

VIAC PORTAL GUIDELINES

FOR VIAC PROCEEDINGS

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For further questions, please do not hesitate to contact the VIAC Secretariat.
You can reach our team by phone at +43 5 90 900 4398 or by e-mail at
portal@viac.eu. For further information you may also visit www.viac.eu.

INDEX

- I. Registration and Login 2
 - 1. General Information 2
 - 2. Filing of the Statement of Claim 3
 - 3. Filing of the Answer to the Statement of Claim 3
 - 4. Arbitral Tribunal..... 4
- II. Using the VIAC Portal..... 4
 - 1. Scope of Use 4
 - 2. Users 4
 - 3. Volume and Costs 5
 - 4. Duration of Use..... 5
- III. Modules 6
 - 1. General Information 6
 - 2. Files..... 6
 - 3. Overview Files..... 6
 - 4. Deadlines 6
 - 5. Calendar..... 7
 - 6. Users 7
 - 7. VIAC Resources 7
 - 8. OPTIONAL: Correspondence..... 7
- IV. Security, Confidentiality and Data Protection 7

I. REGISTRATION AND LOGIN

1. GENERAL INFORMATION

The VIAC Portal can be used for all VIAC proceedings – besides arbitral proceedings in accordance with the Vienna Rules (“VR”) also for proceedings in accordance with the Vienna Mediation Rules (“VMR”) or for ad hoc proceedings in which VIAC assists. These Guidelines are based on arbitral proceedings in accordance with the Vienna Rules.¹ As far as the use of the VIAC Portal is desired, the content of these Guidelines applies equally to other VIAC proceedings, subject to any deviations that may be necessary due to the particularities of the respective proceedings. For such other VIAC proceedings, the parties are therefore requested to contact VIAC in due time before the initiation of the proceedings.

All new cases received will dispose of a separate platform („Case Site“ or „Site“) in the VIAC Portal, specifically created for this purpose. In the beginning of the proceedings, the parties (their representatives) are each asked to name at least one designated user and his e-mail address. By naming this person and his e-mail address, the party (its representative) acknowledges that the Portal functions as notified address pursuant to the applicable rules (Art. 12 para. 4 VR). When registering, the user confirms this provision, and - if he is acting on behalf of a company - that by using the portal he equally obligates the company itself.

Designated users will receive access to a case-related platform ("Case Site" or "Site") in the VIAC Portal by invitation via e-mail from the VIAC Secretariat. When registering for the first time, users must accept the Terms of Use and register themselves, i.e. select a secure password and fill out the user profile completely. The VIAC Secretariat will be happy to assist with this.

For security reasons, the login to the [VIAC Portal](#) is made using two-factor authentication. After entering the e-mail address and password, during each login process, a code is sent to the registered e-mail address, which must be entered within five minutes. Only after this two-stage process, the users gain access to the Sites of the VIAC Portal which are available to them. People

¹ See Art. 6 para. 2 VR: To the extent the terms used in this document refer to natural persons, the form chosen shall apply to all genders.

involved in multiple proceedings use the same user profile to access all Sites (single login). Any changes to the contact details must be carried out by the user himself and without delay.

HighQ also offers users the "HighQ Hub" feature. With the HighQ Hub, users are given the opportunity to use a single login process to access all HighQ platforms (VIAC and others) to which they are granted access. users of the VIAC Portal are also subject to the VIAC Portal Terms of Use when accessing the VIAC Portal via the "HighQ Hub". Those users are particularly encouraged to ensure the security of their accounts.

2. FILING OF THE STATEMENT OF CLAIM

The proceedings are initiated in accordance with the applicable VIAC Rules. Article 7 para. 1 and Art. 12 para. 1 VR provide that the Statement of Claim including exhibits shall be submitted to the Secretariat of the VIAC in electronic form and in hard copy. Once the e-mail address(es) of the designated user has been provided by the claimant, this user will receive an invitation to the VIAC Portal from the VIAC Secretariat - during office hours - ideally within a few hours. claimants are advised to contact the VIAC Secretariat prior to filing a Statement of Claim so that access to the VIAC Portal can be provided in a timely manner. After the registration and successful authentication, the filing in electronic form can be effected through the upload of the Statement of Claim in the VIAC Portal.

