STATUTES

FROM THE ARBITRATION CENTER FOR THE CARACAS CHAMBER (CACC for Spanish)

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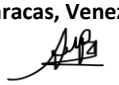
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STATUTES OF THE ARBITRATION CENTER FOR THE CARACAS CHAMBER (CACC for Spanish)

Section I
From the Arbitration Center of the Chamber of Caracas

Article 1. Purpose.

The Arbitration Center of the Caracas Chamber (CACC) is organized according to accordance with the provisions of the Commercial Arbitration Law to promote conflict resolution through institutional arbitration, mediation and any other means of dispute resolution.

Article 2. Functions.

The Arbitration Center of the Caracas Chamber (CACC) will comply with the following functions:

1. Carry out activities related to arbitrations, mediations and any other alternative means for the solution of conflicts that are processed in accordance with the regulations governing the activities of the CACC.
2. Promote dispute settlements.
3. Promote and disseminate arbitration, mediation and any other alternative means for conflict resolution.
4. Keep the statistical files that allow knowing qualitative and quantitatively the development of the CACC.

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5. Prepare studies and reports on issues related to arbitration, mediation and any other alternative means for conflict resolution, both in the national and international level.
6. Carry out the functions and representations that are the responsibility of the Chamber of Caracas, when required and expressly authorized by the Board Directive of the Chamber of Caracas.
7. Maintain, promote and celebrate agreements through the Chamber of Caracas, aimed at strengthening relations with organizations and institutions, both national and international, interested in arbitration, mediation and any other alternative means for conflict resolution.
8. Provide advice on arbitration, mediation and any other means alternative for conflict resolution.
9. Others that are compatible.

Article 3. Confidentiality.

The personnel of the Caracas Chamber of Arbitration Center (CACC) have the obligation to maintain the confidentiality of the actions of the parties, the arbitrators, mediators and negotiation coordinators, as well as the documents, evidence and all content related to any procedure administered by the CACC, including the information contained in the files.

In addition to the authorized personnel of the Arbitration Center of the Chamber of Caracas (CACC) and the arbitrators, mediators or case negotiation coordinators, only the parties involved and their representatives, when they prove their representation through power of attorney or without being a proxy that has the authorization of one of the parties, may have access to the file.

Unique Paragraph. The CACC, prior approval of the Executive Directorate, may, for academic purposes, publish selected awards or decisions, in a complete, by extracts or

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by summary, as long as they are previously edited to hide the name of the parties and other information that allows their identification.

Article 4. Exemption from liability.

Neither the Arbitration Center of the Caracas Chamber (CACC) nor its staff are responsible before any person, of the decisions, opinions, facts, acts or omissions of the arbitrators, mediators or negotiation coordinators in the procedures administered by the Center.

Article 5. Organization.

The Arbitration Center of the Chamber of Caracas (CACC) will have, for the fulfillment of its functions with:

1. An Executive Committee.
2. An Executive Directorate.
3. The personnel and equipment necessary for the fulfillment of its functions.
4. A List of Arbitrators and a List of Mediators
5. A headquarter.

Section II
From the Executive Committee of the Arbitration Center

Article 6. Members.

The Executive Committee of the CACC will be made up of seven (7) members, namely: a President, a Vice President, a Treasurer and four (4) Members; of which four (4) members make up the Executive Committee of the Chamber of Caracas and three (3) members must be or have been members of the Board of Directors of the same. The Executive Committee will be appointed by the Board of Directors, in a session following each annual ordinary meeting of the Chamber.

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Article 7. Functions.

