



## MEMORANDUM FROM THE SECRETARY

**TO : ALL LAWYERS HOLDING PERMANENT POSITIONS**  
DENR Central Office, Regional Offices, Bureaus and Attached Agencies

**SUBJECT : AUTHORITY TO ENGAGE IN A LIMITED PRACTICE OF LAW**

Pursuant to the following civil service laws, rules and regulations, you are hereby permitted to engage in a limited practice of the legal profession:

1. Republic Act No. 6713<sup>1</sup> providing that public officials are prohibited from engaging in the private practice of their profession unless authorized by the Constitution or law, provided, that such practice will not conflict or tend to conflict with their official functions;
2. Civil Service Commission Resolution no. 011096 dated 29 June 2001 containing the Commission's policy on the grant of authority to engage in limited practice of professions; and
3. Revised Omnibus Rules on Appointments and Other Human Resource Actions<sup>2</sup> providing that no officer or employee shall engage directly or indirectly in any private business or practice of profession, except when allowed exemption from said rule, under the following conditions:
  - a. a written permission from the head of agency must be secured and renewed annually;
  - b. time devoted outside of office hours shall not impair in any way the efficiency of the officer or employee, nor pose a conflict or tend to conflict with official functions and must be fixed by the head of agency; and
  - c. government facilities, equipment and supplies shall not be used while engaged in private business or practice of profession.

Under DENR Memorandum Circular No. 01, series of 2017,<sup>3</sup> the following conditions have been established for the grant of a limited authority to practice law:

MEMO NO. 2023 - 708

<sup>1</sup> Section 7, Code of Conduct and Ethical Standards for Public Officials and Employees, 20 February 1989

<sup>2</sup> Omnibus Rules on Appointments and other Human Resource Actions. 16 June 2017, Revised 03 July 2018

<sup>3</sup> Guidelines on the Authority to Engage in a Limited Practice of Profession by Lawyers Holding Permanent Positions in DENR Central Office, Regional Offices, and Bureaus. 16 January 2017

1. Officials or employees who are members of the Integrated Bar may be allowed to teach in a college, university or educational/training institution **outside of the regular work hours.**
2. **Officials with a rank of Director or equivalent up to Undersecretary or its equivalent are prohibited from court practice** as their duties and responsibilities require that their entire time be at the disposal of the Government and of this Department.
3. Officials or employees below the rank of Director, who are members of the Bar, may be granted an authority to practice their profession and appear as counsel before any court of law or tribunal **except if such practice will be in conflict or tend to conflict with their functions.**
4. Officials or employees with Limited Authority to Practice their profession **should file a leave of absence or secure a written "Permission to Leave" from office from the head of their respective operating unit indicating therein the said purpose. The time spent in attending court processes or hearings must be accordingly deducted from the accrued vacation leave of the concerned official or employee.**
5. In granting "Permission to Leave", **the head of the operating unit concerned must ensure that the delivery of public service will not be impaired.**
6. No government time, vehicle, personnel, funds, or supplies shall be utilized in the pursuit of one's profession except when the official or employee concerned is defending the interest of the government.
7. The grant of authority shall further include the following conditions:
  - a. It shall not entail any conflict of interest;
  - b. It shall not be in representation of a client whose cause of action is against the government;
  - c. It shall not involve the use of government funds or property;
  - d. It shall not involve impair the efficiency in the discharge of the lawyer's regular functions in the Office, and absences incurred, if any, shall be covered by duly approved vacation leaves and pass slips; and
  - e. It shall be subject to the provisions of Republic Act No. 6713 (Code of Conduct and Ethical Standards for Public Officials and Employees) and such other relevant Civil Service Law and Rules.
8. Officials or employees with Authority to Practice their Profession, may engage in any practice of law **which is not in conflict with interest of DENR and of the government**, and shall not be limited to the following:
  - a. Civil Cases;
  - b. Labor Cases;

- c. Notarial Practice;
- d. Deportation Cases; and
- e. Any other analogous cases.

Issued this 17 AUG 2023 day of \_\_\_\_\_ in Quezon City, Philippines.

For your information, guidance, and strict compliance.

  
**MARIA ANTONIA YULO LOYZAGA**  
Secretary

