RE: ROVING REGIONAL PANEL OF ARBITRATORS

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Whereas, with the enactment of the Philippine Mining Act of 1995, (R.A. No. 7942) and its Implementing Rules and Regulations (DAO No. 96-40), mining cases have grown into great height.

Whereas, the Panel of Arbitrators that were formed in the fourteen (14) Regions were either undermanned or clogged with numerous cases and these Panels could not act expeditiously on these cases.

Whereas, under Sections 202 and 207 of DAO No. 96-40, the rules and regulations governing the litigation and disposition of cases before the Panel of Arbitrators shall be promulgated by the Mines Adjudication Board.

Whereas, on the 22nd day of May 1997, the Mines Adjudication Board (MAB) promulgated a Resolution on Rules on Pleading, Practice and Procedure of the Panel of Arbitrators and the Mines Adjudication Board.

Whereas, Section 3, paragraph 3 of the said rules, states that "In the absence or in-operation of a Panel in a Region, the Panel in the region nearest to the area of conflict shall acquire jurisdiction over the case."

Whereas, almost all of these Panels are clogged with numerous cases such that the nearest Panel in the Region supposed to assume jurisdiction over a case filed in a Panel which has jurisdiction but is unable to hear and decide either due to legal or technical obstacles, cannot also hear these cases.

Whereas, it is imperative that a Roving Regional Panel of Arbitrators be created to hear and decide cases which affects national interest, and in cases which cannot be heard by the Original Panel because of legal obstacle such as being the subject of injunction, motion for inhibition, conflict of interest or members have voluntarily inhibited themselves.

Whereas, it is hereby resolved as it is resolved that a Roving Regional Panel of Arbitrators be created and shall assume cases that may be referred to it or assigned to them by the MAB.

Adopted: 6 May 1999

(SGD.) ANTONIO H. CERILLES
Chairman

(SGD.) PEDRO C. CALEON
(SGD.) HORACIO C. RAMOS
Members

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