

MEMORANDUM ORDER NO. 2000 002
Series of 2000

TO : ALL ZONE ADMINISTRATORS AND ZONE MANAGERS

FROM : Director General LILIA B. DE LIMA

DATE : 06 September 2000

SUBJECT : AMENDMENT OF MEMORANDUM ORDER (MO) NO. 99-002 KNOWN AS THE IMPLEMENTING GUIDELINE ON THE INVESTIGATION OF CASES BY THE ZONE ADMINISTRATORS AND ZONE MANAGERS AND THE IMPOSITION OF PENALTIES

Following further deliberation and discussion of the provisions of Memorandum Order (MO) No. 99-002 dated December 13, 1999, the management deemed it necessary to amend certain provisions of the said MO, hence this amendatory order:

1. Item No. III of MO No. 99-002 is hereby amended to read as follows:

III) RESOLUTION OF THE CASE; FINALITY OF DECISION

The case must be decided by the ZAs and ZMs within thirty (30) calendar days from the date the case is submitted for resolution.

The decision rendered by the ZAs or ZMs shall become final and executory after fifteen (15) calendar days from receipt by the respondent company of the decision without the respondent company having filed a reconsideration/appeal of the decision.

2. Item No. IV of MO No. 99-002 is hereby deleted in its entirety and replaced with the foregoing provision to read as follows:

IV) APPEAL; MOTION FOR RECONSIDERATION TREATED AS APPEAL

Within fifteen (15) calendar days from receipt by the respondent company of the decision of the ZA

or ZM, the respondent company may appeal the decision to the PEZA Director General (DG).

The respondent company shall file its appeal to the ZA or ZM, who, within three (3) calendar days from receipt thereof, shall forward the entire records of the case together with his recommendation/s to the PEZA DG for the latter's appropriate action and disposition.

All motions/requests for reconsideration or such other documents of similar import submitted by the respondent company to the ZA and ZM shall be treated as an appeal and, therefore, shall be forwarded by the ZA or ZM to the PEZA DG for the latter's appropriate action and disposition pursuant to this provision.

The filing of an appeal, reconsideration or such other requests of similar import shall stop the running of the period for the finality of the decision.

3. Item No. V of MO No. 99-002 is hereby deleted in its entirety and replaced with the foregoing provision to read as follows:

V) APPEAL TO THE PEZA BOARD

Decisions of the PEZA DG may be appealable to the PEZA Board within ten (10) calendar days from receipt thereof by the respondent company.

4. Item No. VI of MO No. 99-002 is hereby amended to read as follows:

VI) REPORTORIAL REQUIREMENTS

For the information and reference of the Head Office, the ZAs and ZMs shall immediately furnish the DG and the Legal Services Group (LSG) with the original or certified true copy of the Resolution they issued.

For purposes of uniformity, a Resolution is that issued by the ZAs and ZMs resolving/deciding the case and must contain the following:

1. the facts of the case;
2. the finding on whether or not the respondent has committed the violation/s;
3. the legal basis of the decision; and
4. the penalty imposed.

On the other hand, an Order is issued only when disposing or ruling on incidental issues such as but not limited to mere motions or requests of the parties (e.g. Motion/Request for extension of time to file Answer).

5. This Memorandum Order shall take effect immediately.

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