GUIDELINES SETTING FORTH THE PERIOD WITHIN WHICH TO FILE PETITION FOR RENEWAL OF PERMITS

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WHEREAS, Republic Act 776 otherwise known as the “Civil Aeronautics Act of the Philippines”, authorizes the CAB to make and amend such general and special rules, regulations and procedures to carry out the provisions of RA 776, Section 10 (B) thereof, provides, to wit:

> SECTION 10. Powers and duties of the Board. B) The Board may perform such acts, conduct such investigations, issue and amend such orders, and make and amend such general and special rules, regulations, and procedures as it shall deem necessary to carry out the provisions of this Act.

WHEREAS, the provisions of Resolution No. 125 (s. 1993) that require all carriers including airfreight forwarders, general sales agents, cargo sales agents and all other entities regulated by the Board to file a petition for renewal not later than thirty (30) days before the expiration of their permit, shall hereinafter be amended;

WHEREAS, the Board, in the interest of a more orderly procedure and to ensure compliance with all documentary requirements and renewal procedure, deems it appropriate and necessary to amend the period prescribed within which to file petitions for renewal of permits;

WHEREAS, the CAB has sets of Standard Operating Instructions (SOI), which requires all carriers and entities regulated by the Board to submit documents, contained in a list of requirements, in support of its applications, which are required to be either in the original copy or certified true copies of the original. Provided, that documents executed in jurisdictions other than the Philippines shall be duly authenticated by the Philippine Consulate where the same are executed;

NOW, THEREFORE, the Board RESOLVED, as it hereby RESOLVES to adopt the following guidelines and procedures in setting forth the period within which to file petition for renewal of permits:

- That petition for renewal of any permit or authority issued by the Board shall be filed with the CAB, ninety (90) days or three (3) months before the expiration thereof for domestic corporations and at least one hundred eighty (180) days or six (6) months before the expiration for foreign corporations;

- That entities regulated by the CAB, whose permit/authority is valid for a period not exceeding one year, such as, but not limited to, domestic ticketing agents, fuel surcharge, shall be renewed or the petition for the renewal thereof be filed fifteen (15) days before the expiration of the said permit;

- That petitions for renewal of permits or request for extension or renewal shall be accompanied by documents necessary to process the petition for renewal;

- Failure on the part of the petitioner or applicant to complete the documents required within the time prescribed herein, or any of the provisions stated herein, shall subject the petitioner or applicant to a penalty under the provisions of RA 776, as follows:

> Section 42. Specific Penalties. - (A) Any person engaging in air commerce without a permit issued by the Board as provided in this Act shall be punished by a fine not exceeding Five Thousand Pesos or by

> imprisonment for not more than one year, or both, in the discretion of the court: ... xxx
>
> (B) xxx ... In addition thereto, a fine not exceeding Two Hundred Pesos per day for every day during which such default or violation continues shall likewise be imposed. The Board is hereby empowered to impose such fine, after due notice and hearing.

- This Resolution shall effectively amend CAB Resolution No. 125 (93) and shall take effect immediately.

Adopted: 26 July 2013
Mandaluyong City, Philippines.

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Undersecretary for Legal Affairs
Department of Transportation and Communications
Alternate Chairman

(SGD) HON. DANIEL G. CORPUZ
Undersecretary for Planning and Promotions
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(SGD) HON. GEN. WILLIAM K. HOTCHKISS III AFP (RET)
Director General
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Attested by:

Noted:

(SGD) ELDRIC PAUL A. PEREDO
Acting Board Secretary

(SGD) CARMELO L. ARCILLA
Executive Director

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