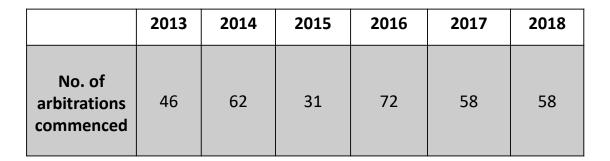




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Construction Industry Arbitration Commission





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Integrated Bar of the Philippines (IBP)

No. of cases where assistance of IBP National President was sought for ad hoc arbitration (from 2004 to 2018)

Around 40



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Mabuhay Holdings v. Sembcorp Logistics (December 2018)

- ☐ The court adopts the majority and narrow approach in determining whether enforcement of an award is contrary to Philippine public policy.
- ☐ The illegality or immorality of the award must reach a certain threshold such that enforcement of the same would be against the Philippines' fundamental tenets of justice and morality, or would blatantly be injurious to the public, or the interests of the society.



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Revised Corporation Code (February 2019)

- ☐ Arbitration agreement may be included in the Articles of Incorporation or By-Laws of an unlisted corporation.
- ☐ Case filed in court in breach of such arbitration agreement subject to dismissal.





Arbitration and the IBP's Role

- ☐ Improving the administration of justice
- ☐ Enabling the Bar to discharge its public responsibility more effectively
- ☐ Default Appointment in Ad Hoc Arbitrations



The Philippine International Center For Conflict Resolution





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PICCR Vision

- ☐ Contribute significantly to the improvement of the administration of justice
- ☐ Promote the use of arbitration and other forms of alternative dispute resolution
- ☐ Make the Philippines a preferred seat and venue for dispute resolution



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PICCR Mission

- ☐ Tap the nationwide network and resources of the IBP
- ☐ Provide facilities and dispute-management services of international standards
- ☐ Raise awareness of the benefits of arbitration and other forms of ADR
- Build the Philippines' capabilities in providing arbitration and alternative dispute resolution services



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PICCR Rules (Key Features)

- ☐ Follows best practices in international commercial arbitration
- ☐ Exert every effort to ensure award is enforceable
- Emergency Arbitration
- Expedited Procedure
- Early dismissal
- ☐ Joinder of claims, multiple parties and consolidation



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