

1 **DRAFT (AS OF 13 APRIL 2022 | 1500H | WEDNESDAY)**

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5
6 **DEPARTMENT ADMINISTRATIVE ORDER NO. _____**
7 **Series of 2022**

8
9
10 **SUBJECT: EXPANDED DISPUTE RESOLUTION SYSTEM**
11 **OF THE DEPARTMENT OF TRADE AND INDUSTRY**
12

13 **WHEREAS**, Section 16, Article III of the Constitution guarantees the right of all
14 persons to a speedy disposition of their cases before all judicial, quasi-judicial or
15 administrative bodies;

16
17 **WHEREAS**, Section 12, Article XIV of the same Constitution provides the duty
18 of the State to regulate the transfer and promote the adaptation of technology from all
19 sources for the national benefit, and encourage the widest participation of private
20 groups, local governments, and community-based organizations in the generation and
21 utilization of science and technology;

22
23 **WHEREAS**, Republic Act (R.A.) No. 9285 or the “Alternative Dispute
24 Resolution (ADR) Act of 2004” declares that it is the policy of the State to actively
25 promote and encourage the use of Alternative Dispute Resolution (ADR);

26
27 **WHEREAS**, Executive Order No. 97, Series of 2012, states that “there is a
28 need to promote the use of ADR to achieve speedy resolution of disputes before the
29 agencies under the Executive Department”;

30
31 **WHEREAS**, Executive Order No. 97, Series of 2012, states that “there is a
32 need to promote the use of ADR to achieve speedy resolution of disputes before the
33 agencies under the Executive Department”;

34
35 **WHEREAS**, the use of ADR shall be adopted in view of the technological
36 advancements and trends in developments in law, jurisprudence, and international
37 conventions;

38
39 **WHEREAS**, pursuant to R.A. No. 7394, otherwise known as Consumer Act of
40 the Philippines, it is the policy of the State to protect the interests of the consumer,
41 promote his/her general welfare and to establish standards of conduct for business
42 and industry;

43
44 **WHEREAS**, under R.A. No. 7394, the Department of Trade and Industry (DTI)
45 is the national agency enforcing consumer laws, rules and regulations about consumer
46 products other than drugs, cosmetics, medical devices and substances, and products
47 related to agriculture;

48
49 **WHEREAS**, DTI Department Administrative Order (DAO) No. 17–08, Series of
50 2017, or the “Guidelines on the Grant of Bagwis Award”, was issued to uphold

51 consumer rights and interest and to encourage businesses to espouse ethical
52 practices;

53

54 **WHEREAS**, pursuant to Strategic Goal 3 embodied under the ASEAN Strategic
55 Action Plan on Consumer Protection (ASAPCP) 2016–2025 for the post ASEAN
56 Economic Community (AEC) 2025, that aims to institute a high consumer confidence
57 in the AEC and cross-border commercial transactions, it is provided therein that each
58 ASEAN member–state must establish its respective Online Dispute Resolution
59 System (ODRS) by the year 2020 to increase accessibility to redress for a wider
60 consumer base; offer a fast, simple, and low cost method for redress; and enhance
61 consumer confidence in online transactions;

62

63 **WHEREAS**, pursuant to DTI DAO No. 20–05, the DTI initiated the
64 establishment of the Philippine Online Dispute Resolution System or PODRS in order
65 to effectively and efficiently manage these complaints;

66

67 **WHEREAS**, the PODRS shall also complement the current manual filing of
68 consumer complaints handled by the DTI Fair Trade Enforcement Bureau, Regional
69 Offices and Provincial Offices, and the Office of the Secretary following DAO No. 20–
70 02, Series of 2020 (DAO 20–02), or the “Revised Rules of Mediation and Adjudication
71 of the Department of Trade and Industry”, and DAO No. 07, Series of 2006 or
72 “Instituting the Simplified and Uniform Rules of Procedure for Administrative Cases
73 Filed with the Department of Trade and Industry (DTI) for Violations of the Consumer
74 Act of the Philippines and Other Trade and Industry Laws” (DAO 07, S. 2006);

