AMENDMENTS TO SECTION 11 AND 13, ARTICLE XIII OF THE CIAC RULES OF PROCEDURES GOVERNING CONSTRUCTION ARBITRATION

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WHEREAS, the Commission passed CIAC Resolution Nos. 5-99 amending CIAC Resolution 2-96 to expand the coverage of subsidy to small claims to be more effective and pegging the limit thereof to P500,000 and below;

NOW, THEREFORE, WE, THE UNDERSIGNED CIAC COMMISSIONERS, by the virtue of the powers vested in us by the law, do hereby amend Section 13, Article XIII of the CIAC Rules of Procedures Governing Construction Arbitration as follows:

> Article XIII
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> xxx xxx
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> SECTION 11. Expenses and Deposits. — Arbitration expenses shall include the filing fee, administrative charges, arbitrator's fees, fee and expenses of the expert, and others which may be imposed by the CIAC.
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> xxx xxx
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> The CIAC Secretariat shall charge the Claimant an initial filing fee of P3,000 plus a deposit equivalent to 10% of the expected arbitrator(s)' fee x x x. If the total amount of claim exceeds P1 million, Claimant shall upon filing and in addition to the above fees, deposit an amount equivalent to 1/10 of 1% of the amount claimed. Such deposit shall be treated as Claimant's initial payment of its share of the special assessment fee of 1/10 of 1% of the sum in dispute imposed under CIAC Resolution No. 2-96, as amended by CIAC Resolution No. 5-99.
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> xxx xxx
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> SECTION 13. Small Claims. — Cases where the sum in dispute is P500,000 or less may, upon request of either party, be categorized by CIAC as small claims for purposes of qualifying for assistance under the Arbitration Development Fund established by CIAC in Resolution 2-96, as amended by CIAC Resolution Nos. 7-98, 8-98 and 5-99.
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> xxx xxx
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> Administrative expenses and arbitrator's fees for small claims involving an amount of P500,000 and below shall be charged against the CIAC Arbitration Development Fund. Mediation or conciliation fees, prior to arbitration, shall also be charged against said fund. The fee to be charged for small claims of less than P500,00 shall be 1% of the claim. Small claims shall be handled only by a sole arbitrator or mediator. The arbitrator's or mediator's fee to be charged for small claims of P500,000 and below shall be at fixed rate of 2% of the claim but not less than P5,000.
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> UNANIMOUSLY APPROVED.

Adopted; 15 July 1999

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