The functions of the Executive Committee of the Arbitration Center are the following:

1. Ensure that the provision of the service offered by the CACC is carried out in efficiently in accordance with the law and ethics.
2. Make the invitations to be part of the List of Arbitrators and List of Mediators.
3. Review the List of Arbitrators and the List of Mediators once a year.
4. Set the registration amount to enter the List of Arbitrators and List of Mediators and the annuity that the members of said ready to stay in this one.
5. Designate from the CACC List of Referees the referees who will participate in the procedures administered by the Center when so provided by the CACC General Regulations.
6. Decide on the challenge when so provided by the General Regulations.
7. Set the amount of deductions or commissions applicable to fees of the emergency arbitrator, arbitrators, mediators and coordinators of negotiation.
8. Ensure the application of the arbitration procedure rules, according to mediation, negotiation coordination and any other alternative means resolution of conflicts regulated in the regulations governing the action of the CACC. To this end, it will have all the necessary faculties.
9. Present to the Board of Directors, for its approval, the modifications that deems necessary to comply with the regulations that govern the actions of the CACC.
10. Serve as an advisory body to the Executive Directorate.
11. To present before the Executive Committee of the Chamber of Caracas and the Board Directive a report on the facts, actions or situations that involving the Arbitration Center of the Chamber of Caracas and that may affect or injure their interests, as well as the interests of the Chamber of Caracas as an institution, in order to determine the course of action to follow for each specific case.
12. Attend, when deemed appropriate, any act carried out in the CACC.

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13. Learn about the operating budget of the Arbitration Center presented by the Executive Director of the aforementioned Arbitration Center, prior to its presentation before the Board of Directors of the Chamber of Caracas for its approval.
14. The others that are assigned by the statutes of the Chamber of Commerce, Industry and Services of Caracas and by the regulations governing the CACC actions.

Article 8. Preselection of arbitrators proposed by the Management.

When the appointment of an arbitrator corresponds to the Executive Committee, the Management Executive will prepare a proposal of potential arbitrators according to the following conditions:

1. Candidates must meet the conditions of specialty and experience appropriate to the matter in dispute.
2. The Executive Directorate may take into account other factors, such as the date of the last designation, the gender, or the desirability of involving new professionals in the Center's arbitration activity.

The pre-selection of arbitrators prepared by the Executive Directorate will be presented to the Executive Committee for the final selection of the arbitrator.

Article 9. Decision of the Executive Committee of the Arbitration Center of the Chamber of Caracas regarding the selection of the arbitrator.

The Executive Committee will select from the pre-selection list prepared by the Executive Directorate the arbitrators to be presented to the parties.

If the Executive Committee considers that none of the preselected arbitrators meets the necessary requirements for their appointment, they will request the Directorate Run a new shortlist.

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Once the arbitrators have been chosen from the pre-selection list proposed by the Management Executive, the parties will be notified.

Article 10. Appointment without presentation of list to the parties.

The Executive Committee of the Arbitration Center of the Chamber of Caracas will designate the arbitrator or arbitrators directly without presentation of list to the parties when:

1. All parties request it or;
2. The Executive Committee of the Arbitration Center, unanimously, taking into account considering the circumstances of the specific case, it deems appropriate.

Article 11. Appointment procedure.

When it is appropriate to appoint an arbitrator, the following guidelines will be followed:

1. When the parties object to their appointment, the Directorate The Executive Board will submit to the decision of the Executive Committee the appointment of said arbitrator
2. If the arbitrator has indicated that he has nothing to disclose and the parties do not have filed objections within the corresponding period, the Committee Executive will appoint the arbitrator.

Article 12. Quorum for decisions.

For the validity of the decisions of the Executive Committee, the presence and favorable vote of at least four (4) of its members.

Article 13. Period of functions.

The members of the Executive Committee of the Arbitration Center will exercise their functions for a period of one (1) year, re-eligible and will continue in office until their replacements are chosen.

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Article 14. General disqualification of members.

The circumstance of being appointed member of the Executive Committee of the Center for Arbitration automatically disqualifies the named person from being elected as an arbitrator, emergency arbitrator, mediator or coordinator of negotiations of the CACC during his tenure on said Committee.

Article 15. Disqualification due to interest in a specific matter.

When any member of the Executive Committee of the Arbitration Center has an interest directly in a matter submitted to arbitration, mediation, negotiation or any another alternative dispute resolution mechanism administered by the CACC, he will be disqualified from participating in the sessions in which the matter is discussed.

