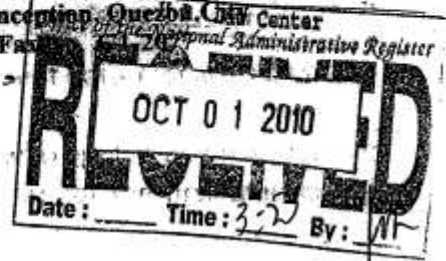




Republic of the Philippines
OFFICE OF THE PRESIDENT
Department of Finance

COOPERATIVE DEVELOPMENT AUTHORITY

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MEMORANDUM CIRCULAR NO. 2010-06
Series of 2010

SUBJECT: GUIDELINES ON THE ACCREDITATION AND REVOCATION OF ACCREDITATION OF VOLUNTARY ARBITRATORS IN THE COOPERATIVE DEVELOPMENT AUTHORITY (CDA)

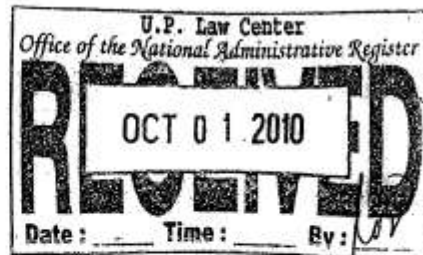
Pursuant to Art. 137 of Republic Act No. 9520, this Authority hereby adopts and promulgates these Guidelines on the Accreditation of Voluntary Arbitrators relative to voluntary arbitration as the primary and exclusive mode for dispute resolution in accordance with the Alternative Dispute Resolution Act of 2004.

Section 1. Title. This shall be known as the Guidelines on the Accreditation and Revocation of Accreditation of Voluntary Arbitrators in the Cooperative Development Authority (CDA).

Section 2. The following terms are defined as follows:

- (1) **Accreditation** – shall refer to a process whereby the qualifications and capabilities of a Voluntary Arbitrators are evaluated in accordance with these guidelines, standards and procedures set forth by the Authority and be included in the list of the CDA qualified Voluntary Arbitrators whose services can be engaged in the settlement of cooperative disputes through voluntary arbitration.
- (2) **Authority** – shall refer to Cooperative Development Authority (CDA).
- (3) **Voluntary Arbitration** - shall refer to a dispute resolution process wherein any intra/inter cooperative disputes is settled by a voluntary arbitrator/s chosen by the disputing parties from a list of qualified and accredited arbitrators, who shall decide on the merits of the case by rendering an award.
- (4) **Voluntary Arbitrator/s** - shall refer to any authorized employee of the Authority or an accredited private individual chosen by the parties to hear, decide, and render an award in a dispute.





Section 3. Nature of Accreditation. The following are the different nature of accreditation:

1. *Initial Accreditation.* This is granted to an individual who applies and has qualified to be included in the list of CDA Voluntary Arbitrators for the first time, and is evidenced by a Certificate of Accreditation.
2. *Renewal of Accreditation.* This is granted to an Accredited Voluntary Arbitrator (AVA) whose accreditation is about to lapse and who has filed his/her application for renewal before its expiration and has complied with all the requirements for such renewal.

The accreditation may be renewed within three (3) months prior to its expiration.

Voluntary Arbitrators under suspension cannot apply for renewal of accreditation until such suspension has been lifted and all the qualifications, requirements and corrective action prescribed by the Authority have been complied with.

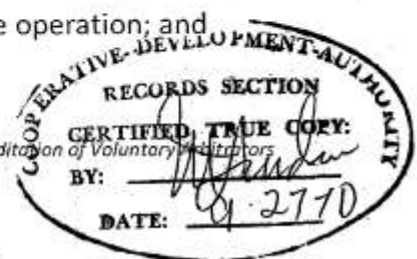
3. *Re-Accreditation.* This is granted to a Voluntary Arbitrator whose previous accreditation has lapsed or whose subsequent application was denied and has complied with all the requirements for such re-accreditation.

