



Republic of the Philippines  
Department of Transportation  
**CIVIL AERONAUTICS BOARD**



**Re: Interim Guidelines on the Rules of Procedure Governing the Conduct of Virtual Hearings Before the Civil Aeronautics Board amending for its purpose the March 13, 2020 Interim Guidelines on the Rules of Procedure Governing Hearings Before the Civil Aeronautics Board during the Effectivity of Resolution No. 11 (Recommendations for the Management of the Coronavirus Disease (COVID-19) Situation)**

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**WHEREAS**, on January 7, 2020, Chinese health authorities reported that the cause of a viral pneumonia outbreak in the City of Wuhan, Hubei Province, China was a novel type of Coronavirus that has not been previously identified in humans; on March 7, 2020, the first case of localized COVID-19 transmission was confirmed by the Department of Health;

**WHEREAS**, on March 8, 2020, President Rodrigo R. Duterte, recognizing that the COVID-19 public health event constitutes a threat to national security, and to prompt a whole-of-government approach in addressing the COVID-19 outbreak, declared a State of Public Health Emergency throughout the entire Philippines through Proclamation No. 922;

**WHEREAS**, on March 12, 2020, the WHO has characterized COVID-19 as pandemic.

**WHEREAS**, Under CSC Resolution No. 2000912 promulgated on 14 October 2020, and circularized via CSC Memorandum Circular No. 18, s. 2020, agencies located in areas placed under General Community Quarantine (GCQ) and Modified General Community Quarantine (MGCQ) may adopt a work-from-home arrangement where public transportation shall operate at a reduced capacity and physical/social distancing is required in the workplace;

**WHEREAS**, work-from-home arrangements may be allowed for adjudication of cases or review of cases, including legal work;

**WHEREAS**, there is a need to develop a new set of guidelines on the Rules of Procedure governing hearings before the Civil Aeronautics Board for purposes of government service continuity while safeguarding the health and safety of all parties concerned;

**WHEREAS**, the foregoing Guidelines are based on the provisions of subparagraph (B), Section 10 of RA 776 (Civil Aeronautics Act) which empowers the Board to make and amend such general and special rules, regulations, and procedures as it shall deem necessary;

**NOW, THEREFORE**, by virtue of the delegated authority granted by CAB Policy Resolution No. 95 dated 23 April 2003 to the Executive Director and the Deputy Executive Director to act on certain urgent matters, for and on behalf of the Board, hereby adopts the Interim Guidelines on the Rules of Procedure Governing Hearings Before the Civil Aeronautics Board during the Effectivity of Resolution No. 11 (Recommendations for the Management of the Coronavirus Disease (COVID-19) Situation):

- I. This interim guideline shall also be known as "CAB Rules on Virtual Hearings" for brevity.
- II. All transactions prior, during and after the hearing shall, as far as practicable, be conducted via electronic means.
- III. All petitioners or applicants shall register with the CAB Portal prior to the filing of the petition or application.
- IV. All Petitions or Applications shall undergo online pre-evaluation procedures to determine the completeness of the attached documentary requirements. A Notice to File Petition/Application

shall be issued to the Petitioner, after an initial determination of compliance, in form and substance of CAB requirements.

- V. The said Notice to file Petition/Application shall be presented to the Financial Management Division and thereafter to the Cashiering unit for payment of filing fee. Once the required filing fee has been paid, the Petition/Application shall then be forwarded to the Office of the Executive Director for appropriate routing.
- VI. Physical presence during Pre-Marking shall be temporarily waived. Submission of documents, as provisionally pre-marked by Petitioner, may be done via e-mail with corresponding attestation as to its veracity and authenticity. In addition, Petitioners are required to submit, to the hearing panel, a Verified Judicial Affidavit of its witnesses in lieu of his/her direct testimony. Provided further, that the applicant shall make available all the required documents for inspection at any time during the proceedings.
- VII. Provisionally pre-marked documents shall be admitted only after it has been offered during the hearing and upon examination and comparison with the physical documents
- VIII. Physical presence during the hearing date shall likewise be waived. Virtual Hearings are to be conducted in lieu of physical hearings on the date and time stated on the Notice of Hearing. The petitioner and his counsel are expected to maintain stable internet connection during the entire hearing so as not to cause unnecessary delay.
- IX. All motions, objections, manifestations or positions may be raised either during the virtual hearing or in writing and filed through electronic means.
- X. Once the hearing has concluded and all of the documentary requirements have been fully complied with, the Hearing Officer shall cause the issuance of an Order to file a Written Formal Offer of Evidence within seven (7) working days. Compliance therewith may be made by submitting the original copies of the pre-marked documents together with soft copies thereof to the Hearing Examiners' Division of the CAB via courier or any other authorized delivery services.
- XI. Submission of falsified documents and/or testimony under this Guidelines shall be punishable under Articles 171, 172 and 173, Section 4 of the Revised Penal Code (Falsification documents) as well as Art. 183 and 184 of the RPC (False testimony and Perjury) without prejudice to other penalties which the law or regulations may impose at the time of its commission.
- XII. This interim Guidelines shall take effect immediately.

Adopted 13 January 2021.  
Pasay City, Philippines

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**CARMELO L. ARCILLA**  
Executive Director