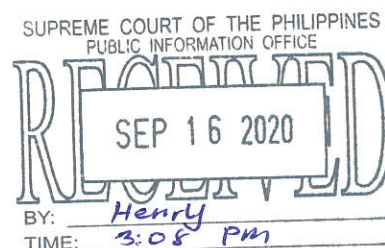




Republic of the Philippines  
Supreme Court  
Manila



EN BANC

**ADMINISTRATIVE ORDER NO. 242-A--2020**

**GUIDELINES ON THE ACCREDITATION OF  
COURIER SERVICE PROVIDERS**

**WHEREAS**, Rule 13, Section 3(c), as amended by A.M. No. 19-10-20-SC (*Re: Proposed Amendments to the 1997 Rules of Civil Procedure*) dated 15 October 2019), states that the filing of pleadings and other court submissions may be made by accredited courier;

**WHEREAS**, Rule 13, Section 5, as amended by A.M. No. 19-10-20-SC, states that pleadings, motions, notices, orders, judgments and other court submissions shall be served personally or by registered mail, accredited courier, electronic mail, facsimile transmission, and other electronic means as may be authorized by the Court;

**WHEREAS**, Rule 13, Section 13, as amended by A.M. No. 19-10-20-SC, states that judgments, final orders, or resolutions shall be served either personally or by registered mail. Upon *ex parte* motion of any party in the case, a copy of the judgment, final order, or resolution may be delivered by accredited courier at the expense of the party;

**WHEREAS**, Rule 13, Section 16(c), as amended by A.M. No. 19-10-20-SC, states that if the pleading or any other court submission was filed through an accredited courier service, the filing shall be proven by an affidavit of service of the person who brought the pleading or other document to the service provider, together with the courier's official receipt and document tracking number;

**WHEREAS**, Rule 13, Section 17(c), as amended by A.M. No. 19-10-20-SC, states that if the service is made by accredited courier service, proof of service shall be made by an affidavit of service executed by the person who brought the pleading or paper to the service provider, together with the courier's official receipt or document tracking number.

**NOW, THEREFORE,** with the Court permitting the service of pleadings, motions, notices, orders, judgments and other court submissions through an accredited courier service, the following guidelines on the accreditation of courier service providers are hereby **APPROVED**:

## **I. GENERAL PROVISIONS**

**1. Title.** – These guidelines shall be known as the *Guidelines on the Accreditation of Courier Service Providers*.

**2. Purposes.** – These guidelines shall be applied and construed to advance the following purposes:

- (a) to implement the amendments approved by the Court to the 1997 Rules of Civil Procedure, as embodied in A.M. No. 19-10-20-SC (*Re: Proposed Amendments to the 1997 Rules of Civil Procedure*, dated October 15, 2019), particularly Rule 13, Sections 3(c), 5, 13, 16(c), and 17(c) regarding the filing of pleadings, motions, notices, orders, judgments and other court submissions through an accredited courier;
- (b) to provide for an efficient system in the accreditation of courier service providers; and
- (c) to promote, serve and protect the public interest.

## **II. DEFINITION OF TERMS**

**1. Definitions.** – For purposes of these guidelines, the following terms are defined as follows:

- (a) **OFFICE OF THE COURT ADMINISTRATOR (OCA)** – is the office established, through Presidential Decree No. 828, to assist the Supreme Court in its administrative supervision over all courts in the country. All applications/renewal of accreditation shall be filed and subject to the approval of the OCA.

- (b) **DOCKET AND CLEARANCE DIVISION (DCD)** – is the office/division in the OCA tasked to accept and process all applications (new/renewal) for accreditation of courier service providers.
- (c) **FINANCIAL MANAGEMENT OFFICE (FMO)** – is the office in the OCA where all fees concerning applications for accreditation or renewal of accreditation shall be paid.
- (d) **COURIER SERVICE** – officially known as *Private Express and/or Messenger Delivery Service* (PEMEDES). Courier Service refers to the service provided by any natural or juridical persons, for hire or compensation, with general or limited clientele, whether permanent, occasional or accidental, and done for general business purposes, for the express delivery and/or messengerial delivery of letters or written messages, and other mailable matters.
- (e) **DEPARTMENT OF INFORMATION AND COMMUNICATIONS TECHNOLOGY (DICT)** – is the administrative body charged with the supervision and regulation of courier service providers.
- (f) **CERTIFICATE** – refers to the Certificate of Accreditation that is issued by the Court Administrator upon the fulfillment of all the requirements for accreditation by the concerned courier service provider.
- (g) **HEAD OFFICE** – refers to the principal office of the operator of the courier service registered with the Department of Trade and Industry (DTI), Cooperative Development Authority (CDA) or Securities and Exchange Commission (SEC), as applicable, where it may be served notices and processes.

