



Republic of the Philippines
Department of Transportation & Communications
LAND TRANSPORTATION FRANCHISING & REGULATORY BOARD
East Avenue, Quezon City
Tel. Nos. 922-9061 to 66

MEMORANDUM CIRCULAR NO. 88-024

SUBJECT : SUMMARY PROCEDURE IN UNCONTESTED CASES AND CASES INVOLVING ONLY QUESTIONS OF LAW

To achieve an expeditious, speedy and inexpensive determination and disposition of uncontested cases and cases not involving questions of facts, the Board hereby orders the implementation of the following summary procedure effective November 14, 1988:

I.
TO WHAT CASES APPLICABLE

This memorandum circular shall apply to applications and petitions where no written oppositions have been filed within the required period or on the date of the initial hearing after notice to affected parties have been sent in accordance with the Board's rules and regulations where such notice is required and to cases which are otherwise uncontested.

This summary procedure may also be applied by the Board en banc to cases where in its judgment no testimonial evidence is necessary for the speedy and judicious disposition of said cases and to cases involving only questions of law where the parties may only be required to submit their respective memoranda.

II.
PROCEDURE FOR DISPOSITION OF CASES

1. At the hearing of the applications/petitions which should be in proper form and substance, the applicants/petitioners shall submit to the Board their formal offer of evidence with the following appended thereto: (1) the concise testimony of the applicants/petitioners containing the necessary facts to support their applications/petitions in affidavit form; (2) the documentary evidence required or necessary to support the applications/petitions, provided that if the documents consist of photo copies, the originals if required for comparison by the Board should be made available; and (3) such other papers and documentary evidence as the applicants/petitioners consider necessary to support the cases.

Jhar
Am
J

2. The affidavits required to be submitted and appended to the formal offer of evidence shall state only facts of personal knowledge of the affiants or facts the affiants know by virtue of their positions or occupations and shall show their competence to testify on the matters stated therein. Non-compliance with this requirement shall be sufficient cause to disregard the formal offer of evidence and cause the setting for hearing of the cases for the applicants/petitioners to submit the necessary evidence and for the Board to clarify specific factual issues.

Quezon City, November 3, 1988.

Rosalazar - Fernando
REMEDIOS A. SALAZAR-FERNANDO
Chairman

Juan L. Kilayko
JUAN L. KILAYKO
Board Member

Dante M. Lantin
DANTE M. LANTIN
Board Member