



Republic of the Philippines  
**LAGUNA LAKE DEVELOPMENT AUTHORITY**

**MEMORANDUM CIRCULAR NO. 08**  
Series of 2020

**RULES OF PROCEDURE FOR ONLINE ADMINISTRATIVE HEARINGS BEFORE THE LEGAL AND ADJUDICATION DIVISION OF LAGUNA LAKE DEVELOPMENT AUTHORITY, PURSUANT TO BOARD RESOLUTION NO. 584, SERIES OF 2020, AS APPROVED BY THE BOARD OF DIRECTORS ON JUNE 24, 2020**

**General Provisions**

**Section 1. Title** – These Rules shall be known as “Rules of Procedure for Online Administrative Hearings.”

**Section 2. Scope** – These Rules may be adopted on all administrative proceedings, to be initiated, or pending before the Legal and Adjudication Division of Laguna Lake Development Authority.

**Section 3. Objectives** – The objectives of these Rules are:

- a.) To comply with the mandate of Republic Act No. 4850, as amended, and other pertinent laws pertaining thereto.
- b.) To ensure that the laws relating to Laguna De Bay are still complied despite the COVID-19 Pandemic.
- c.) To ensure that the disposition, and resolution of cases which are pending, and/or to be initiated before the Legal and Adjudication Division are conducted in a safe manner.
- d.) Other purposes which are analogous to the foregoing.

**Notice**

**Section 4. Notice** – After a Notice of Violation, or a Verified Complaint has been duly received by the party involved, the same may be presented before the Legal and Adjudication Division of this Authority, and such party will be notified of these rules for the conduct of subsequent hearings online.

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However, a Notice of Hearing for the respondent with pending cases before the Legal and Adjudication Division shall be notified thru online or served pursuant to Section 12, Rule IV of Board Resolution 192, Series of 2004.

**Section 5. Undertaking** – Before the conduct of the Online Administrative Hearing, the party involved shall be required to submit an undertaking, and put the same in writing. The written document shall be submitted to the Legal and Adjudication Division, and shall contain the following:

- a.) Full Name of the Party;
- b.) Identity of any of the party involved in the administrative proceedings;
- c.) Details of the case, which includes, but not limited to the case number, identity of the persons to attend the case, purpose of the pending incident, date, time of the hearing,
- d.) Written Authority of the Affiant to represent the party involved in the proceedings, *provided that*, if the party is a juridical person, a Secretary's Certificate, or a Board Resolution to that effect shall be required;
- e.) Email address of the person to attend the hearing;
- f.) The party involved, and the person who will attend the online administrative hearing has been fully notified to the conduct of the same, through an online platform specifically mentioned, and indicated in the written document to be submitted to the Legal and Adjudication Division of Laguna Lake Development Authority.
- g.) The party involved, and the person who will attend the online administrative hearing fully consents to the recording of the same for purposes of public transparency;
- h.) The online administrative hearing is a highly confidential matter, and cannot be disclosed to any other persons, and/or entities without the consent of the Laguna Lake Development Authority, or otherwise, as may be provided by law;
- i.) The party attending the case is fully aware that such party may be held liable for damages, and criminal prosecution for

unauthorized recording, of any portion, in whole, or in part of the proceedings, which also includes the unauthorized dissemination of the same to any person not a party to the proceedings.

**Section 6.** *Effect of Non-compliance with Notice and Undertaking* – Any administrative hearing, trial, or proceedings conducted online before the Legal and Adjudication Division without compliance to *Section 4*, and *5* of these rules shall be without force, and effect of the law.

### **Online Hearing**

**Section 7.** *Details necessary for Online Hearings* – Parties who seeks to conduct online hearing, may propose online platforms to be utilized for such hearings. In this regard, parties are required to submit official email addresses for proper identification during online hearings. On the other hand, each officer who will conduct the hearing shall likewise be given respective email addresses which will be provided to the parties to the online hearing.

**Section 8.** *Preliminaries* – Before issues, and resolutions may be discussed during online hearings, all of the persons attending the same must be informed that the proceedings shall be recorded, and that minutes thereof shall be provided to the parties after the same have been duly recorded, and transcribed by the Legal and Adjudication Division.

Thereafter, the persons attending the online hearing must introduced themselves individually, stating the parties being represented. The hearing officer, and the mediator shall likewise introduce themselves for purposes of representing the Legal and Adjudication Division of Laguna Lake Development Authority.

The case title, case number, date, pending incident, and time of commencement of the hearing shall be stated. Thereafter, issues may be discussed for proper resolution of the case.

**Section 9.** *Online Hearing Proper* – In the resolution of issues, and legal matters, online hearings shall be conducted in the same manner as if the parties attending the case are physically present before the Legal and Adjudication Department pursuant to Rule V of the LLDA Board Resolution 192, Series of 2004.

A resolution shall be issued in case a case have been determined by the officer conducting the hearing. On this note, the parties may so desire to

receive the same online through the email address which have been used for the hearing.

Parties shall likewise determine the next scheduled online hearing, stating specifically the date, and time thereof. In this regard, parties are required to comply with *Section 5* hereof by submitting a scanned copy of the written consent at least three (3) days prior the next scheduled hearing. The same may be submitted through registered mail, or by email.

**Section 10. *Motions and other Pleadings*** – Aside from oral motions which may be determined, and resolved online, *written motions and other pleadings*, shall be submitted through registered mail for record purposes of the Legal and Adjudication Division.

Written Motions, and other pleadings submitted online shall not be considered by the Legal and Adjudication Division.

#### **Transitory Provisions**

**Section 11. *Separability Clause*** – Any portion of these rules which shall be declared as unconstitutional, or invalid, shall not, in any way, affect or impair the legality, and enforceability of the remaining provisions.

**Section 12. *Effectivity*** – These Memorandum Circular shall take effect immediately.

Issued this 13<sup>th</sup> day of July 2020 in Quezon City.



**JAIME C. MEDINA**  
General Manager