

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
Structure

Art. 1. The general management of the activity performed by the Court of International Commercial Arbitration attached to the Chamber of Commerce and Industry of Romania, hereinafter referred to as the Court of Arbitration is ensured by the Management Board of the Court of Arbitration, composed of the President of the Court of Arbitration, the Vice president of the Court of Arbitration and other five members, hereinafter referred to as the Court's Board.

Constitution of the Management Board

Art. 2. (1) The President of the Court of Arbitration is approved by the Management Board of the Chamber of Commerce and Industry of Romania pursuant to the proposal of the President of the Chamber of Commerce and Industry of Romania from among the arbitrators on the List.

(2) The Vice president and the members of the Court's Board are proposed by the President of the Court of Arbitration and approved by the Management Board of the Chamber of Commerce and Industry of Romania.

Chapter II

Organization and operation

Members' office

Art. 3 (1) The office of the Court's Board members shall be of 5 years and may be renewed.

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

- due to natural causes,
- through resignation,
- based on office release, pursuant to art 6 para. (4) from the

Regulations on the organization and operation of the Court of Arbitration.

*Powers of the
Court's President*

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

- a) manages the Court's Board;
- b) chairs the meetings of the Court's Board and the Court of Arbitration sessions in plenum;
- c) represents the Court of Arbitration in domestic and international relations;
- d) submits to the Court's Board for approval, the Rules of Arbitration;
- e) exercises the powers related to organization and administration of arbitration disputes provided by the Rules of Arbitration of the Court of Arbitration;
- f) proposes to the Court's Board to review and approve the draft Regulations of the Court's Board, 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;
- g) observes the appropriate performance of the Court's Board activity and coordinates the activity of the Court of Arbitration specialized committees;
- h) endorses the arbitrators' fees calculated by the Secretariat of the Court of Arbitration;
- i) orders the resolution for closing the arbitration proceedings, in compliance with the Rules of Arbitration;
- j) submits on regular basis to the Management Board of the Chamber of Commerce and Industry of Romania the activity report of the Court of Arbitration;
- k) proposes to the Court's Board the assessment and approval of the List of Arbitrators, as well as, the removal from the List, under the conditions provided by the Regulations on organization and operation of the Court of Arbitration;
- l) may propose to the Management Board of the Chamber of

Commerce and Industry of Romania, removal of Court's Board members, for solid reasons, related to their capacity of arbitrators and members of the Board.

m) in order to observe the provisions of Art 4 and Art 5 of the Regulations on organization and operation of the Court of Arbitration, it proposes to the Court's Board the reconfigured List of Arbitrators.

n) fulfills any other duty provided by the Regulations on organization and operation of the Court of Arbitration in order to ensure a proper functioning of the Court of Arbitration.

o) may delegate one or more of his or her duties to the vice president.

(2) In case of temporary impossibility of acting as president, the substitute is the vice president. The Vice president will also exercise the powers delegated by the President.

(3) If the President is in a case of temporary impossibility of performing the duties and the Vice President cannot, for any reason, replace him/her, his/her duties shall be exercised by the oldest member of the Court's Board.

Convening the Court's Board

Art. 5. (1) The Court's Board shall meet based on the convocation made by the President of the Court of Arbitration, once a month or whenever required. The convening notice may be sent by mail, fax, phone or e-mail; three days prior to the meeting scheduled date, and shall include the agenda.

(2) The President of the Chamber of Commerce and Industry of Romania may request to the President of the Court of Arbitration to convene the Court's Board.

Presence and quorum

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

(4) The Court's Board renders decisions by a majority of the votes cast by its members who may participate to debates. Members of the Court's Board have deliberative voting rights.

Meetings conduct

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

Decisions of the Court's Board

(6) The decisions of the Court's Board are mandatory for the activity of the Court of Arbitration.

Debates of the Court's Board

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

*The Court's
specialized
Commissions*

Art. 6 (1) Pursuant to Article 11 from the Regulations on organization and operation of the Court of Arbitration, the Court's Board may constitute specialized committees, consisting of an uneven number of members.

(2) By the decision establishing the commission, the Court's Board approves the members of the commission, the coordinator of the commission from among the Board's members, agenda, topics and duration of the commission.

Chapter III

Powers

*Powers of the
Court's Board*

Art. 7 The Court's Board shall have the following main powers, pursuant to Article 8 from the Regulations on organization and operation of the Court of Arbitration:

- a) ensures the general management of the Court of Arbitration;
 - b) adopts the Rules of Arbitration of the Court of Arbitration;
 - c) exercises the powers related to organization and administration of arbitration disputes provided by the Rules of Arbitration of the Court of Arbitration;
 - d) confirms the arbitrators appointed by the parties in the case provided by art. 4 para 3 of the Regulation on the organization and operation of the Court of Arbitration;
 - e) adopts the draft Rules of the Management Board of the Court of Arbitration and submits it for approval to the Management Board of the Chamber of Commerce and Industry of Romania;
 - f) proposes, if the case, amending the Regulations on the organization and operation of the Court of Arbitration, as well as the Schedules of arbitral fees and expenses;
 - g) approves the Lit of Arbitrators;
 - h) convenes the Court of Arbitration in plenum.
 - i) adopts the Regulations of the Court of Arbitration Secretariat;
- 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;

j) may set up specialized committees, determining their composition, their scope of activity and their duration;

k) elects the members of the Scientific Council of the Court of Arbitration;

l) request points of view of the members of the Scientific Council;

m) may decide to postpone the payment of arbitrators' fees until the award rendered on the action for annulment is final in cases where the exception on the lack of jurisdiction was raised before the arbitral tribunal or the unlawful constitution of the arbitral tribunal;

n) may decide to reduce the amount of arbitrators' fees in the case of unjustified delay in drafting of arbitral awards by more than 2 months;

o) drafts compendia on Court of Arbitration jurisprudence and advises on their publication; ensures the procurement of national and foreign documentation necessary for the performance of arbitrators' activity;

p) performs other current administration and representation activities of the Court;

q) appoints the Honorary President of the Court of Arbitration, from among personalities with highly acclaimed academic reputation, with wide recognition in the field of law and with a major contribution to the activity and affirmation of the Court of Arbitration prestige;

r) designates the Honorary Members of the Court of Arbitration - *in honorem* or *in memoriam*, from among former arbitrators or distinguished personalities of the domestic or international legal world;

s) performs any other duties provided by law, by the Regulations on the organization and operation of the Court of Arbitration and by the Rules of Arbitration of the Court of Arbitration.

Allowances for members of the Court's Board

Art. 8 (1) The President of the Court of Arbitration has a monthly allowance equal to the allowance of a Vice President of the Chamber of Commerce and Industry of Romania.

(2) The Vice president shall receive a monthly allowance of $\frac{3}{4}$ of the allowance of the President of the Court, and the members of the

Board shall receive one-third of the allowance of the President of the Court.

(3) The allowance of the President of Scientific Council shall be equal to the allowance of the Vice President of the Board.

Chapter IV

Final provisions

*Approval and entry
into force*

Art. 9. (1) This Rules were approved during the Session held on the 10th of November 2017 by the Management Board of the Chamber of Commerce and Industry of Romania, according to art. 29 para. (3) of the Law no. 335/2007, as subsequently amended and supplemented.

(2) This Rules shall enter into force on the 1st of January 2018.

(3) Any other contrary provisions shall be abrogated on the date of entry into force of this Regulation.