### **III.**

#### **ACCREDITATION OF COURIER SERVICE PROVIDER**

**1. Qualifications.** – A Certificate of Accreditation may be issued by the Court Administrator to any courier service provider that shall submit a verified petition in accordance with these guidelines.

To be eligible for accreditation, the courier service provider must be:

- (a) Duly registered with the DTI for sole proprietorship owned by Filipino citizens; CDA for cooperatives; or SEC for corporation and partnership, with at least sixty percent (60%) capital stock/shares of contributions owned by Filipino citizens.
- (b) Equipped with the required Authority to Operate from the DICT, pursuant to Section 1 of Presidential Decree No. 240, dated July 9, 1973.

**2. Contents of the Petition.** – All verified petitions for accreditation as courier service provider shall be verified and shall state, among others, the following:

- (a) The petitioner intends to be accredited by the Supreme Court as a courier service provider in one or more administrative regions. The petition shall clearly state the regions where it intends to operate;
- (b) The petition shall include a certified true copy of the Authority to Operate issued by the DICT. The provisional authority from the DICT shall not be recognized.
- (c) The petitioner shall indicate that it is in the “List of Authorized Private Express and/or Messengerial Delivery Service or Courier Service Providers” of the DICT.
- (d) The petition shall contain the complete address of the Head Office of the courier service provider, including those of its branches and extension offices.
- (e) The petition shall include a statement that, in the event that the petition is granted, the petitioner is willing to post a performance bond as required by these guidelines.
- (f) The petitioner must execute an undertaking that, in cases where pleadings, motions, notices, orders, judgments and other court submissions must be served in an area/region where the petitioner is not accredited by the Court Administrator, said petitioner has the capacity to serve it in that area/region.

The petition for accreditation shall be filed before the DCD-OCA, in two (2) copies, together with a soft copy version.

**3. *Application Fee.*** – The petitioner shall pay the amount of Five Thousand Pesos (₱5,000.00) before the FMO-OCA. No application/renewal shall be processed without the payment of the required fee. Should the petitioner subsequently withdraw the application before the same is approved/renewed, the fee shall be deemed forfeited.

**4. *Period of the Validity of the Accreditation.*** – The Certificate of Accreditation issued by the Court Administrator shall be valid for one (1) year from the date of approval of the application.

**5. *Renewal of the Accreditation.*** – The courier service provider may file a verified petition with the Court Administrator for the renewal of its accreditation within thirty (30) days prior to the expiration of its existing accreditation.

The petition for renewal shall follow the same procedure as provided in Item No. 2 of these guidelines. If the petitioner has additional areas/administrative regions where it intends to operate, said information shall also be reflected in the petition for renewal.

The petitioner shall also pay the required renewal fee of Five Thousand Pesos (₱5,000.00.)

#### **IV. PERFORMANCE BOND**

If the Court Administrator approves the application of the petitioner, the Certificate of Accreditation shall not be released until the petitioner posts, within five (5) days from notice, a cash bond of One Hundred Thousand Pesos (₱100,000.00) to be deposited with the Financial Management Office (FMO)-OCA, under the fiduciary account with the Land Bank of the Philippines in the name of the OCA-Supreme Court.

The cash bond shall answer for any monetary penalty that may be imposed by the Court Administrator on the accredited courier upon due investigation.



Should the cash bond be reduced due to the imposition of any penalty by the Court Administrator, the accredited courier shall replenish the same within fifteen (15) days from notice.

## V.

### REVOCATION OF ACCREDITATION AND OTHER SANCTIONS

**1. *Revocation of the Accreditation and other Sanctions.*** – The Court Administrator may revoke the accreditation if the courier service provider ceases to possess any of the requirements for accreditation.