75

76 **WHEREAS**, under Rule 13 Sec. 2, of the 2019 Proposed Amendments to the
77 1997 Rules of Civil Procedure, Service is defined as the act of providing a party with
78 a copy of the pleading or paper concerned;

79

80 **WHEREAS**, under Rule 13 Sec. 3 (d), of the 2019 Proposed Amendments to
81 the 1997 Rules of Civil Procedure, one of the manners of filing pleadings and other
82 court submissions is by transmitting them by electronic mail or other electronic means
83 as may be authorized by the Court in places where the court is electronically equipped;

84

85 **WHEREAS**, there is a need to modify DAO 07, S. 2006, and DAO 20–02 on
86 the rules of mediation, adjudication and appeals to the Office of the Secretary (OSEC)
87 of the Department of Trade and Industry (DTI), to help achieve speedy resolution of
88 disputes using technological advancements and trend for the national benefit.

89

90 **NOW THEREFORE**, foregoing premises considered, this Order is hereby
91 issued for the guidance, and compliance of all concerned.

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RULE I GENERAL PROVISIONS

Section 1. Objectives. It is the aim of this DAO to:

- a. Adhere to the government’s initiative in providing alternative dispute resolution mechanisms;

- b. Establish and institutionalize a set of guidelines in handling consumer complaints lodged through the PODRS;
- c. Facilitate a faster resolution to consumer complaints; and
- d. Provide a method of tracking and monitoring the handling of filed cases, including the generation of reports.

To effectively implement the objectives of the PODRS and to help consumers in filing their complaints through electronic means, the DTI Head Office through the Public Assistance Desk, and ROs/POs shall have a working kiosk with at least two (2) units of electronic equipment, e.g. computer, tablet, including scanner and camera, that the consumer can use in filing his/her complaint. Walk-in complainants shall be assisted by trained and dedicated staff.

Section 2. Scope. This Order shall cover complaints filed personally or through the PODRS.

A complaint filed through other modes such as, but not limited to, email, snail mail, walk-in, media shows/programs, calls via mobile/landline phone, social media, and referral shall be informed and encouraged to register in and use the online mediation and adjudication features of the PODRS.

Section 3. Definition of Terms. For purposes of this Order, the following terms are defined:

- a. **Cause of Action** – Refers to the act or omission by which a party violates the right of another;
- b. **Complainant** – A natural person who files a complaint with the DTI involving a consumer transaction or a juridical persona who may file a complaint under R.A. No. 10642 or the “Philippine Lemon Law”;
- c. **Complaint** – Refers to an allegation of an act or omission by which a party violates a consumer right in a consumer transaction;
- d. **Consumer Transaction**
 - i. A sale, lease, assignment, award by chance, or other disposition of consumer products, including chattels that are intended to be affixed to land, or of services, or of any right, title, or interest therein, whether done online or offline, except securities as defined in the Securities Act and contracts of insurance under the Insurance Code;
 - ii. A solicitation or promotion by a supplier with respect to a transaction referred to in clause “i”;
- e. **CPAB** – Refers to the DTI Consumer Policy and Advocacy Bureau;
- f. **CPD** – Refers to the Consumer Protection Division of the DTI Regional Offices and Provincial Offices;
- g. **CPG** – Consumer Protection Group
- h. **DTI Office** – Refers to the CPAB, FTEB, DTI–Regional Office, and DTI–Provincial Office;
- i. **Forum Shopping** – Refers to when a party repetitively avails of several remedies in different courts or quasi-judicial bodies, simultaneously or successively, all substantially founded on the same transactions and the same essential facts and circumstances, and all raising substantially the

- 150 same issues either pending in or already resolved adversely by some other
151 court or quasi-judicial body;
- 152 j. **FTEB** – Refers to the DTI Fair Trade Enforcement Bureau;
 - 153 k. **Tracking Number** – Refers to the unique number generated by the PODRS
154 after the complainant fills out all the required information for filing a
155 consumer complaint or query as identified by the system actors;
 - 156 l. **PO** – Refers to the DTI Provincial Office;
 - 157 m. **PODRS** – Refers to the Philippine Online Dispute Resolution System which
158 automates the complaint handling process of the DTI in the online filing,
159 mediation and adjudication of consumer complaints initiated by the
160 complainant or a DTI Officer, with the consent of the consumer; The
161 PODRS shall also be a data repository for all consumer complaints;
 - 162 n. **Respondent** – Refers to a person, natural or juridical, being complained of;
 - 163 o. **RO** – Refers to the DTI Regional Office; and
 - 164 p. **User** – Refers to a natural person who has a registered account with
165 PODRS.
- 166
167