However, regardless of this, the written communication initiating the proceedings may still be submitted in accordance with the applicable VIAC Rules (Art. 7 and 12 VR), e.g. by e-mail to office@viac.eu, especially if no access to the VIAC Portal has been provided at that time.

3. FILING OF THE ANSWER TO THE STATEMENT OF CLAIM

Unless otherwise requested, VIAC will continue its practice to send the Statement of Claim to the respondent primarily in hardcopy. After the designated user's e-mail addresses have been provided by the respondent, the designated user in turn receives an invitation to the VIAC Portal from the VIAC Secretariat. The Answer to the Statement of Claim, including exhibits, can also be submitted via the VIAC Portal.

4. ARBITRAL TRIBUNAL

The arbitrators will receive an invitation to the VIAC Portal by e-mail from the VIAC Secretariat as part of the transfer of the file (Art. 11 VR). The transfer of the file will then be carried out using the VIAC Portal, in principle.

II. USING THE VIAC PORTAL

1. SCOPE OF USE

Prior to the transfer of the file to the arbitral tribunal, all written communications and exhibits between the parties and the VIAC Secretariat will be transmitted via the VIAC Portal.

Upon the transfer of the file, the arbitral tribunal shall determine the means of communication between the parties and the arbitral tribunal (Art. 12 para. 2 VR). The arbitral tribunal shall therefore decide together with the parties during the first case management conference to what extent the VIAC Portal should be used, and in particular which set of modules should be used. The VIAC Secretariat shall be informed about any such stipulation. Arbitrators and parties are encouraged to use the VIAC Portal to the fullest extent possible; the VIAC Secretariat will be happy to assist.

Depending on the determined method of communication, the correspondence with VIAC is carried out via the VIAC Portal or in another electronic form, following the transfer of the file.

The manner of transmission according to the applicable VIAC Rules (Art. 12 para. 3 VR) shall remain unaffected by the introduction of the platform, i.e. written communications shall continue to be sent in one of the forms specified therein, e.g. also by e-mail (if addressed to VIAC, please send to office@viac.eu). In particular, in the event of technical problems with the VIAC Portal, users are requested to contact us immediately in order to solve the problem or to discuss an alternative form of transmission.

2. USERS

It is required that the members of the arbitral tribunal and at least one representative per party register in and log into the VIAC Portal. The parties themselves receive access if they are not represented or if this is expressly requested. If the parties are represented, normally only the party

representatives will have access to the VIAC Portal. If a party representative represents more than one party, a single registration for all represented parties is sufficient. If, on the other hand, a party is represented by more than one party representative, it is sufficient for the purposes of the case administration by VIAC to register one party representative. In case the representation is terminated prematurely, the VIAC Secretariat will immediately revoke the access for the respective users and a new user will be invited on behalf of the party.

Parties and arbitrators are each responsible for uploading their respective case-related communications.

The corresponding permissions are granted by the VIAC Secretariat exclusively. For security reasons, access to the Case Site must always be applied for with the VIAC Secretariat. For this reason, people involved in the particular case cannot gain access themselves or invite other people. Once the file has been transferred to the arbitral tribunal, any changes will always be made only after consultation with the arbitral tribunal.

3. VOLUME AND COSTS

In each case, a maximum of 8 users for the parties (i.e. 4 each for the claimant and respondent group), as well as a total of 5 GB of storage space are available at no additional cost. If the amount in dispute exceeds 1 million euros, both the number of included users and the storage space are doubled. In addition to that, users for the members of the arbitral tribunal (max. 3) and an administrative secretary are available free of charge in each case. If more users or storage space become necessary, the VIAC Secretariat can be contacted anytime; it will send an offer for the required additional packages and the corresponding costs.

However, the storage space available for each Site is not limited from a technical point of view. This means that even if the paid data volume is exceeded, the files can still be uploaded. This merely results in subsequent costs. However, prior to filing extraordinarily large submissions, it is recommended to contact the VIAC Secretariat to ensure the required storage space, also with regard to the total storage space of the platform.

