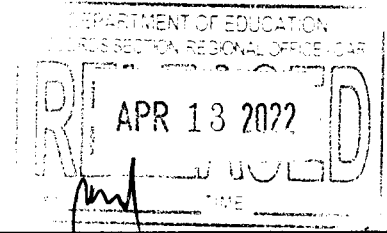




Republic of the Philippines
Department of Education
CORDILLERA ADMINISTRATIVE REGION



April 13, 2022

REGIONAL MEMORANDUM

No. 177-2022

**REITERATION OF DEPED MEMORANDUM “CLARIFICATION ON THE
AUTHORITY OF CERTAIN OFFICERS TO ADMINISTER OATHS”**

TO: Assistant Regional Director
Schools Division Superintendents
All others concerned

1. Enclosed is DepEd Memorandum dated April 8, 2022 from the Office of the Assistant Secretary for Legal Affairs ATTY. ALBERTO T. ESCOBARTE, CESO II on the Clarification on the Authority of Certain Officers to Administer Oaths, to wit:

Section 41 of Executive Order No. 292, otherwise known as the Administrative Code of 1987, as amended by R.A. 6733 and as further amended by R.A. 10755 provides that:

“[t]he following officers have general authority to administer oaths: President; Vice President; Members and Secretaries of both Houses of Congress; Members of the Judiciary; **Secretaries of Departments**; provincial governors and lieutenant-governors; city mayors; municipal mayors; bureau directors; **regional directors**; clerks of courts; registrars of deeds; **other civilian officers in the public service of the government of the Philippines whose appointments are vested in the President and are subject to confirmation by the Commission on Appointments**; all other constitutional officers; and notaries public.

The punong barangay is authorized to administer the oath of office of any government official including the President of the Philippines.” (Emphasis supplied.)¹

2. With the abovementioned, the signing authorities for the SALN are the Regional Director (for Regional Office Employees) and a Lawyer with Notarial Commission – Notary Public (for the Schools Division Offices and Schools).

3. Regional Office and Schools Division Offices’ Review and Compliance Committee (RCC) shall review the SALN submitted by the employees before it will be forwarded to the Administering Authority. Enclosed is the suggested composition of the Review and Compliance Committee (RCC).

4. For more details, kindly contact the **Administrative Division** at Tel. No. **422-1318 or 422-1804** or through email at car.admin@deped.gov.ph.

5. Immediate dissemination and strict compliance to this memorandum is directed.

ESTELA P. LEON-CARIÑO EdD, CESO III
Director IV / Regional Director

ADMIN/MAB/041322

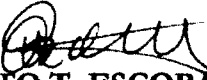




Republic of the Philippines
Department of Education
OFFICE OF THE ASSISTANT SECRETARY FOR LEGAL AFFAIRS

MEMORANDUM

TO : REGIONAL DIRECTORS
SCHOOLS DIVISION SUPERINTENDENTS

FROM : 
ATTY. ALBERTO T. ESCOBARTE, CESO II
Assistant Secretary

SUBJECT : Clarification on the Authority of Certain Officers to Administer Oaths

DATE : April 8, 2022

The Office of the Assistant Secretary for Legal Affairs issues this Memorandum to clarify the rules and guidelines on the authority of certain government officials to administer oaths.

Section 41 of Executive Order No. 292, otherwise known as the Administrative Code of 1987, as amended by R.A. 6733 and as further amended by R.A. 10755 provides that:

“[t]he following officers have general authority to administer oaths: President; Vice President; Members and Secretaries of both Houses of Congress; Members of the Judiciary; **Secretaries of Departments**; provincial governors and lieutenant-governors; city mayors; municipal mayors; bureau directors; **regional directors**; clerks of courts; registrars of deeds; **other civilian officers in the public service of the government of the Philippines whose appointments are vested in the President and are subject to confirmation by the Commission on Appointments**; all other constitutional officers; and notaries public.

The punong barangay is authorized to administer the oath of office of any government official including the President of the Philippines.” (Emphasis supplied.)¹

As can be gleaned from above, the authority to administer oath is limited to the officers mentioned therein. Following the legal maxim *expressio unius est exclusio alterius*, meaning that “where a statute, by its terms, is expressly limited to certain matters, it may not, by interpretation or construction, be extended to other matters,”² Schools Division Superintendents are not allowed to administer oaths in their official capacity for while their appointments are vested in the President, the same are not subject to confirmation by the Commission on Appointments. Regional Attorneys, Division Attorneys, Human Resource Management Officers, and Administrative Officers, not being among the officers

¹ Section 41, Executive Order No. 292, otherwise known as the Administrative Code of 1987.

² De La Salle Araneta University v. Bernardo, 805 Phil. 580 (2017).

enumerated, are likewise not allowed to administer oaths in their official capacity. In no case also should the Regional Directors delegate their authority to administer oath, like in Statements of Assets, Liabilities, and Net Worth (SALN), etc., to any official or staff in the Regional Offices.

For your information and guidance.

COMPOSITION OF THE STATEMENT OF ASSETS, LIABILITIES, AND NET WORTH REVIEW AND COMPLIANCE COMMITTEE (SALN-RCC)

REGIONAL OFFICE			ROLES AND FUNCTIONS
Chairperson	Maksim A. Botilas	Chief Administrative Officer	1. Review the submitted SALNs and determine whether these were properly accomplished; 2. Submit the accomplished SALNs to the administering authority; 3. Submit report to the Regional Director (RO) or Schools Division Superintendents (SDOs) and submit original copies of SALNs on or before the prescribed due date; 4. Resolve issues pertaining to compliance with the submission; and, 5. Perform such other functions as may be necessary to ensure compliance by DepEd-CAR personnel with all SALN related concerns.
Members	Atty. Vanessa B. Flora	Attorney IV	
	Eleonora A. Albidas	AO V/HRMO	
SCHOOLS DIVISION OFFICE			
Chairperson	Legal Officer/Attorney III		
Members	Administrative Officer V - ADMIN		
	AO IV/HRMO		