Article 16. Private and confidential nature of the sessions.

The sessions of the Executive Committee of the Arbitration Center will be private, and their decisions will be confidential, except that the majority of the members present at the respective session agree otherwise.

Article 17. Appointment of Commissions.

The Executive Committee of the Arbitration Center may designate and integrate commissions so that they focus on the knowledge or study of specific subjects. Likewise, the Executive Committee of the Arbitration Center may delegate to one or more of its members special functions or tasks.

Section III
From the Executive Directorate

Article 18. The Executive Directorate.

The Arbitration Center of the Caracas Chamber (CACC) will have an Executive Directorate that will coordinate its functions. This Directorate will be in charge of one (1)

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Executive Director who will be appointed and removed by the Board of Directors of the Chamber of Caracas.

In case of temporary absence of the Executive Director, the Board of Directors of the Chamber of Caracas may appoint an Executive Director in charge.

Article 19. Secretariat.

The secretariat of the Arbitration Center of the Chamber of Caracas (CACC) corresponds to the Executive Directorate.

Article 20. Functions.

The functions of the Executive Directorate are the following:

1. Report regularly or when required by the Executive Committee of the Arbitration Center on the activities carried out by the Directorate Executive in the exercise of its functions.
2. Comply with the decisions made by the Executive Committee of the Center for Arbitration.
3. Define and coordinate the dissemination, research and development programs of the arbitration, mediation, negotiation and any other alternative means of conflict resolution.
4. Coordinate with any institution, agency or organization, tasks of academic type related to dissemination, training, and any other convenient program.
5. Define training programs for arbitrators, mediators and negotiating coordinators and developing them yourself or with the collaboration with other institutions.
6. Issue the records and certifications that accredit the condition of arbitrators, mediators or negotiation coordinators of the CACC.
7. Keep the files of arbitrators, mediators and negotiation coordinators.
8. Ratify the appointment of arbitrators, mediators and coordinators of negotiation postulated by the parties, which are not part of the List of Arbitrators or List of

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Mediators, as the case may be, once the postulate has signed the declaration of independence and its annexes.

9. Appoint and appoint from the List of Arbitrators the emergency arbitrators of accordance with the General Regulations.
10. Appoint and name mediators from the List of Mediators accordance with the General Regulations.
11. Approve the calculation of the amounts that will be charged as a fee of administrative service and deposit in guarantee of fees of arbitrators, emergency arbitrators, mediators and coordinators of negotiation in accordance with the provisions of the Partial Regulation Administrative.
12. Keep and keep updated the virtual and physical files of the procedures.
13. Issue and certify copies.
14. Act as secretariat of the arbitral tribunals that are constituted according to the General Regulation.
15. Order the suspension of the procedure and/or the filing of the file when so ordered by the General Regulations or when, in his opinion, there are well-founded reasons for it.
16. Grant the parties deadlines and extensions to carry out actions within of the procedure in accordance with the provisions of the Regulation General.
17. Grant deadlines to the arbitral tribunals for the issuance of decisions in incidents not provided for in the General Regulations.
18. Coordinate and verify the development of the hearings and meetings of the procedures administered by the CACC.
19. Coordinate and facilitate the achievement of the physical and logistical elements that required to advance and fulfill the duties and functions of the CACC.
20. Propose to the Executive Committee of the Arbitration Center the hiring of the personnel necessary to carry out their work, being able to delegate to said personnel the functions that it deems pertinent.

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21. Accumulate arbitration procedures in the terms established in the General Regulations.
22. All the functions that have been specifically assigned to it in the regulations that regulate the actions of the CACC and those that are delegated by the Executive Committee of the Arbitration Center.
23. The others that are compatible.

Article 21. Disqualification of the Executive Director

The circumstance of being appointed Executive Director automatically disqualifies the person appointed, to be chosen as arbitrator, emergency arbitrator, mediator or coordinator of negotiation of the CACC during his stay in said position.

