

Rules of the Court of International Commercial Arbitration attached to the Chamber of Commerce and Industry of Romania College

Chapter I

General provisions

The Court College **Art. 1.** The general coordination of the activity performed by the Court of International Commercial Arbitration attached to the Romanian Chamber of Commerce and Industry (hereinafter referred to as *the National Chamber*) is ensured by the Court of Arbitration College, hereinafter referred to as the *Court College*.

College set up **Art. 2.** The Court College is recommended by the President of the National Chamber and approved by the Elected Management Board thereof.

Chapter II

Organization and operation

College structure **Art. 3** (1) The Court College has the structure set out by the provisions of art. 6(1) of the Rules on the organization and operation of the Court of International Commercial Arbitration attached to the Romanian Chamber of Commerce and Industry.

Members' office (2) The Court College members' office shall be of three years.

(3) The office may end prior to expiry date:

- due to natural causes,

- through resignation,

- based on office release, in compliance with a procedure

correlative to the appointment.

Powers of the Court President

Art. 4. The President of the Court of Arbitration shall have the following powers:

- a) manages the Court of Arbitration College;
- b) chairs the Court College meetings and the Court of Arbitration sessions in plenum;
- c) represents the Court of Arbitration in domestic and international relations;
- d) submits to the Constitutional Court the minutes transferring the non-constitutionality exception, issued by the arbitral tribunal;
- e) submits the Arbitration Procedure Rules for the Court College's approval;
- f) verifies the appropriate performance of the Court College activity;
- g) appoints the arbitral tribunal in order to determine the arbitration claim extinction;
- h) endorses the arbitrators' fees determined by the Court Secretarial Office;
- i) orders the resolution for closing the arbitration proceedings, in compliance with the Arbitration Procedure Rules.

Powers of the Prime Vice-president

Art. 5. The Court College Prime Vice-president coordinates and verifies the current organization and operation activity of the Court and is the legal replacement of the Court President.

Powers of the Vice-president

Art. 6. The Court College Vice-president is responsible for promoting the Court image at domestic and international level.

Powers of the Scientific secretary

Art. 7. The Court College Scientific secretary coordinates the domestic and international scientific activity of the Court of Arbitration.

Powers of the Coordinating arbitrator for the courts of arbitration attached to the territorial chambers

Art. 8. The Coordinating arbitrator for the courts of arbitration attached to the territorial chambers is responsible for ensuring the compliance with the provisions of Law no. 335/2007 of the Romanian chambers of commerce, subsequently amended and supplemented, and for leading their activity.

<i>College members obligations</i>	Art. 9. The Court College members with no obligations set out by means of powers expressly set out herein, shall have responsibilities related to the appropriate operation of the Court of Arbitration, determined by the President of the Court.
<i>Report submission</i>	Art. 10. The President of the Court College or, in his absence, the Prime Vice-president, shall be bound to provide the Elected Management Board of the National Chamber, during the regular sessions, with a Court of Arbitration activity report, hereinafter referred to as the Court Report.
<i>Calling the Court College</i>	Art. 11. (1) The Court College shall meet based on the Court of Arbitration President convening, once a month or whenever required. The calling notice may be sent by mail, fax, phone or e-mail, 3 days prior to the meeting scheduled date, and shall include the agenda. (2) The President of the National Chamber shall be entitled to request the Court President to call the College. In case of refusal, the President of the National Chamber shall be entitled to call the Court of Arbitration College, under the National Chamber Management Board approval.
<i>College set up</i>	(3) The Court College shall be duly gathered in the presence of half plus one of its members.
<i>Decisions passing</i>	(4) The Court College shall pass resolutions with the majority of votes cast by the present members. The Court College members have deliberative voting rights. In case of tie vote, the vote expressed by the Court President shall determine the passed resolution.
<i>Meetings conduct</i>	(5) The Court College meetings shall be chaired by the Court of Arbitration President or by the Prime Vice-president, except for the meetings attended by the President of the National Chamber, in which case the meetings shall be chaired by the latter.
<i>Court College Resolutions</i>	(6) The Court College resolutions are mandatory with regard to the activity of the Court of Arbitration and are carried out under the responsibility of the Prime Vice-president.
<i>Court College debates</i>	(7) The Court College debates shall be registered in the minutes of the meeting, drafted by the meeting secretariat, ensured by the chief arbitration assistant or by an arbitration assistant appointed by the latter. The minutes shall be provided, in copy, to the National Chamber President Chancellery.

Chapter III

Powers

Powers of the Court College

Art. 12 The Court College shall have the following powers:

- a) ensures the general coordination of the Court of Arbitration activity ;
- b) leads the activity of the courts of arbitration attached to the territorial chambers;
- c) ensures a unitary practice of all awards passed by the Romanian arbitral tribunals in civil domestic and international disputes, for which purpose may subject to the Court of Arbitration in plenum, the debate of legislative matters which are given different interpretations;
- d) debates the breaches or inappropriate implementation of the procedural regulations in the disputes settled by the arbitral tribunals and notifies the Court in plenum regarding the findings ;
- e) organizes the development of Court of Arbitration jurisprudence compendia and approves the publication thereof ; ensures the procurement of documentation, in particular regulations related to arbitration ;
- f) recommends to the Court of Arbitration President the organization of national and international workshops /conferences ;
- g) approves the Rules of Arbitration Procedure of the Court of International Commercial Arbitration recommended in compliance with art. 29 (5) of Law no. 335/2007 of the Romanian chambers of commerce, subsequently amended and supplemented;
- h) drafts and submits the Regulations on arbitration fees and expenses, for the approval of the National Chamber Elected Management Board;
- i) decides regarding the requirement to dismiss an arbitrator in a certain dispute due to any of the actions leading to such measure;
- j) finds the existence of certain conflicts of interests and recommends the arbitrator's replacement based on the provisions of the Rules of Arbitration procedure;

k) notifies the Court in plenum regarding the activity performed by the Court of Arbitration ;

l) distributes the fund set up according to the Court of Arbitration Rules.

Chapter IV

Final provisions

*Approval and
effective date*

Art. 13. These Rules have been approved by the National Chamber Elected Management Board during its 23rd session, of January 16th, 2012, in accordance with art. 29 (3) of the Law no. 335/2007 of the Romanian chambers of commerce, subsequently amended and supplemented, and shall enter into force as of the approval date hereof, cancelling all provisions to the contrary.

The Palace of the Chamber of Commerce, Romania

Bucharest 2nd, C. Goga Blvd., 3rd district, E-mail: arbitration@ccir.ro, Phone: 004 021 319.01. 52, Fax 004 021.319.01.26