

MEMORANDUM CIRCULAR NO. 20-23

Series of 2020

**ADVISORY ON THE INTERRUPTION OF REGLEMENTARY PERIODS FOR THE COMMENCEMENT OF ACTIONS AND CLAIMS, FILING OF PLEADINGS, PROMULGATION AND RENDITION OF ORDERS, JUDGMENTS AND RESOLUTIONS FOR THE DURATION OF THE ENHANCED COMMUNITY QUARANTINE IN ALL DTI OFFICES INCLUDING REGIONAL AND PROVINCIAL OFFICES**

**WHEREAS**, Republic Act No. 7394 or the Consumer Act of the Philippines provides that the Consumer Arbitration Officers shall have original and exclusive jurisdiction to mediate, conciliate, hear and adjudicate all consumer complaints.

**WHEREAS**, Department Administrative Order No. 7, Series of 2006 was issued to prescribe the rules and regulations on the Adjudication of Formal Charges by the Consumer Arbitration Officers for violation of Trade and Industry Laws.

**WHEREAS**, the President declared a State of Calamity throughout the Philippines for a period of six (6) months through Proclamation No. 929 (s. 2020) and imposed an Enhanced Community Quarantine (ECQ) throughout Luzon due to COVID-19 starting 17 March 2020 until 30 April 2020;

**WHEREAS**, Local Government Units (LGUs), within and outside Luzon, have imposed their respective community quarantines ("local community quarantine");

**WHEREAS**, as adopted and approved by the President, the Inter-Agency Task Force for the Management of Infectious Diseases (IATF) Resolution No. 28 dated 23 April 2020 placed selected areas in Luzon<sup>1</sup>, Visayas<sup>2</sup> and Mindanao<sup>3</sup> under ECQ until 15 May 2020, while others are placed under General Community Quarantine (GCQ) until 15 May 2020, subject to modification, extension, or lifting thereof, as may be determined by the IATF;

**WHEREAS**, Republic Act No. 11469 or the "Bayanihan Heal as One Act" allows the movement of statutory deadlines and timelines for the filing and submission of any document, to ease the burden on individuals after the ECQ;

**WHEREAS**, Administrative Order No. 30, Series of 2020 was issued by the Office of the President directing all heads of departments, agencies, offices and instrumentalities of the government, among others, to immediately formulate and issue rules or guidelines on the interruption of reglementary periods for the commencement of action and claims, 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

CERTIFIED TRUE PHOTOCOPY

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<sup>1</sup> NCR, Pangasinan, Benguet, Bataan, Bulacan, Nueva Ecija, Pampanga, Tarlac, Zambales, Batangas, Laguna, Cavite, Rizal, Quezon, Mindoro Island, Albay, and Catanduanes

<sup>2</sup> Antique, Iloilo, Cebu, Cebu City, Aklan, and Capiz

<sup>3</sup> Davao Del Norte, Davao City, and Davao De Oro

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**WHEREAS**, the DTI recognizes that there is a need to interrupt the period for commencing actions, filing pleadings and rendering of judgments in all its Offices including the Regional and Provincial Offices, since mobility has been heavily restricted through the country due to the implementation of the ECQ, thus preventing litigants and/or their counsels to commence an appeal and/or comply with the filing of pleadings within the periods prescribed by the Rules;

**NOW THEREFORE**, this Memorandum Circular is hereby issued for the information and guidance of those concerned.

**SECTION 1. Coverage.** These guidelines shall apply to all Consumer Complaints and Formal Charges for violation of any Trade and Industry Laws including the Consumer Act of the Philippines as well as other matters required by law, rules and regulations to be filed with the DTI, through its Fair Trade Enforcement Bureau or its regional or provincial offices.

For purposes of this Circular the ECQ is deemed to include the GCQ and local community quarantines declared in accordance with IATF Guidelines.

**SECTION 2. Interruption of the Period to File Pleadings and Other Papers.** The reglementary period for the commencement of actions, filing of pleadings, motions and appearances, rendition of judgment, order and resolutions and all other papers shall be interrupted for the duration of the ECQ.

**SECTION 3. Suspension of Rendition of Judgments and Other Actions.** Likewise, the rendition of judgments, resolutions, and orders shall be suspended during the duration of the ECQ.

Any and all motions, notices and pleadings received within the ECQ shall be given due course upon resumption of regular business operations.

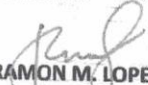
**SECTION 4. Resumption of Period.** Counting of applicable period shall resume immediately upon the lifting of the ECQ.


**SECTION 5. Exceptions.** The foregoing provisions shall not be applicable to urgent cases which are necessary to enable the government to act expeditiously on matters affecting the current public health emergency.

**SECTION 6. Separability Clause.** If for any reason, any section, provision, or part of this Memorandum Circular, or the application of such section, provision, or part to any person, group, or circumstances is declared invalid or unconstitutional, the remainder of this Memorandum Circular shall not be affected by such declarations.

**SECTION 7. Effectivity.** Given the presence of a public health emergency, this Memorandum Circular shall take effect immediately upon its publication and filing with the University of the Philippines Law Center.

Issued this 18th day of May 2020 in Makati City.

  
**RAMON M. LOPEZ**  
Secretary

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