

[CIAC RESOLUTION NO. 04-2011, March 24, 2011]

ADOPTING RULES ON A RATING SYSTEM FOR THE PARTICIPATION OF CIAC ARBITRATORS AND MEDIATORS IN THE MEDIATORS AND ARBITRATORS CONTINUING EDUCATION (MACE) PROGRAM

WHEREAS, the Mediators and Arbitrators Continuing Education (MACE) program was adopted for the avowed purpose of ensuring that the accredited arbitrators and mediators of CIAC are (i) kept abreast with the recent developments of law and jurisprudence, latest trends and practices in the construction industry, and (ii) reminded of their duty of fidelity to the high ethical standards which CIAC requires of them;

WHEREAS, in its 24th Regular Board Meeting held on 14 October 2009, the Commission approved the request of the Philippine Institute of Construction Arbitrators and Mediators, Inc. (PICAM) for the issuance of a directive to all CIAC Arbitrators/Mediators to attend the MACE seminars and thereby earn credit units under a rating system to be developed by CIAC, with the assistance of PICAM, for appointing arbitrators and mediators;

WHEREAS, an essential feature of the rating system is the requirement that an arbitrator and mediator must attain a minimum number of credit points as a condition for appointment in a case;

WHEREAS, as a step towards the formulation of the rating system, the Secretariat was directed to prepare, in consultation with the PICAM, a draft set of Rules of the Rating System which was subsequently revised by Atty. Eduardo R. Ceniza, PICAM President;

WHEREAS, the PICAM during its Second 2011 Board of Trustees Meeting held on 11 February 2011, unanimously agreed to endorse the same to CIAC for approval;

WHEREAS, the Commission desires to put in place the Rules of the Rating System without further delay;

NOW, THEREFORE, after due deliberation in its 134th Regular Meeting, the Commission, finding the PICAM proposal to be in order, RESOLVES to adopt the following Rules on the Rating System as follows:

1. Subject to the exceptions herein provided, all CIAC accredited arbitrators and mediators must earn a minimum number of credit units as herein provided, during a period of two (2) consecutive years beginning January 1, 2011 and ending December 31, 2012, and every

two (2) years thereafter, as a condition for their appointment by the Commission as arbitrators or mediators for cases filed with the CIAC.

2. Arbitrators and mediators who earn the minimum number of credit units, as herein provided, at the end of a two year period, will be included in the "List of Arbitrators and Mediators in MACE Compliance", while those who fail to earn the minimum number of credit units at the end of a two-year period, although still accredited by CIAC, will be listed in the "Reserved List" and will remain in the "Reserved List" until such time as they shall have earned the minimum number of credit units.

3. Only arbitrators and mediators in the "List of Arbitrators and Mediators in MACE Compliance" shall be considered available for appointment by the Commission. When parties to an arbitration or mediation case filed with CIAC ask the Secretariat for a list CIAC accredited arbitrators and mediators, the Secretariat will make available to the parties the "List of Arbitrators and Mediators in MACE Compliance" from which list the parties may chose their arbitrators and mediators.

4. Credit units are earned by attending and/or participating as a lecturer or presentor or playing a role in simulated exercises in MACE seminars for the number of hours herein provided:

4.a By attending a MACE Seminar, the arbitrator or mediator shall earn one (1) unit for every hour of attendance;

4.b By playing a role in simulated exercises in the MACE seminar, an arbitrator or mediator shall earn two (2) credit units for every hour of such participation;

4.c By giving a lecture or doing a presentation in a MACE seminar, the arbitrator or mediator shall earn three (3) credit units for each lecture or presentation hour; and

4.d For the purpose of this Section, one (1) hour consists of four (4) quarters of fifteen (15) minutes each. A fraction of a quarter (i.e., less than 15 minutes) shall not earn any credit unit.

5. CIAC, jointly with PICAM, will strive to sponsor four (4) MACE seminars each year, preferably two in Luzon, one in Visayas and one in Mindanao.

6. Each MACE seminar shall consist of three (3) hours in the morning and three (3) hours in the afternoon, or a total of six (6) hours of each MACE seminar.

7. Arbitrators and mediators must earn a minimum of twelve (12) credit units during the period of two (2) consecutive years, beginning January 1, 2011 to December 31, 2012 and every two (2) consecutive years thereafter to be included in the "List of Arbitrators and Mediators in MACE