



PCCI P.O. BOX 2681 Quezon City Central Post Office



THE PHILIPPINE CANINE CLUB, INC.

MEMBER:

FEDERATION CYNOLOGIQUE INTERNATIONALE (FCI)
ASIA KENNEL UNION (AKU)

RECIPROCAL AGREEMENT with:

AMERICAN KENNEL CLUB (AKC)
CANADIAN KENNEL CLUB (CKC)
THE KENNEL CLUB, U.K. (KC)

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Philippine Canine Club, Inc.
Trial Board

A.M. 22-10-15-01

**TRIAL BOARD RULES
OF PROCEDURE (2015)**

RESOLUTION

Whereas, under the 2003 Philippine Canine Club, Inc.'s Amended By-Laws, the Trial Board shall "hear and decide on disciplinary matters affecting all members";

Whereas, the above power to hear and decide cases/matters includes the power to formulate rules of procedure to ensure administrative due process;

Whereas, it is imperative to adopt a comprehensive and consolidated rules of procedure not only for proper guidance but also for the efficient administration thereof;

NOW, THEREFORE, the undersigned Trial Board resolves to **APPROVE** the TRIAL BOARD RULES OF PROCEDURE (2015).

The TRIAL BOARD RULES OF PROCEDURE (2015) shall be submitted for approval to the Board of Directors of the Philippine Canine Club, Inc. Thereafter, the same shall take effect ten (10) days following its publication in the Philippine Canine Club, Inc.'s website.

03 December 2015.

ATTY. RICO PAOLO R. QUICHO
Chairman, PCCI Trial Board

ATTY. HERMENEGILDO P. MARANTE, IV
Member, PCCI Trial Board

ATTY. CARL JILLSON B. ACASILI
Member, PCCI Trial Board

Noted by:

ATTY. KRISTEL JOY A. MASANGKAY
Secretary, PCCI Trial Board

TRIAL BOARD
RULES OF PROCEDURE (2015)

SEC. 1. *Title* – These Rules shall be known and cited as the “Rules of Procedure (2015).”

SEC. 2. *Scope* – These Rules shall apply to any complaint for disciplinary actions: (i) which involves the status, rights, and conditions of a person’s membership with the Philippine Canine Club, Inc.’s (“PCCI”), and (ii) that is duly submitted by the PCCI Board of Directors as endorsed through a duly signed board resolution.

SEC. 3. *Construction of Rules* – These Rules shall be liberally construed to promote a timely, fair, transparent, effective, and efficient administrative proceeding in accordance with the declared policy of the Rules.

SEC. 4. *Nature of Proceedings* – The proceedings under these Rules are in essence administrative proceedings and non-adversarial for the determination of whether or not the 2003 PCCI Amended By-Laws, PCCI Rules, and Board Resolutions of the Board are violated in relation to the membership of a person to PCCI and to impose the necessary sanctions or penalties or to recommend the suspension or termination of a PCCI member, as the case may be.

SEC. 5. *Quorum* – The Trial Board is a collegial body. A majority of the Trial Board shall constitute a quorum to do official business. A Trial Board member may participate through teleconferencing and videoconferencing (i.e. conferences or meetings through electronic medium or telecommunications where the Trial Board member who are not physically present are located at different local or international places) in order to expedite the proceedings. When the required number is not obtained in cases of inhibition, the case or matter shall be referred back to the Board of Directors.

SEC. 6. *Voting* – Cases or matters heard by the Trial Board shall be decided or resolved with the concurrence of the majority of the members who actually took part in the deliberations on the issues and voted thereon.

SEC. 7. *Filing and Service* – Filing is the act of presenting pleadings, documentary evidence, which includes written testimonies, and other relevant documents to the Trial Board. Service is the act of providing a party with a copy of an order, resolution, notice, pleading, documentary evidence, which includes written testimonies, and other relevant documents.

The filing and service shall be made by personally presenting or sending through special courier the copies of the above to the Trial Board and/or the opposing party, as the case may be.

