

**DECLARATION PURSUANT TO ART. 16 PARA. 3 VIENNA INVESTMENT ARBITRATION RULES
ARBITRATOR'S ACCEPTANCE OF OFFICE**

Name:
Address:
Nationality:

Case No.: IARB-

Claimant:

Respondent:

In accordance with the Rules of Investment Arbitration of the Vienna International Arbitral Centre of the Austrian Federal Economic Chamber of 1 July 2021 ("VIAC Rules of Investment Arbitration" - also "Vienna Investment Arbitration Rules"), in particular Art. 16 paras. 3 and 4, I hereby submit the following declarations:

1. ACCEPTANCE / REJECTION
please tick as appropriate

- I accept the appointment to act as arbitrator in the above-referenced matter pursuant to the Vienna Investment Arbitration Rules.
- I decline to act as arbitrator in the above-referenced matter.
(If ticked here, please just date and sign the form.)

I attach my curriculum vitae, as well as attach a list of the publications that I have authored or co-authored.

2. IMPARTIALITY AND INDEPENDENCE
please tick as appropriate

- I am impartial and independent and will remain impartial and independent for the duration of the proceedings. To the best of my knowledge and after the conclusion of a proper investigation, there are no circumstances known to me that would have to be disclosed pursuant to Art. 16 para. 4 Vienna Investment Arbitration Rules or which would justify a challenge to my mandate as arbitrator pursuant to Art. 20 Vienna Investment Arbitration Rules.
- I am impartial and independent and will remain impartial and independent for the duration of the proceedings. However, I disclose the following present and past professional, business and other relationships with the parties, the parties' representatives, or a provider of third-party funding involved in the proceedings (Art. 6 para. 1.11 in connection with Art. 13a para. 2 Vienna Investment Arbitration Rules), as well as any other interests, relationships or circumstances, which, from the perspective of the parties, could possibly call into question my independence or could give rise to doubts as to my impartiality *(add an additional sheet if necessary)*:

I have been or am currently involved as arbitrator, annulment committee member, party representative, or expert in the following arbitrations, proceedings before international courts or tribunals, annulment proceedings, or domestic court proceedings for the setting aside or the recognition or enforcement of an arbitral award, which involve a State, State-controlled entity or intergovernmental organization (*add an additional sheet if necessary*):

I acknowledge that by signing this declaration, I have the **continuing duty throughout the arbitration to promptly disclose any circumstances** that may subsequently arise or come to my attention during this arbitration which, from the perspective of the parties, could possibly call my independence into question or could give rise to doubts as to my impartiality, or that conflict with the agreement of the parties.

3. AVAILABILITY

Based on current information, I confirm that I will have the necessary time to conduct the proceedings in a way that is diligent, efficient and in compliance with the deadlines in the Vienna Investment Arbitration Rules, which can be extended by the Secretary General or the Board.

I am not aware of any time-intensive professional duties that would preclude me from fulfilling the duties required of the office of arbitrator. For the information of the VIAC and the parties, my current professional duties are as follows:

I am currently active in the following number of proceedings:

	Chairperson/ Sole arbitrator	Co-Arbitrator	Party representative	Expert
Arbitration proceedings				
Court proceedings	-	-		

I currently exercise the following professional activities (*e.g. attorney, arbitrator, scholar*) (*add an additional sheet if necessary*):

4. QUALIFICATION

- I am not aware of any circumstances that preclude me from acting as an arbitrator.
- I disclose the following circumstances with regard to my qualification (including agreed qualification requirements):

5. SUBMISSION TO THE VIENNA INVESTMENT ARBITRATION RULES

I submit to the provisions of the Vienna Investment Arbitration Rules 2021, in particular the schedule of fees (Annex 3). I have also received the document “Guidelines for Arbitrators”, have read it, and acknowledge that the rules contained therein are binding upon me.

In particular, I undertake to submit to the rules concerning the following issues:

- Undertaking to submit all written communications to the Secretariat pursuant to Art. 12 para. 2 Vienna Investment Arbitration Rules and Point I.4. of the Guidelines;
- Rules regarding the nomination of a Tribunal Secretary pursuant to Art. 44 para. 1 Z 1.1 Vienna Investment Arbitration Rules and Points I.3. and II.7. of the Guidelines;
- Rules regarding the rendering of the award pursuant to Art. 32 para. 2 Vienna Investment Arbitration Rules and Point I.7. of the Guidelines; and
- Rules on costs pursuant to Art. 38, 42, 43, 44 Vienna Investment Arbitration Rules and Annex 3 as well as Points II.1. to II.7. of the Guidelines. I expressly agree that the Secretary General shall determine the arbitrators’ fees and expenses and that such determination shall be binding.

If Annex 4/5 is applicable:

I submit to the provisions of Annex 4/5 to the Vienna Investment Arbitration Rules 2021 and to the provisions of the Vienna Investment Arbitration Rules 2021 referred to in Annex 4/5.

I have also received the document “Guidelines for Arbitrators”, have read it, and acknowledge that the rules contained therein are binding upon me, as far as applicable in the context of Annex 4/5 to the Vienna Investment Arbitration Rules 2021.

6. PUBLICATION OF DATA OF THE ARBITRATOR

I hereby consent that my name as arbitrator, my nationality, my country of residence, my role in the proceedings, the mode of my appointment and any termination of my appointment, the date of commencement of the arbitration, the instrument under which the arbitration has been commenced, and whether the proceedings are pending or have been terminated as well as the date of the transmission of the file may be published by VIAC (Art. 41 para. 1 Vienna Investment Arbitration Rules). This includes, in particular, publication on the website of VIAC as well as the use in any presentations, etc. This consent may be withdrawn at any time by contacting VIAC at our general contacts (see below Point 7), in particular by email addressed to office@viac.eu. The consequence of any such withdrawal will be that my data will no longer be published by VIAC.

7. PRIVACY STATEMENT

The data requested in this form is collected by VIAC pursuant to Art. 16 para. 3 Vienna Investment Arbitration Rules for purposes of the dispute resolution proceedings in which you act as an arbitrator and are stored in case management databases. You cannot act as an arbitrator without this data. VIAC is entitled to dispose of the entire file of a case, with the exception of decisions, after termination of the proceedings (Art. 12 para. 9 in connection with Art. 34 and 35 Vienna Investment Arbitration Rules). VIAC may store your data for the duration necessary for the establishment, exercise, or defense of legal claims. Processors carry out data processing on our behalf. As far as necessary for case management, your data can also be transferred outside of the EU or the EEA. This is one of the cases of derogation pursuant to Art. 49 para. 1 GDPR, i.e. transfer that is necessary for the establishment, exercise, or defense of legal claims.

You are generally entitled to access, rectification, erasure, restriction and data portability. In this regard, please contact us.

You can reach us at the following contacts: VIAC - International Arbitration Institution of the Austrian Federal Economic Chamber, Wiedner Hauptstraße 63, 1045 Vienna, Austria, T +43 5 90 900 4397, F +43 5 90 900 216, E office@viac.eu.

You can reach our data protection officer at: Austrian Federal Economic Chamber, Wiedner Hauptstraße 63, 1045 Vienna, Austria, T +43 5 90 900, F +43 5 90 900 250, E dsb@wko.at.

If you consider that the processing of your data violates data protection law, or that your data protection rights have been violated in any other manner, you can file a complaint with the data protection authority.

Place and Date

Signature

Please see our Privacy Statement at <http://www.viac.eu/en/privacy-statement>.