



Republic of the Philippines  
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## ADMINISTRATIVE CIRCULAR

No. 01

Series of 2024

**SUBJECT : GUIDELINES ON THE CONDUCT OF REGULATORY IMPACT ASSESSMENT (RIA) FOR THE PROPOSED REGULATIONS IN THE DEPARTMENT OF AGRICULTURE**

**WHEREAS**, Republic Act (RA) No. 11032, otherwise known as the Ease of Doing Business Act of 2018, requires all government agencies to conduct the Regulatory Impact Assessment (RIA) for all proposed regulations;

**WHEREAS**, Section 5 of RA 11032 directs the conduct of RIA to establish whether the proposed regulation does not add undue regulatory burden and cost to affected sectors of the economy;

**WHEREAS**, to operationalize the Ease of Doing Business Act of 2018, the Department of Agriculture fully implemented Administrative Circular (AC) No. 8, series of 2022, entitled "*Requiring the Conduct of Regulatory Impact Assessment (RIA) in the Modification, Repeal or Formulation of Existing or New Regulations in the Department of Agriculture*" on 30 June 2023;

**WHEREAS**, the Anti-Red Tape Authority (ARTA) issued Memorandum Circular (MC) No. 2022-06, on 07 October 2022 with the subject "Establishing the National Policy on Regulatory Management System";

**WHEREAS**, ARTA MC 2022-06 prescribes the policies and guidelines on the conduct of RIA and affirms the mandate and jurisdiction of ARTA on the implementation of RIA under RA 11032;

**WHEREAS**, the continued implementation of DA AC No. 8, series of 2022, creates an unnecessary duplication of the mandate of the ARTA;

**WHEREAS**, there is a need to recognize the existing policies and guidelines of ARTA on the implementation of the RIA consistent with the mandate of ARTA by virtue of RA 11032 and other existing laws;

**WHEREAS**, the RIA Oversight Committee, in its First Regular Meeting on 26 September 2023, concurred, by unanimous vote of all members in attendance, compliant with the quorum, to the proposal to suspend the implementation of DA AC No. 8, series of 2022, subject to the issuance of a new Department Order which incorporates the provisions of ARTA MC 2022-06;

**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 Impact Assessment.*** All agencies and units within the Department are directed to comply with the provisions of ARTA MC 2022-06, particularly Section 9 of the issuance, and its subsequent iterations and amendments in the conduct of Regulatory Impact Assessment.


**Section 2. *Oversight of Compliance with Regulatory Impact Assessment Requirements.*** The Department Proper, through the Office of the Undersecretary for Policy, Planning, and Regulations, shall exercise oversight functions in the formulation, amendment, or revision of regulatory policies and/or issuances to ensure harmonization of the Department's regulations.

**Section 3. *Regulatory Impact Assessment Compliance Oversight Secretariat.*** The Office of the Assistant Secretary for Regulations shall serve as the Secretariat of the Department Proper in its exercise of oversight functions on the Department's compliance to ARTA MC 2022-06 and its subsequent iterations and amendments. The Secretariat shall receive from the proponent agency all draft regulatory policies and guidelines proposed for issuance upon compliance with all requirements prescribed under ARTA MC 2022-06 and its subsequent iterations and amendments.

**Section 4. *Policy Review of Proposed Regulations.*** Upon determination of full compliance with the requirements under ARTA MC 2022-06, all draft regulatory policies and guidelines proposed for issuance shall be subjected to policy review under the Regulatory Clearinghouse System. The Policy Research Service shall conduct the initial policy review of the proposed regulations. Upon completion of the initial policy review, the Policy Research Service shall endorse the proposed regulations to the Assistant Secretary for Policy Research and Development for review on the consistency with other policies and to the Assistant Secretary for Regulations for review on the consistency with other regulations. The Assistant Secretary for Regulations, upon completion of the policy review, shall endorse the proposed regulations to the Undersecretary for Policy, Planning and Regulations.

**Section 5. *Approval of the Secretary or Head of Regulatory Agency.*** Upon determination of full compliance with the requirements of the ARTA set forth under ARTA MC 06-2022 and the completion of the policy review under the Regulatory Clearinghouse System, the Undersecretary for Policy, Planning, and Regulations shall endorse the proposed regulations for approval of the Secretary or the Head of Regulatory Agency subject to the conduct of legal review.

**Section 6. *Regulations Exempted from Regulatory Impact Assessment.*** Any proposed regulation covered by the list of exempted regulations under Annex A of ARTA MC 2022-06 may be issued without the conduct of Regulatory Impact Assessment. The proponent agency shall inform the ARTA in writing prior to the issuance of the exempt regulation, subject to the conduct of policy review as provided in Section 4 of this Circular.





**Section 7. *Special Provisions.*** Proposed regulations from agencies governed by special laws or charter in the formulation of regulatory policies shall be exempt from the requirement for policy review under the Regulatory Clearinghouse System. Provided, That the Secretary may exercise discretion to endorse the proposed regulations for policy review in accordance with Section 4 of this Circular. Other provisions, particularly on the compliance with the requirements of ARTA MC 2022-06 and its subsequent amendments and iterations, remain in order.

**Section 8. *Separability.*** If any part or provision of this Circular shall be held invalid or unconstitutional, the provisions not affected thereby shall remain in full force and effect.

**Section 9. *Repeal.*** DA Administrative Circular No. 8, series of 2022, is hereby repealed. All other orders, rules and regulations, and other issuances or parts thereof which are inconsistent with the provisions of this Circular are also hereby repealed or modified accordingly.

**Section 10. *Effectivity.*** This Circular shall take effect immediately upon issuance.

Done this 5th day of February 2024.

  
**FRANCISCO P. TIU LAUREL, JR.**  
Secretary 



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