

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

19TH CONGRESS
First Regular Session

HOUSE BILL NO. 5511



Introduced by Representative Michael L. Romero

EXPLANATORY NOTE

The **Office for Alternative Dispute Resolution (OADR)** is an attached agency of the Department of Justice created pursuant to **Republic Act (R.A.) No. 9285 or the Alternative Dispute Resolution (ADR) Act of 2004**.

It is mandated to promote, develop and expand the use of ADR in the private and public sectors; assist the government in monitoring, studying and evaluating the use of ADR by the public and private sectors; and recommend to Congress needful statutory changes to develop, strengthen and improve ADR practices in accordance with world standards.

This House Bill seeks to provide **Modernization Funding** to the **Office for Alternative Dispute Resolution (OADR)**, to ensure that the country fulfills its commitments to envision an enlightened society that rises above conflicts and empowers parties in making arrangements to settle their own disputes that is fair and just for all.

The Office **for Alternative Dispute Resolution (OADR)** will adhere to its mission to promote and protect the interest of the Republic of the Philippines.

Thus, the early passage of this bill is earnestly requested.

A handwritten signature in black ink, appearing to read 'Michael L. Romero', with a long horizontal flourish extending to the right.

MICHAEL L. ROMERO

Republic of the Philippines
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Quezon City

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HOUSE BILL NO. 5511

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AN ACT

PROVIDING FOR MODERNIZATION FUNDINGFOR THE **OFFICE
FOR ALTERNATIVE DISPUTE RESOLUTION (OADR)**,
INCREASING AND REORGANIZING ITS ADMINISTRATION, TO
PROMOTE AND INSTITUTIONALIZE THE EFFECTIVE AND
ETHICAL USE AND PRACTICE OF **ADR** IN THE COUNTRY AND
FOR OTHER PURPOSES

*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

SECTION 1. DECLARATION OF POLICY – It shall hereby be a declared
policy of the State to promote, develop and expand the use of ADR in the public
and private sectors.

The state shall Continually improve the Quality Management System.

The state shall formulate policies for the efficient and effective administration
and management of all manpower, skills and competencies to ensure
compliance.

SECTION 2. MODERNIZATION FUNDING. – The amount of Five Hundred
Million Pesos (**Php 500,000,000.00**) for the operation and administration of the
Office for Alternative Dispute Resolution (OADR) shall be chargeable against

funds for the purpose and other sources recommended by the **Department of Budget and Management (DBM)**. Thereafter, appropriations for the **Office for Alternative Dispute Resolution (OADR)** shall be included in the budget proposals under the Department of Justice (**DOJ**).

The Department of Budget and Management (**DBM**) shall rationalize the existing organizational structure and staffing pattern of the **Office for Alternative Dispute Resolution (OADR)** in accordance with the provisions of this Act and relevant compensation and position classification laws, rules and regulations.

Thereafter, the amount needed for the continued implementation of the modernization program, shall be included in the annual General Appropriations Act (**GAA**).

SECTION 3. OFFICE FOR ALTERNATIVE DISPUTE RESOLUTION (OADR) MODERNIZATION FUND – There is hereby created the (**OADR**) *Modernization Fund* to be used exclusively for the (**OADR**) *Modernization Program*.

The (**OADR**) *Modernization Fund* shall be administered by the Secretary of the **DOJ** in accordance with existing government budgeting, accounting and auditing rules and regulations.

SECTION 4. PROGRESS REPORT –The Secretary of **DOJ** shall prepare an annual report on the status of the implementation of the (**OADR**) *Modernization Programs* which shall be submitted, to the Office of the President and to the Chairpersons of the Committee on Justice of the Senate and the House of Representatives.

SECTION 5. PERIOD OF IMPLEMENTATION –The modernization program under this Act shall be implemented for an initial period of two (**2**) years:

Provided, that payments for multi-year contract obligations incurred under this Act may extend beyond this period:

Provided, further, That the **Office for Alternative Dispute Resolution (OADR)** shall continue to develop, modernize and constantly update its operational capabilities to keep pace with best global practices.

SECTION 6. POWERS AND FUNCTIONS. – The **Office for Alternative Dispute Resolution (OADR)** shall continue to exercise and uphold the following powers and functions; but not limited to:

*The **Office for Alternative Dispute Resolution (OADR)** shall strive to be a world-class, dynamic policy-making body in promoting the effective and ethical use of ADR in the country, we commit to:*

- a) Deliver quality services relating to promotion, training, accreditation and certification, policy and development of ADR use in the public and private sectors;
- b) Comply with applicable statutory and regulatory requirements; and
- c) Continually improve our organization's systems and approaches to ensure the highest level of satisfaction of all our stakeholders.

SECTION 7. INCREASE OF PERSONNEL. – The **Office for Alternative Dispute Resolution (OADR)** shall maintain the sufficient staffing pattern. Hence, it is authorized to increase its manpower to meet such required and may continue to increase personnel per percentage rate increase of committed mandates annually or as the need arises.

SECTION 8. TRANSITORY PROVISION – Existing industries, businesses and offices affected by the implementation of this Act shall be given

six **(6)** months transitory period from the effectivity of the IRR or such other period as may be determined, to comply with the requirements of this Act.

SECTION 9. IMPLEMENTING RULES AND REGULATIONS. – The departments and agencies charged with carrying out the provisions of this Act shall, within sixty **(60)** days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SECTION 10. REPEALING CLAUSE. – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 11. SEPARABILITY CLAUSE. – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 12. EFFECTIVITY CLAUSE. – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,