**Regulation**

**on the Committee on Appointment of Arbitrators**

1. **GENERAL TERMS**

The Committee on Appointment of Arbitrators of the Ukrainian Arbitration Association (hereinafter – the “**Committee**”) is established and acts in the structure of the Ukrainian Arbitration Association (hereinafter – the “**UAA**”) in accordance with the Statute of the UAA as a separate unincorporated body. In its activity the Committee is guided by these Regulations as well as other rules and regulations adopted by the UAA.

1. **COMMITTEE TASKS**
   1. The Committee contributes to the conducting of the ad hoc arbitration proceedings in Ukraine in cases, where the UAA was appointed as the competent authority, inter alia under the UNCITRAL Arbitration Rules, through performing of the following functions:

2.1.1. Appointment of arbitrators, deciding on challenge or replacement of arbitrators;

2.1.2. Assisting in determining of the amount of arbitrators’ fees, costs of the arbitral tribunal and the related advance payments.

1. **COMPOSITION OF THE COMMITTEE**
   1. The Committee consists of 7 members performing their functions on a voluntary basis.
   2. The Committee is headed by the Chairman, who is elected at the first meeting of the Committee from the members of the Committee by a majority of votes thereof.
   3. The Chairman of the Committee shall have one deputy who is elected from the members of the Committee at the first meeting of the Committee and serves as Chairman in absence or in case of impossibility of the Chairman to perform these functions due to other reasons, inter alia, as a result of a conflict of interest.
2. **PROCEDURE OF ELECTION OF THE COMMITTEE MEMBERS AND TERM OF POWERS**

4.1. The Committee shall be elected by the UAA members under the decision of the UAA Board as per the following procedure:

4.1.1. In response to the written notification from the UAA Secretary General, within the period set forth in the notification, UAA members shall nominate an unlimited number of candidates for inclusion into the list of candidates for appointment as the members of the Committee. Self-nomination is allowed;

4.1.2. When nominating the candidate for inclusion into the list, the UAA member shall provide contact information of such candidate for his/her notification on inclusion into the list as well as for the receipt of the candidate’s consent and information on his/her qualifications and experience;

4.1.3. Based on the candidates’ consent and information for their inclusion into the voting list the UAA Secretary General shall communicate the bulletin to the UAA members with invitation to vote for the proposed candidates by deleting the names from the list and return the bulletin to the UAA Secretary General before the specified date;

4.1.4. In accordance with the results of the voting the UAA Secretary General shall form the rating of the candidates, which is documented in a form of minutes of the UAA Board;

4.1.5. The Committee consisting of 7 persons is formed according to the rating. In case if the elected person is refusing from the election to the Committee, the candidate with the next highest rating shall be elected to the Committee. Should there be more than one person at the same place in the rating, decision on electing of the candidate is taken by the UAA President;

4.1.6. The Committee membership, formed in the above way, is approved by the decision of the UAA President;

4.1.7. The Committee members are elected for the 3 years term, starting from the date of approval of the Committee membership. Upon expiration of the above term the Committee members shall continue to perform functions assigned to them by these Regulations until the approval of the next Committee membership.

4.2. The Committee member may be re-elected for a new term not more than one time in a row.

4.3. The UAA President, members of the UAA Board and the UAA Secretary General can not be elected to the Committee.

1. **ANTICIPATED TERMINATION OF POWERS OF THE COMMITTEE MEMBER**
   1. The powers of the Committee member may be terminated before the expiration of the term specified in paragraph 4.1.7 of these Regulations in case of impossibility of further membership in the Committee, inter alia, due to his/her own will.
   2. Should there be grounds for anticipatory termination of the powers of the Committee member, the decision on termination of the powers shall be taken by the Committee by majority of votes of the complete composition of the Committee.
   3. In the event of anticipatory termination of the powers of the Committee member, the candidate shall be included in the composition of the Committee according to the rating upon the decision of the UAA President for the period remaining until the expiration of powers of the relevant Committee composition.
2. **PROCEDURE OF HOLDING OF THE COMMITTEE MEETINGS**
   1. Decisions of the Committee are taken at meetings held by the Committee Chairman. The Committee members shall personally participate in the Committee meetings. The UAA President and/or the UAA Secretary General participate in the Committee meetings with the advisory vote(s).
   2. The first Committee meeting for the electing of the Committee Chairman and Deputy Chairman is convened by the UAA President. Later on the Committee meetings held for performing of the tasks assigned to the Committee by these Regulations are convened upon the decision of the Committee Chairman. If necessary, the subsequent meetings of the Committee may also be convened by the UAA President.
   3. The procedure and form of meetings (in presence of the Committee members, in the form of video conference, exchange of e-mails etc.) shall be determined by the Committee Chairman when appointing the meeting. The decision on holding of the Committee meeting is taken by the Committee Chairman within 5 calendar days starting from the date of receipt of the relevant request from the UAA President or the UAA Secretary General.
   4. Notification on holding of the Committee meeting shall be communicated by the Committee Chairman to the Committee members, the UAA President and the UAA Secretary General by e-mail no later than 5 calendar days before the date of the meeting.
   5. In case of impossibility to attend the meeting, the Committee members shall notify the UAA by sending an e-mail within 2 calendar days from the date of receipt of notification on the appointed meeting.
   6. The Committee is authorized to adopt decisions in presence of at least 4 of its members at the meeting.
   7. If within 3 calendar days from the date of communicating of the notification on appointment of the meeting the Committee Chairman becomes aware of the lack of a quorum at the Committee meeting, such meeting shall be postponed to another date with subsequent notification of the Committee members in accordance with procedure set forth in paragraph 6.4 of these Regulations.
3. **CONFLICT OF INTEREST**
   1. Each Committee member shall be independent and impartial while performing of tasks assigned to him/her.
   2. Each Committee member shall immediately notify the composition of the Committee on the occurrence of circumstances which do affect or may affect his/her independence or impartiality in connection with the performance of functions assigned to him/her.
   3. The Committee member who is under circumstances which do affect or may affect his/her independence or impartiality, shall be precluded from the fulfilment of the functions assigned to him/her in connection to such particular case or excluded from the Committee upon his/her own will.
   4. Should there be reasonable doubts as to the observance by the Committee member of the rules on disclosure of conflict of interest and/or compliance with the principles of independence and impartiality, such Committee member shall be excluded from the Committee in accordance with the procedure set forth in paragraph 5.2 of these Regulations.
4. **ADOPTING AND EXECUTION OF THE COMMITTEE DECISIONS**
   1. Decisions of the Committee shall be adopted by the majority of votes of the Committee members participating in the meeting.
   2. In case of equal number of votes “for” and “against” the decision, the Chairman of the Committee shall have a decisive vote.
   3. Decisions of the Committee shall be executed in the form of a minutes and signed by the Committee Chairman. The signature of the Committee Chairman and the minutes itself shall be certified by the UAA President and sealed with the UAA seal.