

IMPOSITION OF A SPECIAL ASSESSMENT FEE UPON CASES WITH CLAIMS ABOVE P1 MILLION FOR THE PURPOSE OF CREATING AN “ARBITRATION DEVELOPMENT FUND” FOR SMALL CLAIMS

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WHEREAS, the Commission, pursuant to its function “to formulate and adopt an arbitration program for the “construction industry” is now developing, in coordination with the Philippine Institute of Construction Arbitrators, Inc. (PICA), an Alternative Dispute Resolution (ADR) scheme, geared towards the resolution of cases with small claims, particularly those originating from the remote regional areas;

WHEREAS, there is a need to establish necessary for the implementation of the project, and from which the required capital outlay and expenses of CIAC relative to the development of arbitration nationwide that could be financed:

WHEREAS, under Section 13 of E.O. No. 1008, the Commission is empowered to determine and collect fees, deposits, cost of arbitration, as well as administrative and other charges as may be necessary in the performance of its functions and responsibilities;

NOW, THEREFORE, WE, THE UNDERSIGNED CIAC COMMISSIONERS, by virtue of the powers vested in us by law, do hereby RESOLVE as it hereby RESOLVED, to establish an Arbitration Development Fund from a special fee to be imposed upon the parties in cases involving claims above P1 million, equivalent 1/10 of 1% of the sum in dispute, in addition, to the existing fees in the CIAC Table of Administrative Charges and Arbitrator’s Fees.

BE IT RESOLVED, FURTHER, that such special fees assessed, collected and deposited in the Arbitration Development Fund, shall be treated as trust receipts to be used for the following purposes necessary for the development and promotion of arbitration:

1. To help defray the travel, accommodations and administrative expenses of Arbitrators and Staff for the out-of-town hearings of cases involving claims below P1 million.
2. Purchase of CIAC computer equipment and accessories to enhance and/or upgrade existing data banking and data exchange capabilities;
3. Purchase of telecommunication equipment and accessories to increase accessibility and outreach to the regions; and
4. Maintenance and operating expenses relative to the promotion and development of arbitration in the regions.

UNANIMOUSLY APPROVED.

Adopted: 28 May 1996

(SGD.) JOSE U. JOVELLANOS
Chairman

(SGD.) LAMBERTO UN OCAMPO
Member

(SGD.) ALFREDO L. JUINIO, SR.
Member

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