



## PRE-ARBITRAL REFEREE

# REFEREE'S STATEMENT ACCEPTANCE, AVAILABILITY AND INDEPENDENCE

Family Name(s): \_\_\_\_\_

Given Name(s): \_\_\_\_\_

Please tick all relevant boxes.

### 1. ACCEPTANCE

#### Acceptance

I **accept** to serve as referee under and in accordance with the ICC Rules for a Pre-arbitral Referee Procedure ("**Rules**"). I confirm that I am familiar with the requirements of the Rules, and am able and available to serve as a referee in accordance with all of the requirements of those Rules. I accept that my fees and expenses will be fixed exclusively in accordance with the Rules. By accepting to serve as arbitrator under the Rules, unless otherwise agreed by the parties, I accept that my name, nationality, role and the method of my appointment as well as the termination of my assignment will be published on the ICC Court's website.

#### Non-Acceptance

I **decline** to serve as referee in this case. (If you tick here, simply date and sign the form without completing any other sections.)

### 2. AVAILABILITY

I **confirm**, on the basis of the information presently available to me, that I can devote the time necessary to conduct this arbitration throughout the entire duration of the case as diligently, efficiently and expeditiously as possible in accordance with the time limits in the Rules, subject to any extensions granted by the Chairman pursuant to Article 6(2) of the Rules. I understand that it is important to complete the duration and conduct of the proceedings when fixing my fees (Article A.2 of Appendix to the Rules). My current professional engagements are as below for the information of the Secretariat and the parties.

Number of currently pending cases in which I am involved (i.e. dispute resolution procedures and activities pending now, not previous experience; additional details you wish to make known to the Secretariat and to the parties in relation to these matters can be provided on a separate sheet):

	As referee	As counsel
Out of Court dispute resolution procedures		
Court litigation	<i>Not applicable</i>	

Case N° \_\_\_\_\_

I have marked in the annexed calendar for the next 24 months all currently scheduled hearings and other existing commitments that would prevent me from sitting in a hearing on this matter.

I have further marked in the box below or on a separate sheet any other relevant information regarding my availability.

### 3. INDEPENDENCE *(Tick one box and provide details below and/or, if necessary, on a separate sheet)*

In deciding which box to tick, you should take into account whether there exists any past or present relationship, direct or indirect, whether financial, professional or of any other kind, between you and any of the parties, their lawyers or other representatives, or related entities and individuals. Any doubt must be resolved in favour of disclosure. Any disclosure should be complete and specific, identifying *inter alia* relevant dates (both start and end dates), financial arrangements, details of companies and individuals, and all other relevant information. In deciding which box to tick and as the case may be in preparing your disclosure, you should also consult with care the relevant sections of the **Note** to the Parties and Arbitral Tribunals on the Conduct of the Arbitration.

**Nothing to disclose:** I am independent and intend to remain so. To the best of my knowledge, and having made due enquiry, there are no facts or circumstances, past or present, that I should disclose because they might be of such a nature as to call into question my independence in the eyes of any of the parties.

**Acceptance with disclosure:** I am independent and intend to remain so. However, mindful of my obligation to disclose any facts or circumstances which might be of such a nature as to call into question my independence in the eyes of any of the parties, I draw attention to the matters on the attached sheet.

**Use one of the following options to sign the document:**

- 1) Copy your signature from a Word document and paste it in this form.
- 2) Draw your ink signature ([click here for further assistance](#)).
- 3) Add your electronic signature.
- 4) Print the form, sign it and scan it.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**Disclaimer:** The information requested in this form will be considered by the ICC for its Dispute Resolution Services, and will be stored in case management database systems. Pursuant to the French Law on "Informatique et Libertés" of 6 January 1978, particularly Articles 32 and 40, you may access this information and ask for rectification by writing to the Court's Secretariat.

Click on the highlighter icon on the upper toolbar of your Adobe Reader screen before selecting the dates.

# 2017

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# 2018

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