

**[ CIAC RESOLUTION NO. 07-2009, August 27, 2009 ]**

**PRESCRIBING THE PERCENTAGES OF FEES DUE FOR  
ARBITRATION CASES WITHDRAWN/DISMISSED PRIOR TO  
APPOINTMENT OF ARBITRATOR/S**

WHEREAS, pursuant to existing CIAC policy for cases withdrawn/dismisssed prior to the appointment of arbitrator/s, but where the parties' contract provides for arbitration, the amount of Three Thousand Six Hundred Pesos (P3,600) as filing/administrative fee is deducted from the deposit for arbitration fees made by the parties. For cases where there is no arbitration clause/agreement, the fee charged is only P500.00;

WHEREAS, on the other hand, for cases jointly withdrawn and/or settled by compromise agreement (with or without award rendered) where arbitrators were appointed, the prescribed fees under CIAC Resolution No. 12-2007 (Adopting a Harmonized Arbitrators' Compensation Schedule for All Cases) are 100% of the filing fee and the applicable percentages of arbitrators' fees for administrative fees and Arbitration Development Fund (ADF) charges which, for the 1st stage of proceedings, are as follows:

- Executive session/s held (at the discretion of the Tribunal); and/or hearing on motion to dismiss/withdraw held; motion resolved	-10%
Preliminary Conference held	- 5%
TOR signed	- <u>7%</u>
Sub-Total	22%

WHEREAS, during its 122nd Regular Meeting held on 30 July 2009, the Commission, noting that the amount of P3,600 as filing/administrative fees is inconsistent with the filing and administrative fees and ADF charges imposed under CIAC Resolution No. 12-2007, agreed to revisit the matter for the purpose of harmonizing its policies on fees and other charges;

NOW, THEREFORE, WE THE UNDERSIGNED COMMISSIONERS, after due deliberation in the 123rd CIAC Regular Meeting and by virtue of the powers vested in us by law, RESOLVE, AS IT IS THUS **RESOLVED** to prescribe the following percentages of fees due for cases which are dismissed/withdrawn prior to the appointment of arbitrators, whether or not there is an arbitration clause/agreement, consistent with CIAC Resolution No. 12-2007:

Filing Fee	- 100%
Administrative Fee	- 10%
ADF Charges	- 10%