168 **RULE II**
169 **FILING AND MODES OF SERVICE**

170
171 **Section 1. Modes of Service.** All issuances from the DTI pursuant to this DAO may
172 be served upon the parties either by:

- 173 a. Personal service, that is, by delivering personally a cope thereof to the
174 respondent or his/her counsel, if any, or by leaving it with any person of
175 sufficient age and discretion residing at the residence of respondent, or
176 employed at his/her principal place of business or branch thereof where the
177 transaction involved took place;
 - 178 b. By registered mail, or accredited courier in their residence, registered address
179 or at the principal place of business where the transaction took place; or
 - 180 c. By means of electronic mail in their registered e-mail address provided to DTI.
181
- 182

183 **Section 2. Conduct of Proceedings.** Complaints and appeals may be filed
184 personally, by registered mail, or through the PODRS. The proceedings shall continue
185 through the PODRS, unless otherwise agreed upon by the parties.

186
187 **Section 3. Notice to Release Information.** If the respondent's relevant
188 information, including, but not limited to registered/true name, address, and such
189 other contact information, the Adjudication Officer shall:

- 190 a. Serve a "Notice to Release Information" (NRI) to all indispensable parties
191 to disclose all relevant sources of information of the complained business
192 establishment/seller through registered mail, accredited courier, electronic,
193 or personal service. The indispensable parties must comply within three (3)
194 working days upon the receipt of the NRI. Failure to respond to the letter
195 shall give rise to a cause of action for damages under the Data Privacy Act
196 of 2012 and/or other relevant laws.
197

- 198 b. If the mode of service is via registered mail, accredited courier, or personal
199 service, the Notice to Release Information shall be sent to the address of
200 the respondent registered with the SEC, CDA, DTI or local government unit.
201

202 The DTI may seek the assistance of relevant government agencies if, after
203 the lapse of three (3) working days from receipt of the NRI, the NRI remains
204 unanswered or if the relevant information is not disclosed.
205

206
207 **RULE III**
208 **THE PODRS**
209

210 **Section 1. Complaints Procedure.** Processing of disputes or complaints lodged
211 online shall be in accordance with the following.
212

- 213 a. Register in the PODRS by providing the following information:
214 i. Name [(Surname, First Name, Middle Name (if available))];
215 ii. Complete Mailing Address [Bldg. or No., Street, Subdivision, Barangay,
216 District, Municipality/City, Province, Region, Postal/Zip Code];
217 iii. Age Group
218 iv. E-mail address;
219 v. Password;
220 vi. Telephone number or mobile phone number;
221 vii. Copy of one Valid Government ID. Students may use their valid School ID.
222 [See Annex A]
223

224 The complainant must consent to provide his/her information in accordance
225 with the Data Privacy Act of 2012 for purposes necessary and incidental to the
226 filing of complaint. Any falsity or misrepresentation in the foregoing statements
227 provided in the PODRS shall nullify his/her case without prejudice to the filing
228 of criminal, civil and/or administrative action against the complainant.
229

230 Minors are not allowed to have a PODRS account. Complaints of minors shall
231 be coursed through their parent or guardian using the latter's PODRS Account.
232 The parent/s or guardian shall at all times attend the mediation and adjudication
233 hearings. The case caption shall indicate that the minor is represented by
234 his/her parent/guardian.
235

236 The PODRS shall automatically send a copy of the user's registered information
237 together with the verification link through the user's provided email.
238

