NATIONAL ADMINISTRATIVE REGISTER · JULY 29, 1996

REQUIREMENTS FOR ACCEPTANCE FOR FILING AND APPROVAL OF APPLICATIONS FOR SALE AND TRANSFER OF CERTIFICATES OF PUBLIC CONVENIENCE TO OPERATE PUBLIC LAND TRANSPORT SERVICES

LTFRB MEMORANDUM CIRCULAR NO. 96-015, July 29, 1996

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In a Memorandum dated 23 July 1996 of the Department of Transportation and Communications to the Chairman of the Land Transportation Franchising and Regulatory Board, the following conditions for the grant of applications for the sale and transfer of CPCs were prescribed:

1. the Deed of Sale duly notarized must form part of the evidences for petition for sale and transfer;

2. the validity of the franchise, which is the subject of sale and transfer, is still subsisting;

3. the sale of franchise, to be valid, must coverall the units specified under the said franchise;

4. the fractional sale of franchises shall not be allowed;

5. all the authorized units under the CPC sought to be transferred should be properly registered with the Land Transportation Office (LTO) for the year preceding the date of transaction; and

6. there are no outstanding obligations, including fines and penalties, attached to the franchise for sale.

The said DOTC Memorandum also stated that "the sale franchise may disqualify the original grantee from future holding of a franchise."

To properly implement the DOTC Memorandum, the following requirements/documents should be attached as annexes to all applications/petitions for approval by the Board of the sale and transfer of Certificates of Public Convenience:

1. duplicate (not xerox) copy of the Deed of Sale or document of conveyance for the CPC sold/transferred duly notarized;

2. copy of the CPC/decision in the name of the seller/vendor with the date of expiry thereof clearly legible in the said decision;

3. certification from the Land Transportation Office (LTO) to the effect that all the units authorized under the CPC being transferred or sold have been registered for the year preceding the sale/transaction; and

4. certification from the Technical Evaluation Division (TED) that the CPC holder selling/transferring the franchise has no outstanding obligations under his/her/its franchise with this Board.

In compliance with the DOTC Memorandum, no application/petition for approval by the Board of the sale and transfer of Certificates of Public Convenience will be accepted for filing and hearing unless the aforementioned documents are attached as annexes to the application.

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This Memorandum Circular shall, pursuant to Presidential Memorandum Circular No. 11, dated October 9, 1992, takes effect fifteen (15) days after filing of three (3) copies with the U.P. Law Center.

Adopted: 29 July 1996

(SGD.) DANTE M. LANTIN
Chairman

(SGD.) NABOR C. GAVIOLA
Board Member

(SGD.) MAURO F. VERZOSA, JR.
Board Member

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