



ONLINE
ARBITRATION
COURT

Statute
of the

Online Arbitration Court



Statute of the Online Arbitration Court

§1 General Provisions

1. The Online Arbitration Court (hereinafter referred to as the “Court”) at the Online Arbitration S.A. company with its registered office in Wrocław (hereinafter referred to as the “Administrator”) is a permanent arbitration court.
2. The seat of the Court is Wrocław.
3. The governing bodies of the Court are President of the Court and Arbitration Board.

§ 2 Activities of the Court

1. The objective of Court’s activities is organization of arbitration proceedings while following recognized high standards.
2. The Court also conducts scientific, publishing and educational activities related to arbitration.

§ 3 President of the Court

1. The President of the Court manages and represents the Court.
2. The President of the Court is appointed for a five-year term by the Arbitration Board upon the motion of one of its members.
3. The President of the Court may be dismissed by the Arbitration Board in the case of violation of the provisions of this Statute or of the Arbitration Rules of the Online Arbitration Court (hereinafter referred to as the “Arbitration Rules”) or for other, valid reasons. The President of the Court is dismissed on the day indicated in the resolution adopted by the Arbitration Board.
4. The obligations of the President of the Court include:
 - a) performing the activities in the course of proceedings within the competences of the President of the Court according to the Arbitration Rules,
 - b) issuing instructions for Arbitrators associated with the technical conditions of conducting proceedings,
 - c) entering persons in and removing persons from the List of Arbitrators,

- d) supervising the activities of the Court employees,
- e) maintaining contacts and exchanging experiences with courts, arbitration and mediation institutions as well as scientific circles,
- f) organizing trainings for Arbitrators,
- g) representing the Court in relationships with other entities,
- h) other matters within the competences of the President of the Court specified in this Statute.

5. The President of the Court may not act as a party or an attorney of a party to proceedings before the Court.

6. If the President of the Court may not undertake the activities being within his/her competences under this Statute or Arbitration Rules, these activities will instead be performed by the Court employee designated by the President of the Court or, in the lack of such an employee – the Chairman of the Arbitration Board.

§ 4 Arbitration Board

1. The Arbitration Board acts under this Statute. The Arbitration Board has between 3 and 7 members.

2. Only a person with outstanding knowledge of the law and high ethical values may become a member of the Arbitration Board.

3. The Chairman and the other members of the Arbitration Board are appointed by the Supervisory Board of the Administrator upon the motion of the President of the Management Board of the Administrator for a joint four-year term, counted in calendar years, regardless of the date of appointment of the respective members. The first term of the Arbitration Board will start on 1st November 2018.

4. A person may be dismissed from the Arbitration Board by the Supervisory Board of the Administrator for violation of the provisions of this Statute or Arbitration Rules or for other, valid reasons. A member of the Arbitration Board is dismissed on the date indicated in the resolution of the Supervisory Board of the Administrator.

5. In case of the expiry of the mandate, resignation or dismissal from the Arbitration Board before the end of term, the Supervisory Board of the Administrator will appoint a new member of the Arbitration Board for the period until the end of the current term of the Arbitration Board.

6. The scope of activities of the Arbitration Board includes:

- a) performing the activities specified in this Statute;
- b) amending this Statute or Arbitration Rules upon the motion of the President of the Court;
- c) deciding about exclusion of an Arbitrator from a case,

d) examining, upon the motion of the Chairman of the Arbitration Board or of the President of the Court, of other cases associated with activities of the Court, including in connection with performance of obligations by the Arbitrators or compliance with ethical principles.

7. The Arbitration Board will adopt resolutions by circulation, i.e. its members will agree on their position by e-mail. The decisions of the Arbitration Board will be made in the form of resolutions adopted by absolute majority of votes. For the voting to be valid, at least half of the members of the Arbitration Board have to cast their votes. In the case of equal number of votes, the Chairman's vote will be decisive.

8. The voting of the Arbitration Board will be announced by its Chairman, in the form of an e-mail sent at least 3 days in advance of the voting date, to the addresses indicated by the Arbitration Board.

9. If the resolution of the Arbitration Board pertains to its member, he/she does not take part in voting and the President of the Court votes in his/her place. If it pertains to the Chairman of the Arbitration Board, voting will be announced by the President of the Court.

§ 5 Arbitrators

1. The court maintains a List of Arbitrators.

2. The President of the Court enters persons in and removes persons from the List of Arbitrators.

3. An Arbitrator may be any individual with full capacity for acts in law, enjoying his/her full civic rights and possessing proper knowledge of dispute resolution.

4. An Arbitrator is bound to the Administrator with a framework agreement, concluded in accordance with the procedure specified in the Terms & Conditions for Arbitrators of the Online Arbitration Court. In the framework agreement, the Arbitrator undertakes to perform his/her obligations associated with the arbitration proceedings conducted before the Court in a due manner, in exchange for remuneration.

5. In the scope of ruling, an Arbitrator will be impartial and independent, and will hold his/her position to the best of his/her knowledge and ability.

§ 6 Final Provision

1. This Statute takes effect on 1st November 2018.