 3, series of 2016, as amended by DO No. 7, series of 2016, is hereby adopted and renamed as the DA Regulatory Policy Framework.

Section 11. The Undersecretary for Policy, Planning, Project Development and Regulations. The Undersecretary for Policy, Planning, Project Development and Regulations is hereby vested with the authority to control and supervise the various offices concerned with the implementation of this Order.

Section 12. The Assistant Secretary for Policy and Regulations. There shall be an Assistant Secretary for Policy and Regulations to be designated by the Secretary to perform the specific functions set forth in this Order. Specifically, the Assistant Secretary for Policy and Regulations shall:

- a. *Regulatory Oversight* – Exercise oversight and supervisory authority over the DA Regulatory Agencies and accordingly act as the Chair of the General Assembly of Regulatory Agencies (GARA) and other relevant collegial bodies in the Department, such as the Sanitary and Phytosanitary (SPS) and Food Safety Focal Groups, and over the Bureau of Agriculture and Fisheries Standards (BAFS) and the Agriculture and Fishery Regulatory Support Program (AFRSP) Office pursuant to DO No. 13, series of 2024;
- b. *Regulatory Policy Development* – Provide guidance to the DA-PRS, through the FAFPD, in facilitating the formulation of regulatory policies by the DA Regulatory Agencies and other relevant offices;
- c. *Regulatory Management* – Supervise the harmonization and rationalization of regulatory policies of the Department and the DA Regulatory Agencies and act accordingly as the Vice Chair of the DA Regulatory Clearinghouse System pursuant to AC No. 1, series of 2024;
- d. *Regulatory Implementation* – Provide guidance, in coordination with the Office of the Undersecretary for Operations and through the provision of strategic direction to the AFRSP Office, to the Regulatory Divisions under the DA Regional

Field Offices (RFOs) with respect to the implementation of regulatory policies at the field level; and,

- e. Perform other functions as may be directed by the Secretary.

The nature of the OASPR as an senior management-level oversight office of the Department is hereby reiterated. All staff-level functions currently performed by the OASPR shall be transferred to the AFRSO consistent with the provisions of Section 13 of this Order.

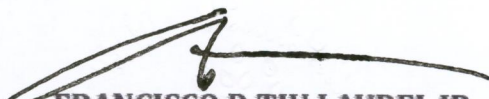
Section 13. Reconstitution of the AFRSP Unit as the AFRSO. The AFRSP Unit is hereby reconstituted as the interim staff office to be known as the AFRSO which shall be responsible for the conduct of technical activities related to regulatory management and implementation, pending the creation of a regular division-level office pursuant to the review of the organizational structure of the Department. *Provided,* That the AFRSO is authorized to adopt a new organizational structure as indicated in Annex A of this Order in order to effectively perform its mandate pursuant to this Order without prejudice to the engagement of the services of additional Contract of Service (COS) personnel as may be necessary; *Provided, further,* That the AFRSO shall be a separate operating unit to be led by a Head to be designated from among the officials and plantilla officers of the Department; *Provided, finally,* That the Financial and Management Service (FMS) and the Planning and Monitoring Service (PMS) shall facilitate the allocation of funds for the operating expenses of the AFRSO from existing funds of the Department;

Section 14. Separability. If any part or provision of this Order shall be held invalid or unconstitutional, the provisions not affected thereby shall remain in full force and effect.

Section 15. Repeal. DO No. 7, series of 2016, is hereby repealed. All other orders, rules and regulations, and other issuances or parts thereof which are inconsistent with the provisions of this Order are also hereby repealed or modified accordingly.

Section 16. Effectivity. This Order shall effect immediately upon approval and shall remain in force until revoked in writing.

Done this 24th day of February 2025.


FRANCISCO P. TIU LAUREL JR.
Secretary



OFFICE OF THE SECRETARY
DEPARTMENT OF AGRICULTURE
AND FISHERIES

ANNEX A

Staffing Pattern of the Agriculture and Fisheries Regulatory Support Office