- 239 b. The complainant shall log in to his/her PODRS account and shall lodge the
240 dispute by filling out the online dispute information sheet/form. The complainant
241 shall upload the soft copy of the complaint and supporting documents to the
242 PODRS portal. Once the dispute is successfully lodged, the PODRS shall
243 assign a Tracking Number.
244
- 245 c. The PODRS shall automatically assign the case to a Mediation Officer of the
246 DTI Office chosen by the complainant.
247

- 248 d. Upon assignment, the Mediation Officer shall tick the appropriate box from the
249 options below:
250
- 251 i. *The subject matter case is within DTI's jurisdiction.* As such, the Mediation
252 Officer shall act according to existing DTI procedure
 - 253 ii. *The subject matter case is not within DTI's jurisdiction.* As such the
254 Mediation Officer shall refer the complaint to the concerned government
255 agency and notify the complainant of such action taken.
 - 256 iii. *The subject is in the nature of an inquiry.* As such, the Mediation Officer
257 shall immediately refer the matter to the proper DTI Office or other office for
258 appropriate action and notify the complainant of such action taken.
259
- 260 e. Unless the case is determined as an inquiry, the Mediation Officer shall, within
261 three (3) working days from the assignment of the complaint, notify the
262 complainant via email of the action taken on the lodged issue/concern/
263 complaint, which could be any of the following:
264
- 265 i. Issuance of Notice of Mediation for cases falling under DTI jurisdiction;
 - 266 ii. Referral of the subject matter to the proper government office/agency or
267 other private agencies for appropriate action or communication
268
- 269 f. The Mediation Officer shall serve upon the respondent the Notice of Mediation
270 and shall request the latter to register with the PODRS in accordance with
271 Section 1(a), Rule III of this DAO and using the tracking number of the dispute
272 to which he/she is a party.
273
- 274 g. If the necessary Notice from the Mediation Officer cannot be served on the
275 Respondent at the address supplied by the complainant in the PODRS, the
276 Mediation Officer shall direct the latter to amend the information sheet through
277 the PODRS.
278
- 279 h. The PODRS shall immediately prompt the complainant of the issuance of the
280 CFA. The complainant shall be required by the PODRS to tick any of the
281 following options:
282
- 283 i. Interested to pursue the complaint at adjudication level; and
 - 284 ii. Not interested to pursue the complainant at adjudication level.
285
- 286 Under Option h.i., the Complainant shall lodge her formal complaint and upload
287 her the same together with supporting documents to the PODRS Portal. Once
288 uploaded, the PODRS shall assign a Case Number and an Adjudication Officer
289 from the pool of DTI Adjudication Officers, provided such AO is from the same
290 DTI Office chosen by the complainant.
291
- 292 Under Option h.ii., a Notice of Closure shall be sent by the PODRS to the
293 complainant.
294
- 295 i. The Adjudication process shall proceed in accordance with DAO 2020–02.
296

297 **Section 2. Case Handling of Complaints Against “Bagwis Awardee” Business**
298 **Establishments.**

- 299
- 300 a. In cases where the respondent is a Bagwis Awardee, the concerned DTI Office
 - 301 shall attend to the consumer complaint in accordance with the DAO 20–02 and
 - 302 other applicable laws and issuances.
 - 303 b. Should the complaint remain unsettled after going through the grievance
 - 304 procedure of the respondent Bagwis Awardee, the complainant shall inform the
 - 305 concerned DTI Office of his/her intention to proceed with the mediation. The
 - 306 DTI Office shall directly issue a Notice of Mediation within three (3) working
 - 307 days from receipt of notice pursuant to Section 3, Rule III of DAO 20–02.
 - 308

309 **Section 3. Reassignment of the Case.** A reassignment of the case to another
310 Mediation or Adjudication Officer may be done for the following reasons:

- 311
- 312 a. Leave by the originally assigned Mediation or Adjudication Officer;
 - 313 b. Suspension or Dismissal (as a disciplinary action);
 - 314 c. Retirement;
 - 315 d. Death; or
 - 316 e. Reassignment or appointment to another role of the originally assigned
 - 317 Mediation or Adjudication Officer.
 - 318

319 The reassignment shall be endorsed by the Bureau/Regional/Provincial Director for
320 approval by the respective Assistant Secretary of the ROG or the CPG.

