

ADOPTING NEW GUIDELINES FOR THE PAYMENT OF ARBITRATION FEES

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WHEREAS, the present schedule of payments of arbitration fees provide for four (4) stages, namely: a) upon filing, b) upon signing of the Terms of Reference, c) at the penultimate hearing, and d) upon rendition of the Decision;

WHEREAS, such schedules of fees have resulted in delays in payment of the full arbitrator(s) fees upon rendition of the Decision and on the reckoning date of finality of award because of deliberate failure by one of the parties in securing its copy of the Decision;

NOW, THEREFORE, WE THE UNDERSIGNED COMMISSIONERS, by virtue of the powers vested in us by law, do hereby resolve, as it hereby resolved to adopt the following new guidelines for the payment of arbitration fees which shall be applied to new and pending cases without Terms of Reference (TOR) as of 8 August 1996, to wit:

A. Payment of arbitration fees shall be made in three tranches as follows:

1. Upon filing

- P3,000.00 initial Filing Fee
- 10% deposit for expected Arbitrator's Fees
- special assessment fee under CIAC Res. No. 2-96, if applicable

2. Upon signing of the TOR/date of last Preliminary Conference (for cases without TOR)

- 100% of the Filing Fee
- 50% of the Administrative Fee
- 50% of the Arbitrators' Fees

3. At the penultimate hearing

- 50% of the Administrative Fee
- 50% of the Arbitrator's Fees
- if no hearing is held, the last two tranches under this scheme shall be due upon TOR signing

B. The parties shall share the fees equally or such other scheme they may agree upon but payment thereof shall be in accordance with Item A above.

C. Claimant shall pay for any remaining balance of arbitration fees, subject to the decision of the Arbitrator/Arbital Tribunal on who shall shoulder such fees or the corresponding share of each party.

UNANIMOUSLY APPROVED.

Adopted: 8 Aug. 1996

(SGD.) JOSE U. JOVELLANOS
Chairman

(SGD.) LAMBERTO UN OCAMPO
Member

(SGD.) ALFREDO L. JUINIO
Member

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