VIAC vienna international arbitral centre

Arbitrator's Acceptance of Office

DECLARATION PURSUANT TO ART. 16 PARA. 3 VIENNA RULES 2021

CASE INFORMATION

ARB -

Claimant:

Respondent:

PERSONAL INFORMATION

Name:

Address:

E-mail address:

Nationality:

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

I. ACCEPTANCE / REJECTION

☐ I accept the appointment to act as arbitrator in the above-referenced matter pursuant to the Vienna Rules and attach my Curriculum Vitae.

☐ I decline to act as arbitrator in the above-referenced matter.
In this case, please simply sign and date the form.

II. IMPARTIALITY AND INDEPENDENCE

☐ 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 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 Rules 2021 or which would justify a challenge to my mandate as arbitrator pursuant to Art. 20 Vienna Rules 2021.

☐ I am impartial and independent and will remain impartial and independent for the duration of the proceedings. However, out of an abundance of caution, 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. 1.9 in connection with Art. 13a para. 2 Vienna Rules 2021), as well as any other interests, relationships or circumstances, which, from the perspective of the parties, could give rise to doubts as to my impartiality, independence or availability or that conflict with the agreement of the parties.

Please use this field to elaborate on your disclosures, if any. Please 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 give rise to doubts as to my impartiality, independence or availability or that conflict with the agreement of the parties.

III. AVAILABILITY

As of today, I confirm that I will have the necessary time to conduct the proceedings in a diligent and efficient manner and in compliance with the deadlines in the Vienna Rules 2021, which may 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.

I am currently active in the following number of proceedings:

	Chairperson Sole arbitrator	**Co-arbitrator**	**Party representative**
Arbitration proceeding			
Court proceeding	**n/a**	**n/a**	

IV. QUALIFICATIONS

☐ I confirm that I am qualified to act as arbitrator in the above-referenced matter pursuant to the Vienna Rules 2021.

☐ I disclose the following circumstances with regard to my qualifications (in particular, any agreed qualifications between the parties, if applicable):

V. SUBMISSION TO THE VIENNA RULES 2021

☐ I submit to the provisions of the Vienna Rules 2021, in particular the schedule of fees (Annex 3). I have also received and read the "Guidelines for Arbitrators" and acknowledge that they are binding upon me.

☐ I confirm that I have read and understood that I shall render an award no later than three months after the hearing or the last authorised submission, as a general rule the post-hearing briefs (not cost submissions).

☐ I understand that the VIAC Secretariat will read and review awards and provide non-binding comments. This review and finalisation process can take approximately two weeks. Thus, the draft of awards shall be sent to the VIAC Secretariat two weeks prior to the deadline for issuance of an award.

☐ I confirm that I will, as soon as is feasible (if possible in the procedural timetable) and based on my analysis of the complexity of the case, inform the parties and the VIAC of the anticipated period of time, which the arbitrator(s) will require to draft an award.

☐ I confirm that I have an ongoing obligation to promptly inform the VIAC Secretariat, if I become aware of circumstances that would affect the timely issuance of an award.

If Annex 4 (Appointing Authority) or Annex 5 (Administering Authority) to the Vienna Rules 2021 is applicable:

☐ I submit to the provisions of Annex 4 or Annex 5 to the Vienna Rules 2021. I have also received and read the "Guidelines for Arbitrators" and acknowledge that the rules contained therein are binding upon me, as far as applicable in the context of Annex 4 or Annex 5 to the Vienna Rules 2021.

Date **Signature**

VI. PUBLICATION OF THE ARBITRATOR'S DATA

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 as well as the date of the transmission of the file may be published by VIAC. This includes, in particular, publication on the VIAC website as well as the use in VIAC materials e.g. presentations. There will be no reference therein to the case and the proceedings or the names and details of the parties. This consent may be withdrawn at any time by contacting VIAC (see below Point VII). The consequence of any such withdrawal will be that my data will no longer be published by VIAC.

VII. PRIVACY STATEMENT

The data requested in this form is collected by VIAC pursuant to Art. 16 para. 3 Vienna Rules 2021 for use in the proceeding in which you act as an arbitrator. The data is stored in VIAC's case management databases. VIAC or processors on VIAC's behalf process this data. In order to administer the proceedings in which you act as arbitrator, VIAC requires this data. As far as necessary for the administration of the arbitration in which you act as arbitrator, your data can also be transferred outside of the EU or the EEA. This amounts to a derogation for specific situations as per Art. 49 para. 1 GDPR, i.e. data transfer that is necessary for the establishment, exercise or defense of legal claims. After termination of the proceedings, VIAC is entitled to dispose of the entire case file, with the exception of decisions (Art. 12 para. 9 in connection with Arts. 34 and 35 Vienna Rules 2021). VIAC may, however, store your data for the duration necessary for the establishment, exercise or defense of legal claims. You have the right to access, rectify, and erase data as well as restrict and object to the processing of data and data portability.

Our contact details are: VIAC - Vienna International Arbitral Centre 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.

The contact details of our data protection office are: 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.

Date	**Signature**