



Republic of the Philippines  
Department of Transportation  
**LAND TRANSPORTATION FRANCHISING & REGULATORY BOARD**  
East Avenue, Quezon City

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**MEMORANDUM CIRCULAR**  
**NUMBER 2020- 069**

**SUBJECT : GUIDELINES IN THE CONDUCT OF ON-LINE HEARING DURING COMMUNITY QUARANTINE**

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WHEREAS, President Rodrigo Roa Duterte signed Proclamation No. 922 entitled "*Declaring A State Of Public Health Emergency Throughout the Philippines*" on 8 March 2020, upon confirmation of local transmission of COVID-19 in the Philippines;

WHEREAS, in view of the increased number of confirmed COVID-19 cases, President Rodrigo Roa Duterte signed Proclamation No. 929 entitled "*Declaring A State of Calamity Throughout the Philippines Due to Corona Virus Disease 2019*" on 16 March 2020;

WHEREAS, on 16 March 2020, President Rodrigo Roa Duterte, through a Memorandum signed by Executive Secretary Salvador C. Medialdea, placed the entire Luzon under Enhanced Community Quarantine where strict home quarantine was implemented and mass public transport facilities were suspended;

WHEREAS, on 30 April 2020, President Rodrigo Roa Duterte, by virtue of Executive Order No. 112 signed by Executive Secretary Salvador C. Medialdea, declared the extension of the Enhanced Community Quarantine in the National Capital Region, subject to further evaluation;

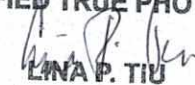
WHEREAS, on April 29, 2020, the Board issued a Memorandum Circular 2020-016 (Re: Mandatory On-Line Filing of Request for Selected Transactions while General Community Quarantine is Still in Placed in Low or Moderate Risk Areas) requiring the filing of the selected transaction through online/electronically;

WHEREAS, with the reclassification of the National Capital Region (NCR) from Enhanced Community Quarantine (ECQ) to General Community Quarantine (GCQ) starting 01 June 2020, there is a need to set guidelines for the conduct of hearing of cases filed and pending before the Central Office and National Capital Region;

NOW THEREFORE, for and in consideration of the foregoing, the Board hereby ADOPTS the following procedures for the hearing of cases filed and pending before the LTFRB Central Office and National Capital Region (NCR) during the Community Quarantine period:

- I. **Mandatory Submission of Contact Details of all Operators/Applicants, as well as the Complainant for Complaint Cases.**

**CERTIFIED TRUE PHOTOCOPY**

  
**LINA P. TIW**  
Administrative Officer V  
(Human Resource Management Officer III)

In view of the Board's initiative to shift from "face-to-face" to On-line (virtual) hearing during the period of Community Quarantine, where all communications and legal processes of the Board shall be sent through on-line, all Operators/Applicants are directed to submit to the Information and Systems Management Division (ISMD) their active official email address, contact numbers (mobile phone number/s) and case numbers for each type of application, within ten (10) calendar days upon the effectivity of this Memorandum Circular. Failure to submit the needed information shall cause the automatic exclusion of the corresponding case of the Applicant/Complainant in the scheduled hearing, without prejudice to the imposition of penalty to concerned operator, in accordance with the existing policies of the Board.

All applications and complaints filed after the effectivity of this Memorandum Circular shall indicate the operator's/Applicant's or complainant's email address and contact number.

## II. FOR ALL PENDING REGULAR CASES.

- a. **For cases which have been heard but were reset due to deficiency of documents, as found during the presentation of formal offer of evidence (FOE).**

Considering that appearance and presentation of Formal Offer of Evidence (FOE) had already been done, Applicants/operators shall submit their FOE with complete documents within fifteen (15) calendar days upon the effectivity of this Memorandum Circular, which shall include written attestation as to the authenticity of the documents, which are all faithful reproduction of the originals, thru courier or submit their documents (properly sealed with name of operator/applicant, case number and type of application) at the designated drop box at the Ground Floor of the LTFRB Central Office or NCR. Non-submission of FOE within the above-prescribed timeline and/or any deficiency of documents in the FOE shall be a ground for the outright dismissal of the case.

