



RESOLUTION NO. 09 – 2017

AFFIRMING/ADOPTING GUIDELINES FOR THE SELECTION OF SOLE ARBITRATORS

WHEREAS, Section 14 of Executive Order No. 1008 or the Construction Industry Arbitration Law, provides that a Sole Arbitrator or three arbitrators may settle a dispute;

WHEREAS, under Rule 20 of the CIAC Rules of Procedures Governing Construction Arbitration (CIAC Rules), a small claims case (or where the claim does not exceed P1 million) shall be handled by a Sole Arbitrator;

WHEREAS, the CIAC Rules also provide that the arbitral tribunal (be it a Sole Arbitrator or panel of three) shall, among others, exercise complete control over all proceedings to insure a speedy, adequate and justifiable disposition of the disputes and cases submitted to them for resolution;

WHEREAS, the Commission, recognizing that in general, some arbitrators need to be experienced in case-handling before they can effectively perform the functions of a Sole Arbitrator, and upon the recommendation of the Philippine Institute of Construction Arbitrators and Mediators, Inc. (PICAM), adopted the following guidelines for the selection of Sole Arbitrators during its 99th Regular Meeting held on 26 July 2007:

- "1. No arbitrator shall be appointed as a Sole Arbitrator unless he/she had prior experience either as a Sole Arbitrator or as Chairman of the Arbitral Tribunal, or both, in no less than three (3) cases; and*
- 2. Exceptions to the above rule shall be within the discretion of the Commission, taking into account the abilities and capability of an arbitrator to adjudicate the the case and render judgment thereon.";* and

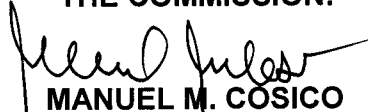
WHEREAS, the Commission believes that the continued application of the above guidelines would help ensure expeditious and efficient arbitral proceedings as well as the quality of arbitral awards by Sole Arbitrators in CIAC cases;

NOW, THEREFORE, THE COMMISSION, after due deliberation in its 196th and 197th Regular Meetings, **RESOLVES**, as it is thus **RESOLVED**, to affirm/adopt the above guidelines for the selection and appointment of Sole Arbitrators to handle and resolve CIAC arbitration cases.

UNANIMOUSLY APPROVED.

30 August 2017, Makati City.

THE COMMISSION:


MANUEL M. COSICO
Chairman


ANTONIO A. ABOLA
Member


EMILIO LOLITO J. TUMBOCON
Member

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