4. DURATION OF USE

For the duration of the proceedings, the Case Site will be made available to

users. After termination of the proceedings, VIAC may terminate access to the Case Site. users will of course be notified of this well in advance. If users are interested in a longer duration of use for archiving purposes, they can contact the VIAC Secretariat.

III. MODULES

1. GENERAL INFORMATION

The first module is called "General Information"; it is an overview of the users at the claimant's, respondent's and arbitral tribunal's side. Furthermore, the contact details of the VIAC Case Managers can be found here, who will be happy to assist in case of any uncertainties.

2. FILES

The centerpiece of the VIAC Portal is the Files module. Here, in particular, submissions including exhibits can be uploaded easily and conveniently. For this purpose, firstly, there is the folder for VIAC Administration with subfolders, where any written communication from and to the VIAC Secretariat is uploaded. Following the transfer of the file, there are folders named Procedural Correspondence, Procedural Orders, Submissions, Exhibits, Hearing, and Other by default. The users of other groups will be notified about the upload via automatic e-mail notification of the platform (depending on the personal settings regarding e-mail notifications).

3. OVERVIEW FILES

In the module "Overview Files" all files are neatly displayed according to the selected sorting criteria. In particular, the overview also provides the "upload date" for each document, i.e. the time of the upload. This overview can be exported as a PDF or Excel file (especially for documentation purposes).

4. DEADLINES

Here, the arbitral tribunal can, if wanted, enter deadlines for various tasks related to the arbitral proceedings and assign them to the users. The entries can only be edited by the arbitral tribunal.

5. CALENDAR

The calendar can be used by the arbitral tribunal to show important deadlines and dates in a well-arranged overview. The calendar is visible to all in its entirety but can only be edited by the arbitral tribunal.

6. USERS

This module provides an overview of all persons who have access to the respective Case Site. This includes the arbitrators and a potential administrative secretary, as well as the designated users representing the parties or the parties' representatives. The overview therefore does not necessarily show all persons involved in the proceedings.

7. VIAC RESOURCES

Here you can find useful links to the VIAC website and contact details, the VIAC Rules and the Cost Calculator. Here, users also get directed straight to the VIAC Guidelines for Arbitrators. Furthermore, the Terms of Use and related documents, as well as the VIAC Portal Guidelines can be found here.

8. OPTIONAL: CORRESPONDENCE

The module "Correspondence" offers the arbitral tribunal and the parties the possibility to communicate with each other on certain matters (instead of the commonly used e-mails). New posts can only be added by the arbitral tribunal. These can be commented on by the parties afterwards. It can be used, for example, for organizing conference calls and hearings or for other communication that is not uploaded in form of a submission. The messages cannot be removed afterwards and are visible to all users.

IV. SECURITY, CONFIDENTIALITY AND DATA PROTECTION

Data security on the Portal is of particular concern to VIAC. The VIAC Portal is powered by HighQ from Thomson Reuters.

HighQ's security controls program complies with the applicable laws as well as the accepted standards for the industry. It is designed to address security and confidentiality concerns, to protect against threats or hazards to security or integrity, as well as to prevent unauthorized activities as regards the contents.

Thomson Reuters is subject to strict confidentiality obligations regarding the

content and users of the HighQ VIAC Portal.

Thomson Reuters is able to monitor the general use, the amount of users, the storage/amount of data and the modules. However, they are not able to access any data in files and documents or any information concerning the users (without prior written permission).

The data is hosted on servers in Germany. Thomson Reuters will, in principle, not transfer this location and data outside of Germany.

The protection of the personal data of the users is of great importance to VIAC. The [Vienna International Arbitral Centre \(VIAC\) / Arbitration Privacy Policy](#) describes why and how VIAC processes personal data we collect in connection with our role as an institution. The data processing of VIAC is subject in particular to the provisions of the General Data Protection Regulation.

Detailed instructions and many useful tips can also be found in the [HighQ Knowledge Base](https://knowledge.highq.com/help/Home) (<https://knowledge.highq.com/help/Home>).

In case of questions and uncertainties, the VIAC Secretariat will be happy to assist you: Please contact portal@viac.eu.



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