321

322 **Section 3. Online Appeal Procedure.** Processing of appeals lodged online shall be
323 in accordance with the following:

- 324
- 325 a. The appellant shall log in to his/her PODRS account and shall lodge his/her
 - 326 appeal by filling out the appeal information sheet/form. He/she shall upload the
 - 327 soft copy of the Notice of Appeal and Memorandum of Appeal together with
 - 328 supporting documents to the PODRS portal.
 - 329 b. The PODRS shall immediately prompt the DTI Legal Service (LS) and the
 - 330 complainant–appellee of the lodged appeal and to wait for the Order to be
 - 331 issued by the Appeals Officer concerned.
 - 332 c. The appeal shall proceed in accordance with existing DTI Appeal Procedure.
 - 333

334 **Section 4. Changes/Amendments at the Mediation Level.** Any change of
335 information requested during the mediation stage shall be in accordance with the
336 following:

- 337
- 338 a. Log in to the PODRS by clicking, “Request for Change of Information” and
 - 339 ticking the information to be changed as provided by the PODRS, and
 - 340 uploading the document in support thereof, if any;
 - 341 b. The request shall be forwarded to the assigned Mediation Office for appropriate
 - 342 action;
 - 343 c. The Mediation Officer shall log in to the PODRS by clicking “Action on Request”
 - 344 and ticking either denied or granted and citing in the remarks box the ground
 - 345 therefor.
 - 346

347 **Section 5. Changes/Amendments at the Adjudication Level.** Any change of
348 information requested during the adjudication stage shall be in accordance with the
349 following:

- 350
- 351 a. Log in to the PODRS by clicking, “Request for Change of Information” and
352 ticking the information to be changed as provided by the PODRS, and
353 uploading the necessary Motion for Change or Amendment of Pleading
354 together with supporting documents, if any;
 - 355 b. The request shall be forwarded to the assigned Adjudication Officer for
356 appropriate action;
 - 357 c. The Mediation Officer shall log in to the PODRS by clicking “Action on Request”
358 and ticking either denied or granted and uploading the corresponding Order for
359 the information of the requesting party.
- 360

361 **Section 6. Changes/Amendments at the Appeal Level.** Any change of information
362 requested during the appeal stage shall be in accordance with the following:

- 363
- 364 c. Log in to the PODRS by clicking, “Request for Change of Information” and
365 ticking the information to be changed as provided by the PODRS, and
366 uploading the necessary Motion for Change or Amendment of Pleading
367 together with supporting documents, if any;
 - 368 d. The request shall be forwarded to the assigned LS-lawyer for appropriate
369 action;
 - 370 e. The assigned LS lawyer shall log in to the PODRS by clicking “Action on
371 Request” and ticking either denied or granted and uploading the corresponding
372 Order for the information of the requesting party.
- 373

374 **Section 7. Monitoring the Status of Cases.** The PODRS shall have a facility for
375 automated generation of individual and consolidated reports which can be accessed
376 anytime by the Head of Office/Bureau for monitoring of cases. The reports shall
377 include the following information:

- 378
- 379 a. Number of complaints received
 - 380 i. RO
 - 381 ii. PO
 - 382 iii. FTEB
 - 383 b. Nature of complaints
 - 384 c. Name of merchants
 - 385 d. Nature of transaction (offline or online)
 - 386 e. Number of complaints resolved through mediation
 - 387 i. Referred to other DTI Bureaus or Offices
 - 388 ii. Referred to other government or private agencies
 - 389 iii. Went through the actual mediation process
 - 390 1) With Compromise Agreement
 - 391 2) With CFA
 - 392 a) Pursued for adjudication
 - 393 b) Closed due to lack of interest to pursue case
 - 394 f. Number of complaints resolved through adjudication;
 - 395 g. Number of decisions appealed

- 396 i. Number of appealed cases Affirmed
- 397 ii. Number of Appealed Cases Denied
- 398 iii. Number of Appealed Cases Modified
- 399 h. Number of Appealed Cases Pending
- 400 i. Number of Final and Executory Decisions
- 401 i. Number of Writs enforced
- 402 ii. Number of Writs not enforced

403
404 **Section 8. Formal Charges.** The DTI may file formal charges through the PODRS.
405 The formal charge shall proceed in accordance with DAO 07, s. 2006.

