



Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

OCA CIRCULAR NO. 08-2020

TO : ALL PRESIDING JUDGES AND CLERKS OF COURT OF THE
SECOND LEVEL COURTS


SUBJECT : RESOLUTION DATED 10 DECEMBER 2019 OF THE COURT
EN BANC IN A.M. NO. 19-08-06-SC (RE: PROPOSED RULE
ON ADMINISTRATIVE SEARCH AND INSPECTION UNDER
THE PHILIPPINE COMPETITION ACT) DESIGNATING
THE SPECIAL COMMERCIAL COURTS AS COMPETITION
COURTS

For your information, guidance and strict observance, appended herein as Annex "A" is the Resolution dated 10 December 2019 of the Court *en banc* in A.M. No. 19-08-06-SC (Re: Proposed Rule on Administrative Search and Inspection under the Philippine Competition Act) designating the Special Commercial Courts as Competition Courts, the dispositive portion of which reads as:

NOW THEREFORE, the Court resolves to DESIGNATE the Special Commercial Courts as Competition Courts to hear, try, and decide cases involving violations of Republic Act No. 10667, otherwise known as the Philippine Competition Act, and other competition-related laws. The designated Competition Courts in the National Capital Judicial Region (NCJR) shall have jurisdiction over competition cases arising within their respective territorial jurisdiction, while those outside the NCJR shall have jurisdiction within their respective provinces.

Effective 1 January 2020. (*emphasis supplied*)

28 January 2020


JOSE MIDAS P. MARQUEZ
Court Administrator



Republic of the Philippines
Supreme Court
Manila

EN BANC

NOTICE

Sirs/Mesdames:

Please take notice that the Court en banc issued a Resolution dated **DECEMBER 10, 2019**, which reads as follows:

"A.M. No. 19-08-06-SC (Re: Proposed Rule on Administrative Search and Inspection under the Philippine Competition Act).-

x-----x

**DESIGNATION OF SPECIAL COMMERCIAL COURTS AS
COMPETITION COURTS**

WHEREAS, Republic Act No. 10667, otherwise known as the Philippine Competition Act, which was signed into law on 21 July 2015, penalizes anti-competitive agreements, abuse of dominant position by entities, and anti-competitive mergers and acquisitions;

WHEREAS, Section 44 thereof provides for the jurisdiction of the Regional Trial Courts over these violations and other competition-related laws;

WHEREAS, in its 10 September 2019 Resolution in A.M. No. 19-08-06-SC, the Court issued the *Rule on Administrative Search and Inspection Under the Philippine Competition Act*, which laid down the procedure for the application, issuance, and implementation of inspection orders for administrative investigations by the Philippine Competition Commission for alleged violations of the Philippine Competition Act, its implementing rules and regulations, and other competition laws;

WHEREAS, Section 3 thereof authorizes the Special Commercial Courts in Quezon City, City of Manila, Makati City, Pasig City, Cebu City, Iloilo City, Davao City and Cagayan de Oro City to act on applications for the issuance of these inspection orders, which shall be enforceable nationwide;

WHEREAS, within their respective territorial jurisdictions, the Special Commercial Courts in the judicial regions where the place to be

December 10, 2019

inspected is located shall have concurrent jurisdiction to act on these applications;

WHEREAS, the Special Commercial Courts have been authorized to hear intellectual property cases,¹ admiralty and maritime cases,² and rehabilitation, insolvency and liquidation cases under the Financial Rehabilitation and Insolvency Act of 2010,³ due to the commercial nature of these cases;

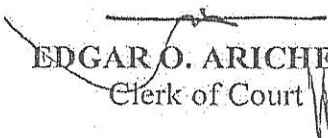
WHEREAS, considering the commercial nature of competition cases, and that the authority to issue administrative search and inspection orders for violations under the Philippine Competition Act, its rules and regulations, and other competition-related laws already lies with the Special Commercial Courts, it is but appropriate for them to be designated as Competition Courts;

NOW THEREFORE, the Court resolves to **DESIGNATE** the Special Commercial Courts as Competition Courts to hear, try, and decide cases involving violations of Republic Act No. 10667, otherwise known as the Philippine Competition Act, and other competition-related laws. The designated Competition Courts in the National Capital Judicial Region (NCJR) shall have jurisdiction over competition cases arising within their respective territorial jurisdiction, while those outside the NCJR shall have jurisdiction within their respective provinces.

Effective 1 January 2020.

Issued this 10th day of December 2019 in the City of Manila.”
Gesmundo, J., on official business. Carandang, J., on leave. Zalameda, J., on official leave. (adv35)

Very truly yours,


EDGAR O. ARICHETA
Clerk of Court

¹ Resolution dated June 17, 2003 in A.M. No. 03-03-03-SC (*Re: Proposal to Consolidate Intellectual Property Courts with Commercial Courts*).

² Resolution dated April 12, 2005 in A.M. No. 05-4-05-SC (*Re: Request for the Designation of Special Courts to Take Cognizance of Cases Involving Admiralty and Maritime Laws*). This was revoked in the Resolution dated November 26, 2019 in A.M. No. 19-08-14-SC (*Re: The Rules of Procedure for Admiralty Cases*).

³ Resolutions dated June 16, 2015 and June 21, 2016 in A.M. No. 03-03-03-SC.