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DOC NO. AG-2020-02920DEPARTMENT ORDER NO. 2020 -026**GUIDELINES ON THE INTERRUPTION OF REGLEMENTARY PERIODS IN THE INVESTIGATION AND ADJUDICATION OF ADMINISTRATIVE CASES FOR THE DURATION OF COMMUNITY QUARANTINE DUE TO THE CORONAVIRUS DISEASE 2019 (COVID-19) PANDEMIC**

WHEREAS, the “*Bayanihan to Heal as One Act*” empowers the President to move statutory deadlines for the filing and submission of documents, payment of taxes, and other charges required by law, and grant of benefits as a temporary emergency measure to respond to the crisis brought about by the Coronavirus Disease 2019 (COVID-19) pandemic;

WHEREAS, pursuant thereto, Administrative Order (A.O.) No. 30, series of 2020 dated 21 April 2020 was promulgated directing all government agencies, instrumentalities, GOCCs, GFIs, SUCs, and LGUs to issue guidelines for the interruption of reglementary periods for the commencement of actions and claims; the filing of pleadings, appearances, motions, notices, and all other papers; and the rendition of judgments, resolutions, and orders for the duration of the community quarantine;

NOW, THEREFORE, in compliance with the said Order, the Department of Tourism (DOT) hereby adopts these guidelines to govern the conduct of administrative investigation and adjudication within the Department of Tourism during the period of community quarantine.

SECTION 1. SCOPE, COVERAGE, AND DURATION

- 1.1. These Guidelines cover the reglementary periods under the *Revised Rules of Procedure in the Conduct of Administrative Investigation in the Department of Tourism*,¹ the *2017 Rules on Administrative Cases in the Civil Service* (2017 RACCS), and other relevant laws and rules.
- 1.2. The reglementary periods are hereby deemed interrupted beginning the effectivity of Presidential Proclamation No. 929, s. 2020 on **16 March 2020**, until the Community Quarantine is lifted by the Office of the President (OP) or the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF). For the purpose of these rules, Community Quarantine shall refer to an enhanced, modified, or general quarantine as may be declared by the IATF or the OP.
- 1.3. These Guidelines shall apply to:
 - 1.3.1. Preliminary investigations conducted by the DOT Investigation Committee (IC) and the Committee on Decorum and Investigation (CODI) of Sexual Harassment Cases;
 - 1.3.2. Fact-finding and other special investigations conducted by special committees constituted solely within the Department or jointly with attached agencies, created to investigate and adjudicate administrative complaints and cases against officials and employees of the DOT or any of its attached agencies;
 - 1.3.3. Formal investigations of administrative cases conducted before the DOT Hearing Officer.

¹ Department Order No. 2019-60.

- 1.4. Attached agencies of the department are hereby enjoined to formulate and adopt their respective guidelines in compliance with Administrative Order (A.O.) No. 30, series of 2020, copy furnished the Office of the Secretary.

SECTION 2. GUIDELINES

- 2.1. The prescriptive periods for the filing of administrative actions, complaints, or claims, as may be provided in the rules, shall be deemed interrupted beginning 16 March 2020, and shall resume upon the lifting of the community quarantine.
- 2.2. Complaints and other filings sent through email beginning 16 March 2020 until the lifting of the Community Quarantine shall be acknowledged by the relevant committee secretariat upon receipt and shall be acted upon by the proper committees after the lifting of the community quarantine.
- 2.3. For investigations already pending before the committees and/or the hearing officer, the following shall be deemed interrupted from 16 March 2020 until the community quarantine has been lifted:
 - 2.3.1. Filing of pleadings, motions, position papers, affidavits, and other submissions required by the respective committees;
 - 2.3.2. Conduct of preliminary and formal investigations for administrative complaints and cases;
 - 2.3.3. Submission of investigation or fact-finding reports by the respective committees; and
 - 2.3.4. Rendition of judgments, resolutions, and orders.

The submission of investigation or fact-finding reports (2.3.3) and the rendition of judgments, resolutions, and orders (2.3.4.) be given an EXTENDED PERIOD of not less than ten (10) working days upon the lifting of the community quarantine for completion.

- 2.4. Parties who have received orders to file pleadings or submit documents prior to 16 March 2020 may avail of the remaining period for filing or submission, if any, after the lifting of the community quarantine.

If the last day falls on a legal holiday, Saturday, or Sunday, it shall be reckoned on the following business day. In no case shall the said period be less than five (5) working days.

- 2.5. Upon the lifting of the Community Quarantine, the failure of litigants or their counsels to submit documents/s,² present evidence,³ or appear in the proceeding where their presence is required,⁴ within the remaining reglementary periods shall be deemed a waiver of their rights to do so, except in the following instances:
 - 2.5.1. When Community Quarantine over the area in which a party to a case resides or where the office of the latter is located has been extended upon a determination of the IATF or an order of the local government unit (LGU);
 - 2.5.2. When obtaining supporting documents or evidence material to the case becomes difficult due to the continued Community Quarantine;
 - 2.5.3. When a party to a case or any member of his/her household has been hospitalized for COVID-19. Provided, that in the event that the said party has been discharged and

² Section 27, Rule 6 of the 2017 Rules on Administrative Cases in the Civil Service.

³ Section 37, Rule 8 of the 2017 Rules on Administrative Cases in the Civil Service.

⁴ Section 36, Rule 8 of the 2017 Rules on Administrative Cases in the Civil Service.

made to observe the 14-day quarantine, the reglementary period shall commence the day after the said isolation period;

2.5.4. When, upon determination by the Department of Health or any DOH-Accredited COVID-19 testing center, a party to a case or any member of his/her household is required to observe a 14-day quarantine. The reglementary period shall commence the day after the completion of the said isolation period; and

2.5.5. In case there is a failure to reach a quorum for a proceeding by reason of the availment of the justification provided under 4.10.3 or 4.10.4 by any of the Committee members.

SECTION 3. EFFECTIVITY

This Order shall take effect immediately, subject to review and updating as may be necessary pursuant to any subsequent directives, orders, or issuances by the OP or the IATF.

All other Orders and Issuances inconsistent herewith are hereby repealed or modified accordingly.

04 May 2020

BERNADETTE ROMULO-PUYAT

Secretary

