



Republic of the Philippines
OFFICE OF THE PRESIDENT
COOPERATIVE DEVELOPMENT AUTHORITY
Ben-Lor Building, 1184 Quezon Ave., Quezon City

October 20, 1992

MEMORANDUM CIRCULAR
NO. 92-011

T O : THE EXECUTIVE DIRECTOR, ALL AREA COOPERATIVE DIRECTORS, THE DIRECTOR, LEGAL AND REGISTRATION DEPARTMENT, THE CHIEF, LEGAL DIVISION, ALL LEGAL OFFICERS AND OTHERS CONCERNED

SUBJECT : BOARD RESOLUTION NO. 228, S-1992 DATED SEPTEMBER 9, 1992

Quoted hereunder is Board Resolution No. 228, S-1992 dated September 9, 1992, viz:

RESOLUTION NO. 228, S-1992

"RESOLVED as it is hereby RESOLVED to adopt the following policies:

1. That all cooperative cases, disputes, controversies and litigations to be filed with the CDA shall be heard, tried and resolved in the extension offices having operational jurisdiction over the cooperatives and parties involved;
2. The party/ies aggrieved by the decision/resolution rendered by the extension office may elevate the case by appeal to the Central Office through the Legal Division, Legal and Registration Department;
3. The Legal Division shall review the decision rendered on the case appealed and thereafter submit, through its Department Director, the recommendation to the Board of Administrators;
4. All cases appealed including those defined as belonging to the original jurisdiction of the Legal Division, Central Office, shall be resolved and decided by the Board of Administrators through the Chairman

upon the recommendation of the Director of the Legal and Registration Department duly endorsed by the Executive Director and reviewed by the Administrator in charge of the Legal Affairs of the CDA;

5. During the appeal, the parties do not have to argue personally. Only the documents, records and the decisions/resolutions appealed shall be reviewed;

6. The Legal Division, Central Office, may direct the parties or the extension office where the case was originally heard and tried to submit further documents, records or evidence that may provide substantial facts to the case;

7. Inter-regional, national and specialized cooperative disputes filed with the Authority shall be heard and tried by the Legal Division, Central Office;

8. However, in exceptional cases where the officers handling the case in the extension office show apparent bias and partiality to one of the parties and the ends of justice could not be served, the case could be heard at the Central Office or another Hearing Officer may be appointed to hear the case.

All inter and intra-cooperative disputes as far as practicable shall be settled by the mediation or conciliation committee as may be created in the by-laws of a cooperative or in applicable laws.

RESOLVED further that all cases pending with the Legal Division in the Central Office shall have to be disposed and resolved accordingly and no new cases shall be entertained, except those falling under Nos. 2, 7 and 8, upon the effectivity of this Resolution.

RESOLVED furthermore that Special Order No. 90-05 dated 01 October 1990, Special Order No. 90-11 dated 11 October 1990 and such other special orders inconsistent with this Resolution are hereby REVOKED as it is hereby REVOKED.

RESOLVED finally that the Director of the Legal and Registration Department, the Chief of the Legal Division, all Area Cooperative Directors and the Legal Officers be furnished with the copy of this RESOLUTION for their guidance and compliance.

APPROVED."

For your guidance and immediate compliance.


VICENTE U. QUINTANA
Acting Chairman

OBSOLETE