



RESOLUTION NO. 10-2007

**AMENDING ANNEX A OF CIAC RESOLUTION NO. 10-2006
(PRESCRIBING PROTOCOLS TO BE OBSERVED IN RENDERING DISSENTING
OPINIONS)**

WHEREAS, Sections 16.2 (Form of Award) of the CIAC Revised Rules of Procedure Governing Construction Arbitration, as amended, provides in part that a “dissent from the decision of the majority or a portion thereof shall be in writing, specifying the portions dissented from with a statement of the reason/s therefore and signed by the dissenting member”;

WHEREAS, to implement the above provision, CIAC Resolution No. 10-2006 was passed on 11 April 2006, adopting protocols for dissenting opinions (Annex A of the Resolution) which state, among others, that dissents shall form part of the decisions and shall be submitted to CIAC for scrutiny and promulgation;

WHEREAS, the Commission recognizes the possibility that the promulgation of a dissenting opinion as part of a final award might trigger unwarranted delays in the dispute resolution and, as such, defeat the intent and spirit of E.O. 1008 (the Construction Industry Arbitration Law) and its declared state policy for “the early and expeditious settlement of disputes in the Philippine construction industry”;

WHEREAS, in keeping with the abovementioned state policy under the law, the Commission believes that Annex A of CIAC Resolution No. 10-2006 should be revised to clarify that dissenting opinions do not form part of the decisions/final awards and hence, are not for promulgation;