406
407
408 **RULE IV**
409 **REPORTING AND ACCESS**

410
411 **Section 1. Generating, Consolidating and Submission of Reports.** For purposes
412 of reporting, the FTEB shall generate the monthly consolidated report for submission
413 to the DTI Secretary through the respective Undersecretaries of the Consumer
414 Protection Group and the Regional Operations Group. The FTEB shall also submit a
415 bi-annual report on mediated cases to the Office of Alternative Dispute Resolution
416 (OADR) as required by Executive Order No. 97, Series of 2012.

417
418 **Section 2. Access to Cases.** The Mediation Officer or Adjudication Officer and his/her
419 immediate supervisor shall only have access to cases assigned to them. The Office of
420 the Secretary, LS, the DTI Consumer Protection Group may have viewing access to
421 all cases, provided, that the LS shall have full access only to cases under appeal.

422
423 The FTEB is hereby designated to be the overall system administrator who shall have
424 access to all system data available.

425
426
427 **RULE V**
428 **FINAL PROVISIONS**

429
430 **Section 1. Request for Anonymity.** Disputes by a user who wishes to be anonymous
431 from the person being complained of shall be referred to the latter by the Mediation
432 Officer or CPD Officer for appropriate action. In case the user shall dispute the action
433 taken by the person being complained of, or in case of lack of action, the complainant
434 may proceed in filing a complaint in the PODRS using the same Tracking Number.

435
436 **Section 2. Capacity-Building of Personnel Handling Consumer Complaint.** The
437 CPG and ROG management, in cooperation with the HRAS, shall ensure that all
438 mediation and adjudication officers shall undergo regular capacity-building. Appointed
439 or designated mediation and adjudication officers shall undergo basic mediation and
440 adjudication training before assuming the function.

441
442 The HRAS shall facilitate the design of the capacity building programs and the hiring
443 of the learning service provider. An annual Mediation and Adjudication Convention
444 may be conducted as a venue to share experiences and best practices.

446 **Section 3. Appointment of Mediation and Adjudication Officers.** Candidates for
447 plantilla mediation or adjudication officers must pass an exam before being considered
448 for the position. Designated mediation or adjudication officers must pass an exam after
449 the training before assuming the function.

450
451 **Section 4. Retention Policy.** The DTI Knowledge Management and Information
452 Service (KMIS) shall develop a Record Retention Schedule (RRS) in which data
453 collected from the PODRS are stored and disposed accordingly and shall ensure that
454 processes for RRS are followed. The KMIS is also authorized to modify the RRS in
455 compliance with local laws and treaty obligations of the Republic of the Philippines.

456
457 **Section 5. Funding.** Funding for managing the PODRS program including, but not
458 limited to, hiring and training of dedicated personnel, advocacy programs, and system
459 maintenance shall be incorporated in the yearly appropriations of the CPG.

460
461 **Section 6. Separability Clause.** If for any reason any section, any article or provision
462 of this Order, or any portion thereof or the application of such section, provision, or
463 part of to any person, group, or circumstance is declared invalid or unconstitutional,
464 the remainder of this Order shall not be affected by such declaration.

465
466 **Section 7. Repealing Clause.** All provisions of DAO 07, S. 2006, DAO No. 05, S.
467 2007; DAO 13–02, S. 2013; DAO No. 20–02, S. 2020; other DAOs and Department
468 Orders (DOs) and issuances, or any portion thereof that are inconsistent with this
469 Order are hereby repealed, modified, or amended accordingly.

470
471 **Section 8. Effectivity.** This Order shall take effect ninety (90) days after its publication
472 in a newspaper of general circulation and three (3) copies thereof shall be furnished
473 to the University of the Philippines–Office of the National Administrative Register.

474
475 Issued this ____ day of _____ 2022 in Makati City, Philippines.