- b. **For cases which are yet to be heard by the Board.**

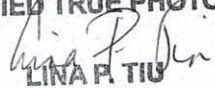
1. A new schedule for hearing shall be posted at the LTFRB Website ([www.ltfrb.gov.ph](http://www.ltfrb.gov.ph)) and social media accounts.
2. The Board shall cause the publication of all unreleased Notice of Hearings prior to the declaration of Community Quarantine, as re-scheduled.

For Applications filed starting 1 June 2020 and onwards, the corresponding Notice of Hearing shall be sent to the email address provided by the Applicant/Operator as required under item I. of this issuance, which shall be published by the Applicant/Operator pursuant to the existing Rules of Procedure for publication.

For lapsed and unpublished Notice of Hearing, the concerned Applicant/Operator may file a Manifestation for Issuance of Second Notice of Hearing thru online via email at [legal@ltfrb.gov.ph](mailto:legal@ltfrb.gov.ph) or [ncr.ltfrb@gmail.com](mailto:ncr.ltfrb@gmail.com) (NCR).

Further, considering the effect of the pandemic to the work schedule of the employees, only the unit/s proposed in the Application for Issuance of New CPC will be subjected to Inspection requirement.

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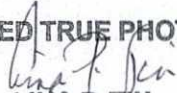
3. Formal Offer of Evidence must be submitted at least ten (10) working days prior to the scheduled hearing, which shall include written attestation as to the authenticity of the documents which are all faithful reproduction of the originals, thru courier or submit their documents (properly sealed with name of operator/applicant, case number and type of application) at the designated drop box at the Ground Floor of the LTFRB Central Office or NCR during business hours.
4. Hearings shall be conducted ON-LINE. Three (3) days prior to the scheduled hearing, a link shall be sent to the operator/applicant via email and text message. On the day of the hearing, the operator/applicant shall be placed under oath and shall attest to the authenticity and correctness of the original documents that he/she is going to present to the assigned hearing officer. Any fraudulent representations shall be a ground for the dismissal of their application and/or cancellation of the franchise. No motion for reconsideration shall be entertained as a result of their misrepresentations.
5. Operators/applicants may opt to present their documents on the scheduled online hearing through their counsel of choice, by themselves or by their duly authorized representative (spouse or direct ascendants/descendants only), subject to the following guidelines:
  - a. In case they are to be represented by counsel, a Notice of Entry of Appearance must be submitted together with the Formal Offer of Evidence prior to the scheduled hearing.
  - b. If by authorized representative, he/she must have valid ID and Special Power of Attorney or Secretary Certificate (for Corporation/Cooperative), specifically stating therein authorizing said representative to attend and testify during hearing, which SPA or Secretary Certificate must also be sent together with the Formal Offer of Evidence (FOE) prior to the scheduled hearing.Those representatives without or whose SPA/Secretary Certificate/Entry of Appearance is not submitted/included in the FOE shall not be entertained during hearing.
6. Considering the limitation in the scheduling of hearing, no resetting will be allowed, except in extreme cases and with justifiable reasons after filing of a Motion to Allow Reset of Hearing. Failure of applicant to go online during the scheduled hearing shall be a ground for the dismissal of the application, **WITHOUT PREJUDICE** to the re-filing of the same application.

**c. For Complaints and En Banc Cases**

**c.1. For cases pending prior to the Community Quarantine**

1. The parties shall be informed of the status and new schedule of hearing through email, text message and/or personal service. Hearing schedules shall also be posted in the LTFRB website and social media accounts.

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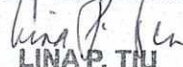
Respondent shall also be furnished with the copy of the complaint via email, courier and/or personal service. Answer to the Complaint including all documentary evidence in support of the Answer must be submitted to the Legal Division, copy furnished the complainant, at least five (5) working days prior to the scheduled hearing through email or courier or submit their documents (which must be properly sealed with name of complainant, respondent and complaint case number) during business hours at the designated drop box at the Ground Floor of the LTFRB Central Office/LTFRB-NCR.