Section IV
From the List of Arbitrators and List of Mediators

Article 22. Applicants to be part of the Lists.

In order to integrate the List of Arbitrators and the List of Mediators of the CACC, the Committee Executive will receive suggestions on possible candidates and will verify through the information about the reputation, experience, interest and availability of the applicants. Once selected, the Executive Committee will issue an invitation to formulate your request for incorporation into the List of Arbitrators, to the List of Mediators or to both, by presenting before the Executive Director of the corresponding request prepared according to the format of the CACC. In the aforementioned request, the interested party must state the following:

1. Commitment to comply with the regulations that regulate the actions of the CACC, as well as the billing conditions applicable in the national territory.
2. Indicate according to his interest and experience if he wishes to enter the List of Arbitrators, List of Mediators or both.

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3. Acceptance of the discretionary nature of the decisions of the Executive Committee regarding the admission or not to integrate the List of Arbitrators or List of Mediators or both, and the waiver of challenging them before any organism or jurisdiction.
4. Acceptance that his application may be denied even though he enjoys a recognized professional career.
5. Acceptance that the CACC reserves the right to express the reasons for not admission.

Applicants must, at the time of submitting the application for incorporation, attach curriculum vitae, two letters of reference from members of the List of Arbitrators or the List of Mediators, and other documents that the Executive Committee determines. Letters of recommendation must be addressed by the recommender to the Executive Committee of the CACC and will consist of a detailed explanation of how the referrer knows the applicant, the time that he has knowing him and the reasons why he believes in the moral suitability and professional qualification of the applicant as well as his capacity as an arbitrator, mediator or both.

Once the Executive Director has verified compliance with the requirements required, he will submit the applications and the respective documents to the Committee Executive, which, with the widest discretion, may approve them, dismiss them or require extensions. The Executive Committee may verify any information indicated through the means that it deems appropriate. Approved the application and made the payment of the corresponding amount for concept registration, the candidate will become part of the List of Arbitrators, List of Mediators or both.

Paragraph One: The Executive Director may propose to the Executive Committee the invitation to be part of the List of Arbitrators, List of Mediators or both, to professionals who enjoy recognized professional trajectory and experience. Likewise, the Executive

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Committee may order the invitation through the Directorate Executive to form part of the lists of professionals who deem to have sufficient credentials to integrate one or both.

Paragraph Two: Those who deem have sufficient credentials to integrate the List of Arbitrators, List of Mediators or both, may manifest it by writing and directly to the Executive Director who will submit it to the consideration of the Executive Committee in accordance with the provisions of the procedure established in this article.

Article 23. Definitive and confidential nature of the decisions.

The decisions of the Executive Committee regarding the List of Arbitrators and List of Mediators are final. Everything related to the admission and exclusion of arbitrators and mediators is strictly confidential. In the aforementioned lists, may include international arbitrators and mediators, approved previously by the Executive Committee.

Article 24. Review of the lists

Each year, the Executive Committee will review the List of Arbitrators and List of Mediators published on the CACC website and the Executive Directorate will ensure the updating of your publication.

The Executive Committee may at its discretion establish a term of validity of the list, being able in this case, to decide on the convenience and scope of its extension.

Article 25. Causes for exclusion from the lists

The Executive Committee of the CACC may ex officio exclude from the List of Arbitrators, List of Mediators or both, to those who have incurred in the following behaviors:

1. Require fees different from those that are applicable in accordance with the regulations governing the actions of the CACC.
2. Not provide, without just cause, the services when appointed.

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3. Engaging in unethical conduct in accordance with the provisions of the regulations that governs the actions of the CACC.
4. Failure to comply with the obligations established in the regulations governing the CACC actions.
5. For incurring in unjustified delays in the development of the actions.
6. For not paying within the period indicated by the Executive Directorate the amount of the corresponding membership fees.

Unique Paragraph: You may be excluded from the List of Arbitrators, List of Mediator or both, the arbitrator or mediator who requests it in writing to the Committee Executive.

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