

NWRB RESOLUTION NO. _____**Series of 2020.**

*Authority of the Water Rights Division, NWRB, to Conduct On-line Hearings
During the Period of Public Health Emergency*

WHEREAS, the Board as a *quasi*-judicial agency, has original jurisdiction over all disputes relating to appropriation, utilization, exploitation, development, control, conservation and protection of waters;

WHEREAS, in the exercise of its jurisdiction, the Board conducts hearing on matters brought before it, in accordance with Sections 64 to 79 of the Amended Implementing Rules and Regulations of the Water Code of the Philippines.

WHEREAS, this particular function is performed by the Water Rights Division.

WHEREAS, on March 13, 2020, the entire country was placed in Public Health Emergency, with the onset of the spread of COVID-19, in accordance with IATF Resolution No. 11, series of 2020. Thereafter, various community quarantines were imposed on different parts of the country based on the rate of spread of the virus in an area. As such, limitations and/or restrictions of domestic travel were likewise implemented;

WHEREAS, the limitation of movement of persons to the minimum is one of the key strategies in preventing the spread of COVID-19.

WHEREAS, with the limitation of movement, the Board, through the Water Rights Division, limits the conduct of hearings on cases where the parties and or their counsel are located in Metro Manila and nearby provinces, with less travel restrictions. The cases filed before the Board where the subjects, parties and/or counsels are located in the provinces were not called for hearing.

NOW THEREFORE, to prevent accumulation of unacted cases, and ensure unhampered delivery of services, particularly the determination of cases and petitions filed before the Water Rights Division, NWRB, this Board hereby **APPROVES** the grant of **AUTHORITY** to the Water Rights Division, to conduct on-line hearings, subject to guidelines stated hereunder, and such other guidelines that may be issued hereafter:

1. All on-line hearings shall use the official platform and email address to be provided by the Board. No other email account or platforms will be used for this purpose.
2. Rule IV of the Amended Implementing Rules and Regulations of the Water Code of the Philippines, and the Rules on Pleadings, Practice and Procedure before the NWRB, shall apply in on-line hearings.

3. All on-line hearings shall be scheduled by the Board through a Notice, which shall be furnished the parties through their official email address as appearing on the records of the case. The Notice shall include the date, time and link to the hearing, which shall be treated by the parties with utmost confidentiality. No other person shall be allowed to join the hearing, except those furnished the said Notice. The Hearing Officer is authorized to exclude any persons, not party to the case from the hearing.
4. During the on-line hearing, the Hearing Officer shall have the control over the tools of the platform, including but not limited to, the acceptance of participants, pin, microphone, to ensure orderliness of the proceedings. The on-line hearing shall resemble as far as practicable, the hearings being conducted in the NWRB premises. As such, its dignity and solemnity shall be observed at all times, including the decorum of all participants.
5. All documents presented and marked during the online hearing shall be submitted to the Board, through registered mail and/or any available courier services, within time given by the Hearing Officer, in accordance to Rules.
6. The on-line hearing shall be recorded by the Hearing Officer. The Stenographer assigned to the case shall prepare the transcript of stenographic notes, which shall form part of the records of the case, in accordance with Rules. No one else is allowed to record the proceedings.
7. Orders issued by the Board in relation to the on-line hearing shall be furnished the parties immediately through their official email address as appearing on the records of the case.

WITNESS OUR hand this __ of September 2020. Quezon City, Philippines.