

A.M. NO. 19-08-15-SC - 2019 AMENDMENTS TO THE REVISED RULES OF EVIDENCE

Rule 132, Section 24. *Proof of official record.* – The record of public documents referred to in paragraph (a) of Section 19, when admissible for any purpose, may be evidenced by an official publication thereof or by a copy attested by the officer having the legal custody of the record, or by his or her deputy, and accompanied, if the record is not kept in the Philippines, with a certificate that such officer has the custody.

If the office in which the record is kept is in a foreign country, which is a contracting party to a treaty or convention to which the Philippines is also a party, or considered a public document under such treaty or convention pursuant to paragraph (c) of Section 19 hereof, the certificate or its equivalent shall be in the form prescribed by such treaty or convention subject to reciprocity granted to public documents originating from the Philippines.

For documents originating from a foreign country which is not a contracting party to a treaty or convention referred to in the next preceding sentence, the certificate may be made by a secretary of the embassy or legation, consul general, consul, vice-consul, or consular agent or by any officer in the foreign service of the Philippines stationed in the foreign country in which the record is kept, and authenticated by the seal of his [or her] office.

A document that is accompanied by a certificate or its equivalent may be presented in evidence without further proof, the certificate or its equivalent being *prima facie* evidence of the due execution and genuineness of the document involved. The certificate shall not be required when a treaty or convention between a foreign country and the Philippines has abolished the requirement, or has exempted the document itself from this formality. (24a)

A.M. No. 19-08-14-SC

THE RULES OF PROCEDURE FOR ADMIRALTY CASES

Section 3. Verified complaint. – The verified complaint shall state or contain:

- (a) A statement that it is a case in Admiralty jurisdiction;
- (b) The names, addresses, and other relevant personal or juridical circumstances of the parties;
- (c) All facts material and relevant to plaintiff's cause or causes of action;
- (d) The law, rule, or regulation relied upon, violated, or sought to be enforced;
- (e) Specification of all evidence supporting the cause of action, such as affidavits of witnesses, authenticated documentary evidence which must be attached to the complaint, and object evidence. The affidavits shall be in question and answer form and shall comply with the rules on judicial affidavits. All other supporting documents and evidence will comply with the rules on admissibility of evidence.

Official documents from a foreign jurisdiction shall be considered admissible when duly authenticated in accordance with The Hague Convention Abolishing the Requirement of Legalization for Foreign Public Documents, otherwise known as the Apostille Convention.

All parties are required to disclose and include all relevant documentary evidence, even if such may appear to contain admissions against interest;

- (f) The reliefs prayed for. The verified complaint may also include a prayer for the immediate issuance ex parte of a Warrant of Arrest of a Vessel (WAVE), Cargo, or

Freight. In such cases, it shall also comply with the requirements under Rule 6 herein; and

(g) A certification against forum shopping.