In addition, the Court Administrator may revoke the accreditation if the courier service provider:

- (a) continues to render services despite the expiration of its Certificate of Accreditation;
- (b) participates in fraudulent acts relative to the service or delivery of the pleadings, motions, notices, orders, judgments and other court submissions, as to be determined by the Court Administrator;
- (c) fails to post/replenish the required cash bond within the prescribed period; and
- (d) other analogous circumstances.

The decision of the Court Administrator on the matter shall be deemed final.

## VI.

### CESSATION OF ACCREDITATION

If the accredited courier desires to cease its transactions with the courts or chooses not to renew its accreditation, it shall file a letter-request to that effect, with a request to withdraw the cash bond of ₱100,000.00.

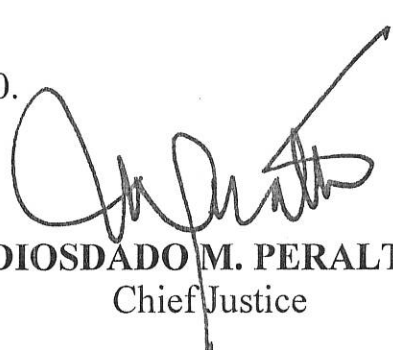
The letter-request shall be accompanied by clearances from the courts where the courier was accredited.

Upon submission of the requirements, the Court Administrator shall issue in favor of the accredited courier an authority to withdraw its outstanding cash bond from the FMO-OCA which, in turn, shall prepare the necessary voucher for the withdrawal of the fund from the Land Bank of the Philippines.

**VII.  
EFFECTIVITY**

This Administrative Order shall take effect on October 1, 2020, following its publication in the Official Gazette, or in two (2) newspapers of national circulation.”


September 1, 2020.



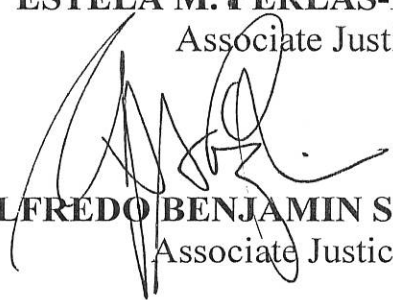
**DIOSDADO M. PERALTA**  
Chief Justice



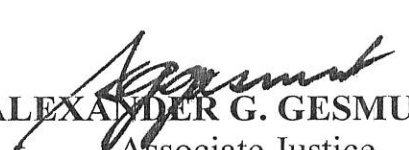
**ESTELA M. PERLAS-BERNABE**  
Associate Justice




**MARVIC M.V.F. LEONEN**  
Associate Justice



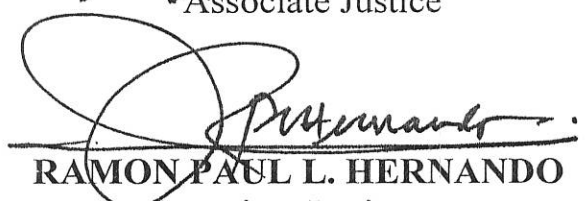
**ALFREDO BENJAMIN S. CAGUIOA**  
Associate Justice



**ALEXANDER G. GESMUNDO**  
Associate Justice



**JOSE C. REYES, JR.**  
Associate Justice



**RAMON PAUL L. HERNANDO**  
Associate Justice



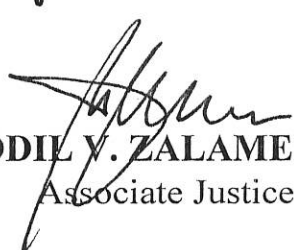
**ROSMAR D. CARANDANG**  
Associate Justice




**AMY C. LAZARO-JAVIER**  
Associate Justice




**HENRI JEAN PAUL B. INTING**  
Associate Justice



**RODIL V. ZALAMEDA**  
Associate Justice



**MARIO V. LOPEZ**  
Associate Justice



**EDGARDO L. DELOS SANTOS**  
Associate Justice



**SAMUEL H. GAERLAN**  
Associate Justice

On leave  
**PRISCILLA J. BALTAZAR-PADILLA**  
Associate Justice