



Republic of the Philippines
Department of Education

07 OCT 2013

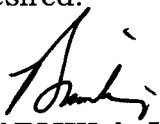
DepEd MEMORANDUM
No. **186**, s. 2013

DISSEMINATION OF DBM CIRCULAR LETTER NO. 2013-8

(Temporary Restraining Order (TRO) on the Priority Development Assistance Fund (PDAF) under the Fiscal Year (FY) 2013 General Appropriations Act (GAA))

To: Undersecretaries
Assistant Secretaries
Bureau Directors
Directors of Services, Centers and Heads of Units
Regional Directors
Schools Division/City Superintendents
Heads, Public Elementary and Secondary Schools
All Others Concerned

1. For the information and guidance of all concerned, enclosed is a copy of Department of Budget and Management (DBM) Circular Letter No. 2013-8 dated September 27, 2013 entitled **Temporary Restraining Order (TRO) on the Priority Development Assistance Fund (PDAF) under the Fiscal Year (FY) 2013 General Appropriations Act (GAA)** which is self-explanatory.
2. Immediate dissemination of this Memorandum is desired.


BR. ARMIN A. LUISTRO FSC
Secretary

Encl.:
As stated

Reference:
None

To be indicated in the Perpetual Index
under the following subjects:

FUNDS

LEGISLATIONS

OFFICIALS

Madel: Dissemination of Circular Letter No. 2013-8
0940-October 2, 2013



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF BUDGET AND MANAGEMENT
MALACAÑANG, MANILA

CIRCULAR LETTER

No. 2013-8
September 27, 2013

TO : Heads of Departments/Agencies/State Universities and Colleges and Other Offices of the National Government, Government-Owned and/or Controlled Corporations, Local Government Units and All Others Concerned

SUBJECT : Temporary Restraining Order (TRO) on the Priority Development Assistance Fund (PDAF) under the FY 2013 General Appropriations Act (GAA)

1.0 This Circular is being issued in light of the Supreme Court (SC) Resolution dated September 10, 2013 under G.R. No. 208566, which we received on September 11, 2013, enjoining the Department of Budget and Management (DBM) as well as implementing agencies concerned from releasing the remaining PDAF allocation in the FY 2013 GAA, to wit:

"x x x. ISSUE a Temporary Restraining Order enjoining the Department of Budget and Management, the National Treasurer, the Executive Secretary, or any persons acting under their authority from releasing: (1) the remaining Priority Development Assistance Funds (PDAF) allocated to members of Congress under General Appropriations Act of 2013..." (Boldface ours)

2.0 In compliance with the above-mentioned SC Resolution, all remaining unreleased and unobligated allotments, with the corresponding cash allocation chargeable against PDAF under the FY 2013 GAA are withheld until the TRO is lifted by the Supreme Court.

3.0 Nonetheless, PDAF projects funded under the FY 2013 GAA, where a Special Allotment Release Order (SARO) has been issued by the DBM and such SARO has been obligated by the implementing agencies prior to the issuance of the TRO, may continually be implemented and disbursements thereto effected by the agencies concerned.

4.0 In general, a SARO is obligated by the agency when it has already committed to perform an undertaking relating to programs, projects and activities. Accordingly, the specific instances of when a SARO is obligated shall depend on the implementing agencies concerned.

5.0 For information and guidance.

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FLORENCIO B. ABAD
Secretary