

Arbitrators on the Panel of Arbitrators of eBRAM and the Panel of Neutrals of eBRAM are bound by this Code of Ethics and shall comply, in addition to the general duty of good faith and other codes of ethics or practice imposed upon them, with this Code of Ethics.

Appointment

An arbitrator shall accept an appointment only if he or she is fully satisfied that he or she has suitable experience and ability for the case and that he or she is able to give to the arbitration the time and attention which the parties are reasonably entitled to expect.

Impartiality and Independence

Every arbitrator appointed by eBRAM must be and remain impartial and independent of each of the parties involved in the arbitration.

An arbitrator appointed by eBRAM shall discharge his or her duties fairly and impartially as between the parties at all stages of arbitral proceedings. An arbitrator shall be free from bias and shall not favour one of the parties or be prejudiced in relation to the subject matter of the dispute.

An arbitrator shall be independent of all external pressures and be free of any improper influence, such as fear of criticism or any form of self-interest. An arbitrator shall decide all the issues submitted for determination after careful deliberation and the exercise of his or her own impartial judgement.

Disclosure

Before any appointment, a prospective arbitrator shall sign a statement of impartiality and independence. Any prospective arbitrator shall disclose in writing to eBRAM any facts or circumstances, past or present, likely to give rise to justifiable doubts as to his or her impartiality or independence.

An arbitrator, from time of his or her appointment and throughout the arbitral proceedings, shall promptly disclose in writing to the parties and the other arbitrators or neutrals, any circumstances which might be of such a nature as to call into question his or her independence in the eyes of any of the parties or give rise to justifiable doubts as to his or her impartiality. The duty to disclose is a positive and ongoing duty which continues throughout the arbitral proceedings with regard to new facts and circumstances, that may subsequently come to his or her attention during the proceedings. Failure to make such disclosure may constitute a ground for disqualification.

Communications

Before accepting an appointment, an arbitrator shall only enquire as to the general nature of the dispute, points at issue, the names of the parties and the expected time period required for the arbitration.

Throughout the arbitral proceedings, an arbitrator shall avoid any unilateral or private communications with any party or its representative(s), regarding substantive issue in the case.

Confidentiality

The arbitration proceedings shall remain confidential. An arbitrator shall keep confidential all and any information obtained during the arbitral proceedings and also after the issue of the arbitral award.

Any correspondence shall remain private and confidential and shall not be copied to anyone other than the parties to the dispute or their representatives, without the consent of the parties.

Note: This Code of Ethics is not intended to provide ground(s) for setting aside any arbitral award.