

Rules of the Management Board of the Court of International Commercial Arbitration

attached to the Chamber of Commerce and Industry of Romania

Chapter I

General provisions

The Management Board of the Court **Art. 1.** The general coordination of the activity performed by the Court of International Commercial Arbitration attached to the Chamber of Commerce and Industry of Romania is ensured by the Management Board of the Arbitration Court, hereinafter referred to as the *Management Board of the Court*, approved by the Management Board of the Chamber of Commerce and Industry of Romania.

Constitution of the Management Board **Art. 2.** The President and the Management Board of the Court are recommended by the President of the Chamber of Commerce and Industry of Romania and approved by the Management Board of the Chamber of Commerce and Industry of Romania.

Chapter II

Organization and operation

Structure of the management Board of the Court **Art. 3** (1) The Management Board of the Court has the structure set out by the provisions of Article 6(1) of the Rules on the organization and operation of the Court of International Commercial Arbitration attached to the Chamber of Commerce and Industry of Romania, hereinafter referred to as the Rules on the organization and operation.

Members' office (2) The office of the members of Management Board of the Court shall be of 5 years and may be renewed.

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

- due to natural causes,

- through resignation,
- based on office release, pursuant to appointment procedure.

*Powers of the
Court's President*

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

- a) manages the Management Board of the Court;
- b) chairs the meetings of the Management Board of the Court and the Court of Arbitration sessions in plenum;
- c) represents the Court of Arbitration in domestic and international relations;
- d) submits to the Management Board of the Court for approval, the Rules of Arbitration Procedure drafted by the Procedure and Rules Commission;
- e) proposes to the Management Board of the Court the review and approval of the draft Regulations of the Management Board of the Court, as well as the draft Regulations on fees and expenses, in order to be approved by the Management Board of the Chamber of Commerce and Industry of Romania;
- f) observes the appropriate performance of the Management Board of the Court activity and coordinates the activity of the committees of the Court of Arbitration;
- g) endorses the arbitrators' fees determined by the Secretariat of the Court;
- h) orders the resolution for closing the arbitration proceedings, in compliance with the Rules of arbitration procedure.
- i) presents on regular basis to the Management Board of the Chamber of Commerce and Industry of Romania an activity report of the Court of Arbitration.
- j) proposes to the Management Board of the Court the analysis and approval of the List of Arbitrators, as well as, the removal from the List, under the conditions provided by the Regulations on fees and expenses, based on the conclusions drawn by the Commission on Professions and Arbitrators;
- k) may propose to the Management Board of the Chamber,

removal of members of the Court College, for solid reasons, related to their capacity of arbitrators and members of the Management Board.

l) while enforcing the provisions of Article 4 and Article 19 (1) of the Regulations, it proposes to the Management Board of the Court the reconfigured List of Arbitrators within the limit of members set by such regulations.

m) fulfills any other duty pursuant to the Regulations on organization and operation and the Rules of Arbitration Procedure, for proper functioning of the Court of Arbitration.

Convening the Management Board of the Court

Art. 5. (1) The Management Board of the Court shall meet based on the Court of Arbitration president convening, once a month or whenever required. The convening notice may be sent by mail, fax, phone or e-mail, usually 3 days prior to the meeting scheduled date, and shall include the agenda.

(2) The president of the Chamber of Commerce and Industry of Romania shall be entitled to convene the Management Board of the Court of Arbitration.

Constitution of the Management Board of the Court

(3) The Management Board of the Court shall be duly gathered in the presence of half plus one of its members.

Decisions passing

(4) The Management Board of the Court shall pass resolutions with the majority of votes cast by the present members. The members of the Management Board of the Court have deliberative voting rights.

Meetings conduct

(5) The meetings of the Management Board of the Court shall be chaired by the Court of Arbitration President.

Resolutions of the Management Board of the Court

(6) The resolutions of the Management Board of the Court are mandatory for the activity of the Court of Arbitration. Such resolutions shall not be mandatory for the Arbitral Tribunal within the arbitration proceedings.

Debates of the Management Board of the Court

(7) The debates of the Management Board of the Court shall be registered in the minutes of the hearing, drafted by the hearing secretariat, ensured by the chief arbitration assistant or, as the case may be, by one of the arbitration assistants appointed by the latter.

The Court's Commissions

Art. 6 (1) Pursuant to Article 8 from the Regulations on organization and operation, the Court of Arbitration constitutes its specialized committees, consisting of an uneven number of members (3 or 5 members)

(2) The Management Board of the Court approves 4 specialized

commissions:

- a) The Commission on procedure and regulations;
- b) The Commission on professions and arbitrators;
- c) The Commission on scientific activity and international relations and
- d) The Commission on organizational activity and the connection with business environment.

(3) Each of the four commissions is coordinated by a member of the Management Board of the Court, determined by the latter.

(4) On the proposal of the commission coordinator, the college approves the members of commission among the arbitrators registered on the list.

Chapter III

Powers

*Powers of the
Management Board
of the Court*

Art. 7 The Management Board of the Court shall have the following powers, pursuant to Article 6 (3) from the Regulations on organization and operation:

- a) ensures the general coordination of the Court of Arbitration activity;
- b) adopts the Rules of Arbitration Procedure of the Court of Arbitration;
- c) approves the Regulations of the Management Board of the Court of Arbitration;
- d) proposes, if necessary, the amendment of the present regulations, as well as, the Regulations on arbitration fees and expenses;
- e) approves the List of Arbitrators and forwards it to the Management Board of the Chamber of Commerce and Industry of Romania for confirmation;
- f) convenes the Court of Arbitration in plenum.
- g) organizes the development of Court of Arbitration jurisprudence

compendia and approves the publication thereof; ensures the procurement of domestic and international documentation, necessary for a proper activity of arbitrators;

h) adopts the Regulations of the Secretariat of the Court of Arbitration;

i) informs the Court of Arbitration in plenum upon the activity performed by the Court of Arbitration;

j) determines the quantum of the indemnities paid quarterly to the arbitration assistants, provided by Article 14 (4) from the Regulation on the organization and operation;

k) collaborates with other Courts of Arbitration, academic institutions, governing bodies of liberal professions and business environment;

l) performs other administration and representation activities of the Court.

Chapter IV

Final provisions

Approval and entry into force **Art. 9.** (1) This Regulation shall enter into force on the date of its approval by the Management Board of the Chamber of Commerce and Industry of Romania, pursuant to Article 29 (3) from Law No. 335/2007.

(2) On the date the Regulations set out herein enter into force, any other contrary provisions are abrogated.