

CLARIFYING THE ROLE OF THE COMMISSION IN THE SCRUTINY OF AWARDS AND RELEASE/STAY OF WRITS OF EXECUTION

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/31783a3271fb/>

WHEREAS, to help ensure the quality of CIAC arbitral awards/decisions and in accord with international arbitration practices, the Commission, in its 54th Regular Meeting held on 17 November 1999, passed Resolution No. 08-1999, prescribing a policy guideline on the security of awards by the Commission;

WHEREAS, pursuant to Section 20 of E.O. 1008 (the Construction Industry Arbitration Law) and Rules 18.5 and 18.6 of the CIAC Rules of Procedure Governing Construction Arbitration, the concurrence of the Commission is required for the issuance by arbitrator/s of writs of execution and approval of bond to stay execution;

WHEREAS, to dispel any confusion or misinterpretation on the role of the Commission in its scrutiny of arbitral awards and concurrence to writs of execution/stay of execution, the Commission recognizes the need to clearly define these functions and their purposes;

NOW, THEREFORE, WE THE UNDERSIGNED COMMISSIONERS, after due deliberations in the 103th and 104th CIAC Regular Meetings, HEREBY RESOLVE, as it is HEREBY RESOLVED, to clarify the role of the Commission in the scrutiny of arbitral awards/decisions and concurrence to writs of execution or orders staying execution issued by the arbitrators, as follows;

A. Scrutiny of arbitral awards

The purpose of scrutiny by the Commission of arbitral awards/decisions, without affecting the arbitrator/s' liberty of decision, is to give the arbitrator/s the opportunity, prior to promulgation, to modify or correct errors or inadequacies in the award, if any, with respect to its form and/or substance such as, but not limited to, the following:

- a. typographical and/or grammatical errors;
- b. errors in computation/mathematical calculations;
- c. mistakes or imprecise/incorrect description of any party, person, date, amount, thing or property referred to in the award/decision;
- d. failure to state the basis for, or reasons to justify, the grant or denial of a claim/counterclaim;
- e. failure to resolve formulated issues in the Terms of Reference (TOR);
- f. award on an issue not submitted for resolution; and
- g. other imperfections in form and content not affecting the merits of the controversy.

The award/decision shall be promulgated/released if there are no comments coming from any of the Commissioners after five (5) working days from receipt thereof by the Commission. If, however, there are adverse comments affecting the merits or substance of the award/decision from any of the Commissioners, the arbitrator/s shall, within five (5) working days from receipt of the comments, revise their decision accordingly, if at all. Thereafter, the award/decision shall be promulgated/released after five (5) working days from receipt of the revised award/decision or the lapse of the period to revise the same.

B. Release/Stay of Writs of Execution

Notwithstanding the Commission's disagreement with the substance or merit of the award/decision, if execution is ripe or proper under the CIAC Rules, it shall release the writ of execution issued by the arbitrator/s. Hence, once an award/decision becomes executory, the release of the writ of execution by the Commission is purely ministerial, regardless of whether or not the arbitrator/s considered the comment of the Commission, or any of its members, on points of substance in the award during scrutiny.

As to the approval by the arbitrator/s of the bond to stay execution, the concurrence of the Commission is only for the purpose of ensuring compliance with the requirements set by the CIAC for bond approval.

This resolution supersedes and amends Rules 18.5 and 18.6 of the CIAC Rules of Procedures Governing Construction Arbitration, CIAC Resolution No. 06-2002 (Policy guidelines to Clarify the Policy Guidelines Regarding Execution of a Final Award During Appeal, Amending Resolution No. 05-2002), and all other previous issuances inconsistent herewith.

UNANIMOUSLY APPROVED.

Adopted: 27 Dec. 2007

The Commission:

(SGD.) JOSUE N. BELLOSILLO

Chairman

(SGD.) ISAAC S. DAVID

(SGD.) SAMSON C. LAZO

Member

Member

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.