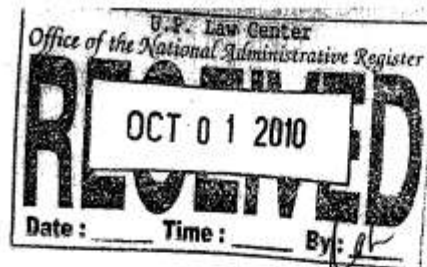
Where the accreditation has lapsed due to the voluntary act of an AVA to evade the consequences of previous violation or adverse findings indicating fraud, as determined by the Authority, the application for re-accreditation shall be denied.

4. *Re-instatement of Accreditation.* This is granted to a Voluntary Arbitrators whose accreditation has been suspended and is re-instated in the list of Accredited Voluntary Arbitrators after the suspension has been lifted and has complied with all the qualification requirements set forth by the Authority.

Section 4. Initial Requirements for Accreditation.

1. *Qualifications.* Any person desiring to become Accredited Voluntary Arbitrator (AVA) shall possess the minimum qualifications for accreditation, as follows:
 - a. Must be of legal age;
 - b. Must be a Filipino citizen residing in the Philippines;
 - c. Must be a holder of at least a Bachelor's degree;
 - d. Must have at least two (2) years experience in cooperative operation; and





e. Must have no pending administrative, civil, or criminal case involving moral turpitude.

2. Documentary Requirements. Applicants for AVA shall submit an application letter to CDA-Central Office, together with the following:

1. An updated bio-data.
2. Two (2) copies of "2 x 2" picture.
3. Certified true copy of Diploma, or Certificate of Admission to the Bar, or Certificate from the Professional Regulation Commission.
4. Certificate of Employment from present employer (if applicable).
5. Affidavit stating that the applicant has no pending administrative, civil, or criminal case involving moral turpitude.

3. Training Requirements. All applicants who have complied with the above requirements shall be required to undergo a pre-accreditation training program to equip them with the basic knowledge, skills and value orientation necessary to perform the responsibilities and function of an AVA.

The training program shall be designed and implemented by the CDA-Cooperative Research and Information Training Division (CRITD).

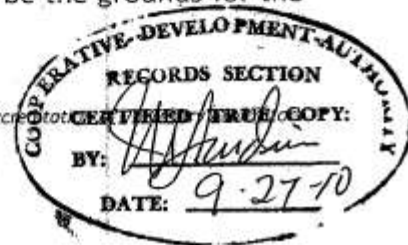
Section 5. Additional Requirements for Renewal /Re-Accreditation/Re-Instatement of Accreditation. An AVA may renew/re-accredited/ re-instated his/her accreditation upon submission of his/her updated bio-data, affidavit stating that he/she has no pending administrative, civil, or criminal case involving moral turpitude and has undergone all the required trainings for AVA.

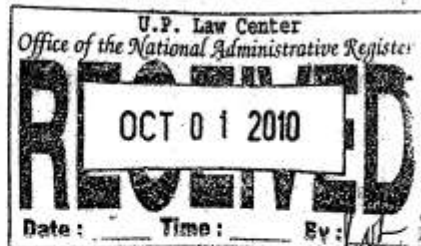
Section 6. Accreditation of the Voluntary Arbitrator. Upon satisfactory completion of all the trainings required, the CDA-CRITD shall recommend to the CDA-Board of Administrators (BOA) the approval of the accreditation of the applicant Voluntary Arbitrator. Once approved, a Certificate of Accreditation, duly signed by the CDA Chairperson shall be issued thru the CRITD. Thereafter, the new AVA shall be required to take his Oath of Office before the Chairperson of the Authority or his/her duly authorized representative and his/her name shall be included in the List of AVA.

Once accredited, the AVA can serve as such in any region.

Section 7. Validity of Accreditation The accreditation shall be valid for two (2) years from the date of approval, unless earlier revoked by the Authority. It shall take effect on the date shown on the Certificate of Accreditation.

Section 8. Grounds for Denial of Accreditation. The following shall be the grounds for the denial of accreditation:





1. Non-compliance with any or all of the qualifications and requirements of accreditation;
2. Revocation or non-renewal of professional license/ accreditation/clearance provided by government regulatory office due to causes involving moral turpitude;
3. Involvement in fraudulent acts; and
4. Such other grounds as the Authority may determine.

