NATIONAL ADMINISTRATIVE REGISTER · NOVEMBER 7, 1995

AMENDMENTS TO THE RULES OF PROCEDURE GOVERNING CONSTRUCTION ARBITRATION (PROMULGATED ON AUGUST 23, 1988 AND AS AMENDED BY CIAC RESOLUTION NOS. 2-91, 3-93, AND 1-94 ADOPTED ON JU...

CIAC RESOLUTION NO. 2-95, November 07, 1995

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WHEREAS, Sections 6 and 21 of Executive Order No. 1008 empowers the Construction Industry Arbitration Commission (CIAC) "to enunciate policies and prescribe rules and procedures for construction arbitration" and "to formulate necessary rules and procedures for construction arbitration";

NOW, THEREFORE, WE, THE UNDERSIGNED CIAC COMMISSIONERS, by virtue of the powers vested in us by law, do hereby promulgate the following amendments to Articles XV and XVI of the Rules of Procedure Governing Construction Arbitration, to wit:

Article XV
The Arbitration Award

SECTION 9. Motion for Reconsideration - As a matter of policy, no motion for reconsideration of an award shall be allowed. Any of the parties may, however, file a motion for correction within fifteen (15) days from receipt of the award upon any of the following grounds:

(i) an evident miscalculation of figures, a typographical or arithmetical error

(ii) an evident mistake in the description of any party, person, date, amount, thing or property referred to in the award.

The filing of the motion for correction shall interrupt the running of the period for appeal.

Article XVI
Finality, Appeal, and Enforceability of Award

SECTION 1. Finality of Award - The arbitral award shall become final upon the lapse of fifteen (15) days from receipt of notice thereof without an appeal being taken. If the award has been appealed, it shall become final and upon issuance of the entry of judgment by the appellate court.

SECTION 2. Award Becoming Executory - The arbitral award shall become executory upon the lapse of fifteen (15) days from receipt of notice thereof.

SECTION 3. Appeal - An appeal from the award may be taken on pure questions of law to the Court of Appeals within the period and in the manner provided under Revised Supreme Court Administrative Circular 1-95.

SECTION 4. Effect of Appeal - The appeal shall not stay the execution of the award sought to be reviewed unless the Court of Appeals shall direct otherwise upon such terms as it may deem just.

SECTION 5. Execution and Enforcement of Awards - As soon as the decision, order, or award has become

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executory the Arbitral Tribunal or the Single Arbitrator, with the concurrence of the CIAC, shall motu propio, or on motion of the prevailing party, issue a writ of execution requiring the sheriff or other proper officer to execute said decision, order, or award.

The foregoing amendments to the rules shall take effect immediately.

Adopted: 7 Nov. 1995

(SGD.) JOSE U. JOVELLANOS
Chairman

(SGD.) LAMBERTO UN OCAMPO
Member

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

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