476
477

APPROVED

478
479

RAMON M. LOPEZ
Secretary

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RECOMMENDING APPROVAL

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486
487

ATTY. RUTH B. CASTELO
Undersecretary
Consumer Protection Group

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495

ANNEX A

IDENTIFICATION DOCUMENTS (IDS) ALLOWED FOR PODRS REGISTRATION

The following are identification documents that may be presented for registration to the PODRS:

1. National ID (PhilSys)
2. Philippine Passport issued by the Department of Foreign Affairs (DFA)
3. Driver's License issued by the Land Transportation Office (LTO)
4. Professional Regulations Commission (PRC) ID
5. National Bureau of Investigation (NBI) Clearance
6. Philippine National Police (PNP) ID/Police Clearance
7. Postal ID issued by Philippine Postal Corporation (PhilPost)
8. Voter's ID issued by the Commission on Elections (COMELEC)
9. Government Service Insurance System (GSIS) Unified Multi-Purpose ID/eCard
10. Social Security System (SSS)/ Unified Multi-Purpose ID
11. Seaman's/Seawoman's Book issued by the Maritime Industry Authority (MARINA)
12. Integrated Bar of the Philippines (IBP) ID
13. Senior Citizen's ID issued by the Office of Senior Citizens Affairs (OSCA) and/or local government units (LGUs)
14. Person with Disability (PWD) ID issued by the National Council on Disability Affairs (NCDA) or its regional counterpart, Office of the Mayor, Office of the Barangay Captain, DSWD Office, and other participating organizations with Memoranda of Agreement with the Department of Health (DOH)
15. Philheath ID
16. Home Development Mutual Fund (Pag-IBIG) Transaction/Loyalty Card
17. OFW ID issued by the Department of Labor and Employment (DOLE)
18. Overseas Workers Welfare Administration (OWWA) ID
19. Diplomat/Consular ID issued by the Philippine Embassy
20. 4Ps ID issued by DSWD
21. Barangay ID/Certification with picture and signature
22. IDs issued by National Government Offices (e.g. AFP, DAR, DENR, DOH, DOJ) including Government Owned and Controlled Corporations (GOCCs)
23. IDs issued by the Offices of the Local Chief Executives (Governor, Vice-Governor, Mayor and Vice Mayor)
24. Tax Identification Card (TIN) with picture and signature issued by the Bureau of Internal Revenue
25. School/Student ID for currently-enrolled students, 18 years old and above, issued by reputable schools/colleges/universities recognized by the Department of Education (DepEd) or Commission on Higher Education (CHED) signed by the principal or head of the academic institution
26. Alien Certification of Registration/Immigrant Certificate of Registration

546 ANNEX B

547
548 CASE FILING GUIDE

549 [Will be revised by UPPAF RESPOND (DTI's Project Partner)]

550
551
552 In the log-in page, the following shall be shown:

- 553
554 a. User account (e-mail address);
555 b. Password;
556 c. A notice stating "This system is for complaints filing only. For inquiries, please
557 send an e-mail to the concerned DTI office handling consumer queries. **(Click**
558 **here to download the directory)**"
559 Included in the directory: POs, ROs, CPAB, BPS and FTEB

560
561 1. Type of user

562 Individual Consumer Business Enterprise

- 563
564 1. If the user is an Individual Consumer, the complaint will proceed.
565 2. If the user is a business enterprise, a notification message prompt will appear
566 listing what cases can the PODRS accept.
567 *Moreover, the proceeding radio buttons will not be available for selection.*
568

569 2. Have you already filed the same complaint in any government office, court, or quasi-
570 judicial body?

571
572 Yes No

573
574 If YES, a notification shall proceed which shall close the ticket as a result of forum
575 shopping. If NO, the system will proceed.
576

577 ***"Simultaneous filing of complaints with the PODRS and other judicial***
578 ***or quasi-judicial agencies is prohibited. Filing of a case during the***
579 ***pendency of another involving the same parties and cause of action in***
580 ***another agency shall bar proceedings through PODRS.***

581
582 3. Are you the complainant?