Section 9. Mode of Revocation of the Certificate Accreditation of an Arbitrator. The Certificate of Accreditation of an Arbitrator may be revoked under the following grounds.

1. Automatic Revocation
 - 1.1 Death
 - 1.2 Insanity

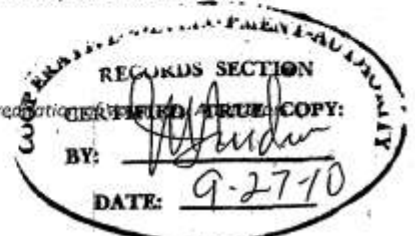
2. Voluntary Revocation

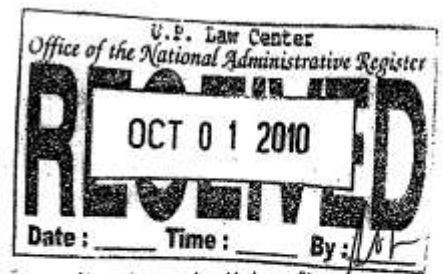
An AVA may at his/her own initiative voluntarily seeks the revocation of his/her accreditation by notifying the Authority of such intention.

3. Involuntary Revocation. The Authority may revoke after due notice and hearing the Certificate of Accreditation of an AVA in any of the following grounds:
 - a. Misrepresentation or falsification in the application for accreditation.
 - b. Conviction by final judgment of a crime involving moral turpitude.
 - c. Adjudged guilty in any administrative case or civil case involving financial transaction or any other related acts that may tarnish his/her credibility as an AVA.
 - d. Violation of the terms and conditions of the accreditation.
 - e. Willful and continuous act showing lack of interest as AVA.
 - f. Violation of the CDA Code of Professional Responsibility for AVA's.
 - g. Negligence and dereliction of duty as AVA.

Section 10. Involuntary Revocation of Certificate of Accreditation. The Authority, upon finding of a prima facie existence of a ground for revocation or upon receipt of a Complaint, may cause the revocation of the Certificate of Accreditation of an AVA after observance of due process.

The commencement of any revocation proceedings against an AVA shall serve as ground for suspension of his/her authority to be engaged as an AVA in all cooperative disputes nationwide. All CDA Regional Offices shall be notified immediately of such fact.





The Decision of the Authority on the revocation of the accreditation shall be final and executory.

Section 11. Effects of the Revocation of the Certificate of Accreditation.

1. Deletion of the AVA from the List of AVAs.
2. Notification of all CDA Regional Offices on the revocation and delisting from the list of AVAs.

Section 12. Accreditation Jurisdiction. Accreditation and revocation of the accreditation of Voluntary Arbitrators shall be a primary and exclusive jurisdiction of the CDA Central Office through the CRITD and the Legal Division.

Section 13. Registry of Voluntary Arbitrators. The CRITD shall maintain a list of all the names of AVAs which shall be updated every quarter. A separate list shall be maintained for those whose accreditation is suspended or revoked.

A copy shall be provided to all the CDA-Extension Offices and Central Office-Legal Division.

Section 14. Miscellaneous Provision. The list of all AVAs shall be made available to the cooperative sector and shall be posted at the Authority's website.

To aid the Authority in evaluating the qualification and performance of the AVAs and ensure their professionalism, integrity and competence, it shall encourage the cooperative sector to provide relevant information relative thereto.

Section 15. Separability Clause. If for any reason or reasons, any portion or provision of these Guidelines shall be held unconstitutional or invalid, all other parts or provisions not affected thereof shall thereby continue to remain in full force and effect.

Section 16. Effectivity. This shall take effect fifteen (15) days after its publication in the Official Gazette or national newspaper of general circulation.

APPROVED: Per Board of Administrators Resolution No. 167, S-2010 dated August 24, 2010.

**FOR THE BOARD OF ADMINISTRATORS
COOPERATIVE DEVELOPMENT AUTHORITY**

LECIRA V. SUAREZ
Chairperson

