

PROTOCOL ON APPLICATIONS FOR TAB ARBITRATOR

Article 11 Section 3 of the TAB Rules establishes: " In order to form part of the list, the corresponding request must be formalised, specifying the professional qualifications, experience and speciality or specialities and providing sufficient accreditation. It shall also indicate the arbitration courses attended, the arbitration proceedings in which the applicant has been involved, whether at the TAB or at other institutions, or ad hoc arbitrations, and the languages in which the applicant is capable of ordering and processing an arbitration proceeding. In arbitrations in law, it will be necessary for the applicant, in addition to being a jurist, to have been a graduate in law for ten years or more, and to accredit the exercise of a legal profession during this period. On formalising the request for inclusion on the list of arbitrators, the applicants must authorise the TAB to publish their name, personal and professional circumstances and speciality on the corporate website".

In this regard, the formalisation of the corresponding application to join the list of TAB arbitrators, its processing and resolution shall be carried out in accordance with this protocol, which is made up of eight clauses.

FIRST.- In view of the provisions of the institution's regulations, persons who wish to present their candidature to be TAB arbitrators must fulfil the requirements indicated in the aforementioned Article 11 Section 3:

- knowledge of the Specialities chosen.
- Training and experience in arbitration.
- Knowledge of the languages in which an award may be ordered, processed and issued.

In order to present the candidature, the corresponding application form must be filled in and placed on the institution's corporate website www.tab.es. Once the application has been received, the TAB Secretariat will send a form to be filled in and a list of specialities from which a maximum of two must be chosen in accordance with the TAB Rules. The form must be sent to the TAB together with a letter of presentation and the documentation accrediting the aforementioned requirements. This documentary accreditation may be of an anonymised professional nature, certified teaching or academic, or publishing company providing copies of published books or articles, as well as through other similar documentation.

With the exception of the letter of presentation, the rest of the requirements are *conditio sine qua non* for the candidature to be admitted for processing and examined by the Committee of Arbitrators.

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SECOND.- Before sending all the information to the Arbitration Committee, the TAB Legal Counsel shall review the applications and verify the sufficiency of the information provided and compliance with the above requirements which must be accredited by documentation. If the required information or documentation is missing, the Secretariat of the TAB shall request a maximum of two (2) times all that is missing to form the dossier of each candidature.

THIRD.- Those candidacies which do not comply with the above points shall not be admitted for processing and the file shall be closed with a brief written report signed by the Legal Counsel, with the approval of the presidency of the Committee and the signature of the president of the TAB, who shall inform the candidates of the reason for non-admission.

In accordance with the requirements set out in clause one of this protocol, the reasons for non-admission of a candidature may be the following:

- Lack of the necessary information.
- Lack of sufficient accreditation of the chosen speciality or specialities,
- Lack of sufficient accreditation of arbitration training or experience,
- Lack of sufficient accreditation of the languages in which he/she claims to be able to conduct arbitration and issue an award.

FOURTH.- The Commission of Arbitrators shall only examine the dossiers of completed applications and, before submitting its proposal to the Board of Directors, shall decide whether it is necessary to summon the candidate to a preliminary interview.

Once the application has been examined, the Referees Commission shall send the complete dossier to the Board of Directors, advising or advising against the inclusion of the candidate on the TAB List of Referees.

FIFTH.- The assessment of the candidates by the Referees Commission and the Board of Directors shall be carried out according to the following assessment parameters:

- for the highest academic degree and qualifications: up to twenty (20) points;
- for the highest level in the chosen specialities: up to thirty (30) points;
- for the highest level of experience, training or publications on arbitration: up to twenty-five (25) points;
- for the highest level in procedural practice, experience or publications on the speciality: up to twenty-five (25) points;

Candidates must score in three of the four assessment parameters with a minimum of sixty (60) points in total. In the case of a practising lawyer, he/she will have to score in the four evaluation parameters with a minimum of sixty (60) points in total.

SIXTH.- The Board of Directors shall be responsible for deciding on the inclusion on the TAB List of Arbitrators of those candidates who it considers meet the requirements of the TAB Regulations and this protocol.

TAB Regulations and this protocol. The non-inclusion of a candidate on the list of TAB arbitrators may be due to any of the following causes:

- insufficient information and/or accreditation of the requirements established in clause one, under the terms of clause three of this protocol,
- the considerations made by the Arbitration Committee,
- the insufficiency in the scoring of the application made in accordance with clause five of this protocol,
- the convenience of holding a prior interview with the candidate,
- any other duly justified cause.

The dossier concludes with the relevant decision of the Board of Directors on the acceptance, if appropriate, of the candidature. The decision of the Board of Directors shall be communicated in writing to the candidate, expressly mentioning the inclusion of their candidature on the list of TAB Referees or the reason or reasons for non-acceptance, if applicable.

SEVENTH.- All of the above without prejudice to that established in the protocol for the training of female arbitrators, which requires periodic accreditation of a minimum level of training in order to remain on the list of TAB female arbitrators and the Protocol for the Appointment of Arbitrators, which establishes the causes for removal from the list of TAB female arbitrators.

EIGHTH - At the request of the interested party, the TAB shall issue a certificate accrediting the inclusion of the candidate on the list of TAB arbitrators, provided that it is stated that at least one arbitration award has been issued with a good rating by the external assessors.

Approved by the Board of Directors on 29 June 2023.