583 Yes No

584
585 3.1 If YES, proceed to the next question

586 3.2 If NO:

587 3.2.1 Proceed with this question: Your relationship with the Complainant:
588 _____ :

589 3.2.2 Provide the information of the complainant:

- 590 i. Name [(Surname, First Name, Middle Name (if available));
591 ii. Complete Mailing Address [Bldg. or No., Street, Subdivision,
592 Barangay, District, Municipality/City, Province, Region,
593 Postal/Zip Code];
594 iii. Age Group
595 iv. E-mail address;

- 596 v. Password;
597 vi. Telephone number or mobile phone number;
598 vii. Copy of one Valid Government ID. Students may use their valid
599 School ID. [See Annex A]
600

601 4. Respondent Information:
602

- 603 i. Name of the business (required)
604 ii. Mailing address: [Bldg. or No., Street, Barangay, District, Municipality/City,
605 Province, Region, Postal/ Zip Code]
606 iii. Email address, if any
607 iv. Link of website or seller account, if any
608 v. Telephone number, if any
609 vi. Mobile phone number, if any
610 vii. Name of the store representative, if any
611

612 The system limits the location where the complainant can be mediated based on the
613 given address of the respondent, or to the complainant's declared home address.
614

615 *Justification:*

- 616 • *In cases, wherein the business complained of is near the DTI Office*
617 *concerned, the DTI staff may serve the Notice of Mediation personally.*
618 • *Helps to cut courier expenses.*
619 • *The complainant and the respondent may fix their dispute even before the*
620 *scheduled mediation date.*
621

622 5. Complainant attaches receipts/proof of transaction/photos related to the product or
623 service being complained of.
624

625 The complainant shall input the identification number of the proof of purchase such
626 as, but not limited to, official receipts, sales invoices, warranty cards, gift
627 certificates, collection receipts etc.
628

629 6. The system shall automatically acknowledge all cases filed in the PODRS through
630 the users registered email and mobile number.
631

632 7. After completing the form, a prompt will appear, to wit:
633
634

635 **UNDERTAKING**
636

637 **Per Department Administrative Order (DAO) No. _____ , I hereby declare**
638 **that:**
639

- 640 1. All information supplied in this complaint are true and correct to the best of my
641 belief and knowledge and I promise to notify the DTI and update my account details
642 should there be any amendment in my personal information;
643 2. Any false or misleading information supplied to this complaint shall be a ground for
644 the nullification of this complaint without prejudice to the filing of appropriate
645 criminal, civil and/or administrative action against me;

- 646 3. I agree to undergo Alternative Dispute Resolution (ADR) through the PODRS;
647 4. I agree to the recording of the online proceedings;
648 5. I agree that my dispute shall be governed and interpreted in accordance with the
649 laws of the Republic of the Philippines; and
650 6. I understand that my conformity to avail of ADR will require the processing of my
651 personal data.

652
653 **CONSENT**

654
655 **Subject to the provisions of the Data Privacy Act of 2012, the Alternative Dispute**
656 **Resolution Act of 2004, and other applicable laws, rules, and regulations, I agree**
657 **and authorize the Department of Trade and Industry (DTI) to collect, process,**
658 **and share my relevant information with involved persons or organizations,**
659 **including authorized institutions, investigative agencies, regulators, and third**
660 **party/ies, for legitimate purposes necessary and incidental to the filing and**
661 **resolution of this case**

662
663
664 **Proceed**

665
666 **Do not Proceed**

667
668

669 **ANNEX C**

670 **OATH OF UNDERTAKING FOR REGISTRATION**

671
672
673 Welcome to the Philippine Online Dispute Resolution System (PODRS)! Your registration in this
674 system means that you agree to disclose all information required for the resolution of your
675 dispute/complaint.

676 **CONSENT**

677
678 By proceeding with this registration, I understand that I am signifying my unequivocal consent
679 to the disclosure, collection, and use of my personal information for and the data required under
680 the DTI Department Administrative Order No._____. I further agree and authorize the DTI to
681 collect, process, and share my relevant information with involved persons or organizations,
682 including authorized institutions, investigative agencies, regulators, and third party/ies, for
683 legitimate purposes necessary and incidental to the filing and resolution of this case.
684