At its discretion, the Trial Board may receive electronic filings. However, no action shall be taken in the same if the party has not submitted a signed hard copy thereof.

SEC. 8. *Regular Meetings/Hearings* – The Trial Board shall regularly convene on the first (1st) and third (3rd) Tuesday of every month to discuss or deliberate new and pending matters, to hear and receive evidence, and to discuss other administrative matters. Thereafter, the Trial Board shall convene whenever it deems necessary.

The Trial Board Chairperson shall preside at any meeting or hearing. If and when the Trial Board Chairperson is absent, then the next most senior Trial Board Member shall preside in the meeting or hearing. The Trial Board Secretary shall keep and record the Minutes of its proceedings.

It shall be the duty of the Trial Board Secretary to deliver to the Trial Board all the notes and transcription he/she has taken, so that the same may be attached to the record of the case or matter.

SEC. 9. *Inhibition* – A Trial Board member may, in the exercise of his/her sound discretion, inhibit himself/herself from sitting in a case or matter, for just or valid reasons.

SEC. 10. *Determination of Jurisdiction* – Within ten (10) days from the endorsement of the PCCI Board of Director, the Trial Board shall convene and determine whether or not a case or matter is within its jurisdiction to decide.

If the case or matter is within its jurisdiction, the trial Board shall issue a resolution to the same effect and order the Trial Board Secretary to notify the parties for the initial hearing. Otherwise, the Trial Board shall dismiss the endorsed complaint outright and order the Trial Board Secretary to notify the parties of such decision and the Board of Directors of PCCI, in accordance with the 2003 Amended By-Laws.

SEC.11. *Action at the Initial Hearing* – During the initial hearing, the Trial Board may admit the oral explanation or testimony of the party concerned and/or his/her respective evidence. Notwithstanding, the parties may be given a period of ten (10) days to present his/her case in written form and/or to adduce evidence.

The Trial Board may not deny the parties their right to counsel.

SEC. 12. *Clarificatory Hearing* – The Trial Board may conduct a clarificatory hearing if after the filing of the requisite papers and their supporting evidence, there are material facts to the case which the Trial Board may need to be clarified. The parties to any pending matter must be personally present during the initial and clarificatory hearings

conducted by the Trial Board unless their absence is with justifiable and reasonable grounds.

SEC. 13. *Default* – A party who despite proper notice consistently fails to appear during hearings and/or fails to adduce evidence shall be deemed in default and shall be considered to waive his right to present evidence.

SEC. 14. *Submission for Decision* – The case or matter shall be deemed submitted for decision upon the filing of the last pleading, evidence, or relevant document, or with the failure of a party to appear after three (3) consecutive hearings. Thereafter, the Trial Board shall decide on the case or matter within twenty (20) days.

SEC. 15. *Decision* – The conclusion of the Trial Board in any matter shall be reached in consultation before the writing of the decision. Any Trial Board member who took no part, or dissented, inhibited, or abstained from a decision or resolution must state the reason thereof.

No decision shall be rendered by the Trial Board without expressing therein clearly and distinctly the facts, evidence on record, rule, logic, and the law on which it is based. Notice of the decision may be immediately furnished to the parties.

SEC. 16. *Motion for Reconsideration* – Within a period of five (5) days from receipt of the decision and copy furnished to the other party, the aggrieved party may move for reconsideration upon the grounds that the penalty is excessive, that the evidence is insufficient to justify the decision, or that the decision is contrary to the PCCI Articles of Incorporation and/or the 2003 Amended By-Laws. No motion for reconsideration of a decision of the Trial Board shall be refused due course or denied without stating the legal basis thereof. No party shall be allowed a second motion for reconsideration of the decision.

If within a period of five (5) days no motion for reconsideration is made, the decision of the Trial Board shall be deemed final and executory.

SEC. 17. *Finality and Transmittal* – The Trial Board Secretary shall within ten (10) days from finality of the decision transmit the same and the records of the case in its entirety to the Board of Directors of PCCI, in accordance with the 2003 Amended By-Laws.