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DEFERMENT OF THE IMPLEMENTATION OF MEMORANDUM CIRCULAR NO. 2003-016 ENTITLED “CONVERSION OF FRANCHISED TOURIST BUSES TO REGULAR AIRCON BUSES”

LTFRB MEMORANDUM CIRCULAR NO. 2003-027, November 13, 2003

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This Board issued Memorandum Circular No. 2003-016 entitled "Conversion of Franchised Tourist Buses to Regular Aircon Buses", which has the purpose of allowing the conversion of Tourist Buses to Regular Aircon Buses.

After the issuance of the same, some operators have availed of it by filing the corresponding applications for conversion. These applications have been set for hearing but were opposed and are presently pending before this Board.

After a careful deliberation and observation on the effects of this said MC, this Board resolves to defer the implementation of the same based on the following reasons:

> 1). Said MC has proven to be a veritable source of objections and controversies since the applications filed pursuant thereto are being strongly opposed by other operators which by all probability will reach the highest court of the land;
>
> 2). Said MC has been labeled as a class legislation considering that it favors only those operators who are franchise holders of both PUB and Tourist Bus Service at the exclusion of others; and
>
> 3). The MC conversion may not be needed anymore at this time due to the present marked improvement of tourism in the country.

WHEREFORE, in view of the foregoing premises, the implementation of Memorandum Circular No. 2003-016 entitled "Conversion of Franchised Tourist Buses to Regular Aircon Buses" is hereby DEFERRED INDEFINITELY to further study and deliberation. Applications filed pursuant thereto are hereby DISMISSED without prejudice to the refiling of the same in due time which shall be given, if refiled, priority consideration.

This Memorandum Circular supersedes any and all issuances inconsistent herewith and shall take effect fifteen (15) days following its publication in the Official Gazette or in a newspaper of general circulation or the filing of three (3) copies hereof with the UP Law Center, pursuant to Memorandum Circular No. 11, dated 09 October 1992.

SO ORDERED.

Adopted: 13 Nov. 2003

(SGD.) MARIA ELENA H. BAUTISTA
Chairperson

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(SGD.) FELIX S. RACADIO
Board Member

(SGD.) REMEDIOS G. BELLEZA
Board Member

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