

**CONSTRUCTION INDUSTRY ARBITRATION COMMISSION**

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**MEMORANDUM ORDER NO. 01-2012**

**FOR** : All CIAC Arbitrators  
**FROM** : The Commission  
**SUBJECT** : Requirement/s for Concurrence by the Commission to the Execution of Arbitral Awards  
**DATE** : 22 March 2012

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To provide the Commission with the requisite basis for giving its concurrence to the writ of execution issued in a case, said writ shall be accompanied by the Order of the Arbitral Tribunal/Sole Arbitrator granting the prevailing party's motion for execution or, motu proprio, directing execution. The Order shall state the date of promulgation of the award and the date/s it was received or deemed received by each party. The Order shall also state whether an opposition was filed to the order of execution. If so, the grounds thereof and how the opposition was resolved must be stated. It shall also contain other particulars as would provide the Commission sufficient basis for giving its concurrence to the writ of execution, including, but not limited to, the following:

1. If there is no appeal, the Order shall state the fact that the period for appeal has elapsed without any petition for review being filed; nor a motion for extension of the period for filing such petition.
2. If there is an appeal, the Order shall state that no bond to stay execution was posted; and that no temporary restraining order (TRO) or preliminary injunction was issued by the appellate court. If a TRO or preliminary injunction was issued, the Order shall state that the same has lapsed or was lifted. The order of the appellate court lifting the TRO/preliminary injunction shall be attached.
  - 2.1. If the appeal is denied due course or is dismissed, and no motion for reconsideration of the dismissal is filed, or the motion for reconsideration is denied, the order shall state such facts. The resolution or order of the appellate court denying due course or otherwise dismissing the appeal shall be attached to the order.
  - 2.2. If a preliminary injunction was issued but was not lifted and the appellate court decides the appeal, the Order shall state the date of entry of judgment of the appellate court. The entry of judgment issued by the clerk of the appellate court shall be attached.