

Statute of the Permanent Court of Arbitration at the German-Bulgarian Chamber of Industry and Commerce

Article 1

Statute and Structure

(1) A Permanent Court of Arbitration shall be established at the German-Bulgarian Chamber of Industry and Commerce (GBCIC) (“Permanent Court of Arbitration”).

(2) The Permanent Court of Arbitration is an independent judicial body which resolves disputes in accordance with the adopted Rules of the Permanent Court of Arbitration (“Rules of the Court”) and the applicable provisions of the Law on International Commercial Arbitration. The Court is not a separate legal entity and is established by virtue of a decision of the Management Board of the GBCIC.

(3) The Permanent Court of Arbitration shall consist of the Presidency, the Secretariat, as well as the Arbitration college which shall consist of all arbitrators enrolled in an approved list of arbitrators.

(4) The Presidency manages the Permanent Court of Arbitration.

Article 2

Presidency

(1) The Presidency of the Permanent Court of Arbitration (“The Presidency of the Court of Arbitration”) shall consist of a President, two Vice-Presidents and two members that are elected by the Management Board of the GBCIC for a 3 /three/-year term of office. They manage the Permanent Court of Arbitration and ensure its organization, activity and normal functioning. The term of office of every member of the Presidency can be terminated prematurely by virtue of a decision of the Management board of the GBCIC.

(2) The Presidency of the Court of Arbitration takes all decisions related to the organization, the activity and the functioning of the Permanent Court of Arbitration, as long as they do not fall within the power of the Management Board of GBCIC, in accordance with the present Statute and any other provisions that regulate the activity of the Permanent Court of Arbitration. The decisions of the Presidency of the Court of Arbitration shall be taken with a simple majority.

(3) The members of the Presidency of the Court of Arbitration can be both arbitrators who are enrolled in the list of arbitrators approved by the Management Board of the GBCIC, as well as employees or other persons with management functions in the GBCIC.

(4) The decisions of the Presidency of the Court of Arbitration shall be taken with a simple majority from all the members present. The Presidency of the Court of Arbitration can take decisions in the presence of at least 3 /three/ of its members.

If a decision pertains to a member of the Presidency, this member shall not participate in the decision-making. The President of the Presidency of the Court of Arbitration shall cast a decisive vote in event that the number of the votes is equal.

(5) The Presidency of the Court of Arbitration shall have the following functions:

1. to take decisions related to the general activity of the Court,
2. to consider the arbitrators' applications and to propose to the Management Board of the GBCIC to enroll them in the list of arbitrators, as well as to propose the removal from the list of arbitrators of the ones that have violated the rules regulating the functioning of the Court of Arbitration, including the Compliance Code of Conduct, or have requested to be removed from the list of arbitrators or have violated the reputation of the Permanent Court of Arbitration with their actions,
3. to propose to the Arbitration College to discuss and enact decisions that harmonize the court practice,
4. to perform any other functions granted by virtue of the Rules of the Permanent Court of Arbitration and the present Statute.

Article 3

President of the Permanent Court of Arbitration

(1) The President of the Permanent Court of Arbitration represents the court, convenes and manages the meetings of the Presidency, executes its decisions and reports on the activity of the Permanent Court of Arbitration before the Management Board of the GBCIC. At a request of an interested party he/she has the right to extend the procedural deadlines envisaged in the Rules of the Court of Arbitration, as well as to perform any functions granted to him/her by virtue of the Rules of the Permanent Court of Arbitration and the present Statute.

(2) The Vice-Presidents perform the functions of the President of the Permanent Court of Arbitration when the President has delegated them or when the President is prevented to perform his/her functions.

Article 4 **Secretariat**

(1) The work of the Presidency of the Court of Arbitration is assisted by the Secretariat of the Permanent Court of Arbitration (“The Secretariat of the Court of Arbitration). The Secretariat of the Court of Arbitration shall consist of one or more secretaries that are managed by the Chief secretary, all of which are employees of the GBCIC. In carrying out the activity of the Secretariat of the Court of Arbitration the Secretariat is subordinated to the Presidency of the Court of Arbitration and is obliged to execute its orders.

(2) The Secretariat of the Court of Arbitration organizes, manages and administers the case management system and the electronic register of the Court, by ensuring that the parties to the arbitral proceedings have a permanent access to it. It runs the court documents and correspondence and performs any other actions that are necessary for the administrative functioning of the Court during the proceedings and are granted to it by virtue of the Rules of the Permanent Court of Arbitration and the present Statute.

Article 5 **Arbitrators and Arbitration College**

(1) The Permanent Court of Arbitration runs a list of arbitrators. The list of arbitrators shall contain information about the arbitrators concerning their education, professional qualifications and experience, foreign languages skills, as well as whether they do not exercise their function as arbitrators temporarily, if such a circumstance occurs. Only capable persons of age, who have not been convicted for a crime and have the necessary education and professional experience, as well as high moral and ethical standards shall be enrolled in the list. Before being enrolled in the list of arbitrators they shall give in writing their consent to be enrolled in the list and to declare in writing that they are aware and fully accept the Ethical code of the arbitrators.

(2) At request of the Presidency the Management Board of the GBCIC can define with a decision the detailed criteria under which an arbitrator can be enrolled or removed from the list of arbitrators.

(3) The arbitrators are independent and impartial when performing their duties. When being appointed for particular arbitral proceedings, they shall provide the Secretariat with an express declaration for independence and absence of conflict of interests in which they mention all the circumstances that might justify doubts as to their impartiality. A copy of this declaration is to be delivered to the parties.

(4) All the arbitrators enrolled in the list of arbitrators approved by the Presidency of the Court of Arbitration form the Arbitration college of the Court of Arbitration. The arbitration college runs yearly meetings during which it shall take decisions to harmonize the court practice with a simple majority. It shall also make proposals for amendment of the procedural rules in the Rules of the Court of Arbitration and the Tariff for Arbitration Costs and Fees.

Article 6

Finances

(1) The maintenance expenses of the Permanent Court of Arbitration shall be borne by the GBCIC.

(2) All funds for arbitration fees, deposits and expenses shall be deposited in a special bank account of the Chamber.

(3) All administrative fees received for the conducting of arbitral proceedings shall be used to cover the administrative expenses of the Permanent Court of Arbitration.

This statute is adopted with a Decision of the Management Board of the GBCIC from 27.11.2015 and enters into force from 27.11.2015, amended on 15.06.2017.