NATIONAL ADMINISTRATIVE REGISTER · APRIL 30, 2008

AMENDING CIAC RESOLUTION NO. 08-2004 (PRESCRIBING A POLICY IN THE ISSUANCE OF WRITS OF EXECUTION TO BE ADDRESSED TO THE CLERK OF COURT/EX-OFFICIO SHERIFFS)

CIAC RESOLUTION NO. 06-2008, April 30, 2008

Read online (full-text search, related cases, audio case brief): https://batas.org/library/3af8c07e97a8/

WHEREAS, on 12 August 2004, the CIAC passed Resolution No. 08-2004 {Prescribing a Policy in the issuance of Writs of Execution to be Addressed to the Clerk of Court/Ex-Officio Sheriffs) requiring all writs of execution to be addressed to the Executive Clerk of Court/Ex-Officio Sheriff of the City or Province where the accounts/properties sought to be garnished/levied are located;

WHEREAS, the Commission, in its Special Meeting held on 11 September 2007, made the following clarifications on the issuance of writs of execution by the CIAC:

1. Pursuant to Section 20 (Execution and Enforcement of Awards) of Executive Order No. 1008, the CIAC may issue writs of execution addressed to any sheriff or other proper officer to enforce CIAC decisions, orders or awards;

2. There is no known restriction or limitation on the enforcement of writs of execution issued by the CIAC. Thus, the writs of execution issued by the CIAC may be enforced by the sheriff or other proper officer to whom the writ is addressed in any part of the Philip. pines without prior approval; and

3. Any of the properties of the losing party, not necessarily limited to the project in dispute and except those exempt from execution, can be subjected to garnishment in order to satisfy the writ of execution.

WHEREAS, the Commission, in its 108th Regular Meeting on 30 April 2008, agreed to amend CIAC Resolution No. 08-2004 to reflect the above clarifications and to be consistent with the following provisions of E.O. No. 1008 (the Construction Industry Arbitration Law) and the Revised Rules of Court:

> -E.O. No. 1008
>
> "Section 20. Execution and Enforcement of Awards -As soon as a decision, order or award has become final and executory, the Arbitral Tribunal or the single arbitrator, with the concurrence of the CIAC, shall motu propio or on motion of any interested party, issue a writ of execution requiring any sheriff or other proper officer to execute said decision, order or award.
>
> Rule 135 (Powers and Duties of Court and Judicial Officers). Revised Rules of Court
>
> " Section 3. Process of superior courts enforced throughout the Philippines -Process issued from a superior court in which a case is pending to bring in a defendant, or for the arrest of any accused person, or to execute any order or judgment of the court, may be enforced in any part of the Philippines.
>
> Xxx
>
> Section 6. Means to carry jurisdiction into effect - When by law jurisdiction is conferred on a court, or judicial officer, all auxiliary writs, processes and other means necessary to carry it into effect may be employed by

Turn this case into an audio lecture - facts, issues, ruling and doctrine - at batas.org

> such court or officer; and if the procedure to be followed in the exercise of such jurisdiction is not specifically pointed out by law or by these rules, any suitable process or mode of proceeding may be adopted which appears conformable to the spirit of said law or rules."

NOW, THEREFORE, the COMMISSION, by virtue of the powers vested in it by la*-RESOLVES, as it DOES RESOLVE, to amend CIAC Resolution No. 08-2004 by adopting the following policy guidelines on the issuance of CIAC writs of execution:

> 1. The CIAC shall issue writs of execution addressed to the Executive Clerk of Court/Ex-Officio Sheriff of the City or Province where any of the real and/or personal properties sought to be garnished/levied upon are located; and
>
> 2. The Executive Clerk of Court/Ex-Officio Sheriff to whom the writ is addressed shall enforce/implement the writ issued by CIAC in any part of the Philippines; PROVIDED, however, that where the properties to be levied upon are located in different cities/provinces, said Executive Clerk of Court/Ex-Officio Sheriff so designated to enforce/implement the writ shall coordinate with the sheriff of the city or province where the properties sought to be garnished/levied upon are located.
>
> The foregoing amendments shall take effect immediately.
>
> UNANIMOUSLY APPROVED.

Adopted: 30 April 2008

THE COMMISSION

(SGD.) JOSEU N. BELLOSILLO

Chairman

(SGD.) ISAAC S. DAVID

(SGD.) SAMSON C. LAZO

Member

Member

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

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.