



Republic of the Philippines
OFFICE OF THE PRESIDENT
COOPERATIVE DEVELOPMENT AUTHORITY

October 26, 1995

MEMORANDUM CIRCULAR
NO. 95-002, S-1995

T O : ALL CONCERNED

S U B J E C T : QUALIFICATION OF CONVICTED
PERSONS WHO ARE UNDER
PROBATION TO FORM OR JOIN
COOPERATIVES

The herein-attached opinion of Atty. Francisco S. Caronan, Area Director, CDA-Dagupan Extension Office, on the inquiry of Ms. Melinda A. Pinter, Area Director, CDA-Iloilo Extension Office, regarding the above subject is hereby disseminated for the purpose of clarifying the issue whether a convicted person who is under probation is qualified to join/form cooperative.

The CDA Board of Administrators, through Resolution No. 393, S-1995 dated October 24, 1995, concurs with the view on the matter of Director Caronan.

For information.


EDNA E. ABERILLA
Chairperson

Encl.: a/s



Republic of the Philippines
OFFICE OF THE PRESIDENT
COOPERATIVE DEVELOPMENT AUTHORITY

Dagupan Extension Office
3rd Flr., Siapno Bldg., Perez Blvd., Dagupan City
Tel. Nos. 47-53; 33-24

October 18, 1995

MEMORANDUM

F o r : The Board of Administrators

T h r u : Dir. Candelario L. Verzosa, Jr.

Subject : **QUALIFICATION OF CONVICTED PERSONS WHO ARE UNDER PROBATION TO FORM OR JOIN COOPERATIVES**

Recommend that the BOD's resolution or be directed to all BOD's.

During the last MANCOM, Dir. Pinter inquired whether convicted persons who are under probation are qualified to join/form cooperatives.

Quoted are the pertinent provisions of P.D. 968.

"Section 3. Meaning of Terms.

a) Probation - is a disposition under which a defendant, after conviction and sentence, is released subject to conditions imposed by the court and to the supervision of a probation officer.

b) Probationer - means a person placed on probation."

"Section 16. Termination of Probation. -

After the period of probation and upon consideration of the report and recommendation of the probation officer, the court may order the final discharge of the probationer upon finding that he has fulfilled the terms and conditions of his probation and thereupon the case is deemed terminated.

The final discharge of the probationer shall operate to restore to him all civil rights lost or suspended as a result of his conviction and to fully discharge his liability for any fine imposed as to offense for which probation was granted.

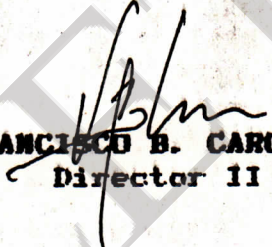


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The probationer and the probation officer shall each be furnished with a copy of such order.*

From the above quoted provisions of the law on probation, persons convicted of certain crimes who are under probation are disqualified to form or join cooperatives during the period of probation. Only after termination of the period of probation (final discharge) a convicted person placed iunder probation is qualified to form/join cooperatives.


FRANCISCO B. CARONAN
Director II

OBSOLETE