

[CIAC RESOLUTION NO. 3-96, May 28, 1996]

**POLICY GUIDELINES GOVERNING CASES REFERRED BY THE
REGULAR COURTS**

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

NOW, THEREFORE, WE, THE UNDERSIGNED CIAC COMMISSIONERS, by virtue of the powers vested in us by the law, do hereby promulgate the following policy guidelines governing cases referred by the regular courts, to wit:

1. Should a case originally filed in the regular courts be referred to CIAC, the pleadings and other documents, filed in court shall be adopted in the arbitration proceedings to avoid requiring the parties to file a new set of pleadings.
2. If the entire case is submitted for arbitration, before the proceedings could commence, the case filed in court should first be dismissed.
3. However, if only specific issues are submitted, a separate request for arbitration shall be filed therefor. The claims not covered by the request for adjudication shall continue to be heard by the regular court where it was first filed.
4. Upon referral and/or filing with CIAC the arbitration fees shall be charged the parties in accordance with the CIAC Schedule of Fees.
5. If the parties have already agreed on the Arbitrator/s, from the list of CIAC-accredited arbitrators, they shall be appointed by CIAC as such, otherwise, the selection procedures as provided for in the CIAC Rules shall apply.

UNANIMOUSLY APPROVED.

Adopted: 28 May 1996

(SGD.) JOSE U. JOVELLANOS
Chairman

(SGD.) LAMBERTO UN OCAMPO
Member

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