2. Hearings shall be conducted ONLINE, unless the Board, in exceptional cases, may require the "face-to-face" hearing. Three (3) days prior to the scheduled hearing, a link shall be sent to the parties (complainant and respondent) via email and text message. Both parties, together with their drivers (if applicable) are required to attend the online hearing, during which they may present their evidence. They shall attest to the authenticity and correctness of their documents, and any fraudulent representations shall be used against the party offering such fraudulent representations. No motion for reconsideration shall be entertained as a result of their misrepresentation.
3. Considering the limitation in the scheduling of hearing, no resetting will be allowed, except in extreme cases and with justifiable reasons after filing of a Motion to Allow Reset of Hearing. Failure of any of the parties to go online during the scheduled hearing, the case shall be resolved based on the available records of the Board.
4. Responsive pleadings including **MOTIONS and other auxiliary incidents** shall also be filed online via email at [legal@ltfrb.gov.ph](mailto:legal@ltfrb.gov.ph) or [ncr.ltfrb@gmail.com](mailto:ncr.ltfrb@gmail.com) (NCR).
5. Both parties (complainant and respondent) shall submit the final pleading (i.e. Position Paper with all supporting evidence) within ten (10) working days after the hearing to Legal Division via email, courier or submit their documents (which must be properly sealed with name of complainant, respondent and complaint case number) during business hours at the designated drop box at the Ground Floor of the LTFRB Central Office/LTFRB-NCR.

**c.2. Complaints/En Banc Cases filed after the effectivity of this Memorandum Circular.**

1. Initiatory pleadings, together with all the required documents in support thereto, shall be filed on-line/electronically via email at [legal@ltfrb.gov.ph](mailto:legal@ltfrb.gov.ph) (Central Office) or [ncr.ltfrb@gmail.com](mailto:ncr.ltfrb@gmail.com) (NCR).
2. The corresponding Summons or Show Cause Order shall be issued and sent to the parties through email that will be provided by the complainant and the respondent/s, courier and/or personal service, attaching therein the copy of the complaint. Hearing schedules shall also be posted at the official website and social media accounts of LTFRB.
3. The procedure specified in c.1. particularly on the conduct of the hearing shall be adopted/applied.

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(Human Resource Management Officer III)**

**d. For Apprehension Cases (IRS)**

1. For those pending with the Legal Division prior to the declaration of Community Quarantine as well as those apprehensions after the effectivity of this Memorandum Circular, a list of apprehensions shall be posted at the LTFRB website and social media accounts. The conduct of hearing will be dispensed with, instead, respondents will be given a non-extendable period of five (5) working days from the date of posting (for all apprehensions pending prior to Community Quarantine) or from the date of apprehension (for apprehensions after the effectivity of this Memorandum Circular), to file a verified explanation including supporting documents through email at [legal@lfrb.gov.ph](mailto:legal@lfrb.gov.ph) (Central Office) or [ncr.lfrb@gmail.com](mailto:ncr.lfrb@gmail.com) (NCR) or courier or submit the documents (properly sealed with name of the respondent and case number) during business hours at the designated drop box at the Ground Floor of the LTFRB Central Office or NCR, consistent with Joint Administrative Order No. 2014-001. Failure on the part of the respondent to timely file the said verified explanation shall be considered a waiver on his/her part to be heard and the case shall now be submitted for resolution.
2. Resolution of the apprehensions shall be based on the available records received by the Board.

All inquiries on cases and transactions with the Legal Division and LTFRB-NCR shall initially be coursed through and acted upon only through the hotline numbers, email addresses and/or social media accounts as posted on the website. No walk-in requests shall be entertained.

This Memorandum Circular shall take effect immediately following its publication in at least one (1) newspaper of general circulation. Let three (3) copies hereof be filed with the UP Law Center- Office of National Administrative Registrar (ONAR).

**SO ORDERED.            OCT 30 2020**

ADOPTED AND APPROVED THROUGH TELECONFERENCE  
ON OCT 30 2020

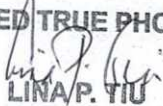
  
**ATTY. MARTIN B. DELGRA III**  
Chairman



  
**ENGR. RONALDO F. CORPUS**  
Board Member

  
**PCOL. JOEL C. PERNITO (Ret.)**  
Board Member

Attested by:  
  
**Col. RENWICK K. RUTAQUIO (Ret.)**  
OIC-Executive Director

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