

AMENDING SEC. 7 OF DENR ADMINISTRATIVE ORDER NO. 59, SERIES OF 1990, GUIDELINES IN THE CONFISCATION, FORFEITURE AND DISPOSITION OF CONVEYANCES USED IN THE COMMISSION OF OFFENSES...

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WHEREAS, the implementation of the said guidelines suffers from technical difficulties due to the certain procedural defects;

Now therefore, I FULGENCIO S. FACTORAN, JR., by virtue of the power vested in me do hereby order the amendment of Sec. 7, D.A.O. No. 59, series of 1990, to read as follows:

"Sec. 7. Notice to Owner. For the purpose only of complying with due process, the Secretary, RED/PENRO/CENRO or their duly authorized representatives shall give the owner or his representative a written notice of the seizure and shall give an opportunity to be heard in reference to the ground or reason for the seizure by requiring said owner or representative to submit sworn statements or affidavits within three (3) days from receipt of such written notice. For the purpose of such notice and all proceedings connected with confiscation "representative" shall be deemed to include not only representative-in-fact of the owner but also any person having possession of the conveyance at the time of the confiscation or seizure."

This amendment shall take effect immediately.

Adopted: 11 Sept. 1990

(SGD.) FULGENCIO S. FACTORAN, JR.
Secretary

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