

COMMISSION RESOLUTION NO. 010-2020

GUIDELINES ON THE INTERRUPTION OF THE REGLEMENTARY PERIODS FOR THE COMMENCEMENT OF ACTION, FILING OF PLEADINGS, MOTIONS AND SUBMISSIONS, RENDITION OF JUDGMENTS, RESOLUTIONS, AND ORDERS, PAYMENT OF FINES OR PENALTIES, AND THE CANCELLATION OF PROCEEDINGS FOR THE DURATION OF THE COMMUNITY QUARANTINE IN ACCORDANCE WITH ADMINISTRATIVE ORDER NO. 30

WHEREAS, on 16 March 2020, the Executive Secretary issued a Memorandum imposing an Enhanced Community Quarantine (“ECQ”) and Stringent Social Distancing Measures over the entire Luzon, including the NCR, effective 17 March 2020 until 13 April 2020 due to the Corona Virus Disease 2019 (“COVID-19”) situation;

WHEREAS, to further contain the spread of COVID-19, the President adopted the recommendation of the Inter-Agency Task Force (“IATF”) to extend the ECQ until 30 April 2020;

WHEREAS, following the President’s adoption of the IATF recommendation, the Executive Secretary issued a Memorandum dated 7 April 2020 extending the implementation of the ECQ over the entire Luzon until 30 April 2020;

WHEREAS, due to the existence of a national emergency arising from the COVID-19, the Philippine Congress passed Republic Act No. 11469, otherwise known as the Bayanihan to Heal As One Act (“Bayanihan Act”) on 24 March 2020;

WHEREAS, Section 4(z) of the Bayanihan Act states that “the President shall have the power to move statutory deadlines and timelines for the filing and submission of any document, the payment of taxes, fees, and other charges required by law, and the grant of any benefit as a temporary emergency measure to respond to the crisis brought by the pandemic in order to ease the burden on individuals under community quarantine”;

WHEREAS, on 21 April 2020, pursuant to Section 4(z) of the Bayanihan Act, the Office of the President issued Administrative Order No. 30 (“AO 30”) directing all government offices to formulate and issue guidelines, any law to the contrary notwithstanding, and to be applied in areas under community quarantine or to individuals coming from such areas, on the interruption of periods for the filing of documents, payment of taxes, charges and other fees, cancellation of proceedings before their respective offices, and on the movement of timelines for the release of benefits;

WHEREAS, the Philippine Competition Commission (“Commission”) had previously issued Commission Resolutions Nos. 07-2020 dated 16 March 2020 and 08-2020 dated 17 March 2020, which provided for the suspension of certain merger processes and timelines in view of the community quarantine, and the interruption of the reglementary periods for the

filing of pleadings, motions, and submissions to the Commission, and the payment of fines or penalties in view of the ECQ to manage the COVID-19 situation, respectively;

NOW, THEREFORE, in compliance with the directives under AO 30, the Commission has **RESOLVED**, as it hereby **RESOLVES**, the following:

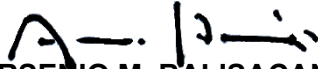
- (1) The reglementary periods of the following are deemed interrupted for the duration of the community quarantine and until such time the community quarantine has been lifted:
 - a. The commencement of actions and filing of pleadings, motions, affidavits, and other submissions to the Commission;
 - b. The rendition of judgments, resolutions, and orders; and
 - c. Whenever applicable, the payment of fines or penalties.
- (2) The reglementary periods shall begin to run again on the day after the community quarantine has been lifted, or if such day falls on a legal holiday, Saturday, or Sunday, on the following business day. Accordingly, the parties shall have the balance of their respective reglementary periods to file their submissions, or to pay the fines and penalties imposed by the Commission. Submissions and payments made during the remaining period shall be considered to have been timely made.
- (3) All pleadings, motion and other submissions made by parties that are pending before the Commission shall be acted upon by the Commission after the community quarantine has been lifted subject to further guidelines which may be issued by the Commission.
- (4) All proceedings pending before the Commission during the period of the community quarantine are suspended and will be rescheduled after the lifting of the community quarantine. In the meantime, no filings or submissions to the Commission shall be entertained.


RESOLVED, FURTHER, that the Adjudication Division is hereby directed to send the proper notices to all parties concerned.

RESOLVED, FURTHER, that Commission Resolution Nos. 07-2020 and 08-2020 shall remain in effect insofar as these are not inconsistent with this Resolution and AO 30.

RESOLVED, FINALLY, that this Resolution shall take effect immediately and shall remain in force unless modified or revoked by the Commission.

DONE this 23 April 2020 in Quezon City, Philippines.


ARSENIO M. BALISACAN
Chairman


(with reservations on the approach, as
noted in the minutes of the Commission
Meeting approving the Resolution)
JOHANNES BENJAMIN R. BERNABE
Commissioner


AMABELLE C. ASUNCION
Commissioner


MACARIO R. DE CLARO, JR.
Commissioner


EMERSON B. AQUENDE
Commissioner