



ARBITRATION COURT

attached to the Czech Chamber of Commerce
and the Agrarian Chamber of the Czech Republic

The Code of Ethics of the Arbitration Court attached to the Czech Chamber of Commerce and the Agrarian Chamber of the Czech Republic

Preamble

This Code of Ethics expressly regulates long recognized and functioning rules for persons acting as arbitrators in arbitration proceedings led by the Arbitration Court attached to the Czech Chamber of Commerce and the Agrarian Chamber of the Czech Republic (hereinafter the "Arbitration Court"). These rules are traditionally accepted in both international and domestic arbitration around the world.

Section I Basic Provisions

1. This Code of Ethics applies to persons registered on the List of Arbitrators of the Arbitration Court, as well as to persons registered as arbitrators exclusively for a given dispute of the Arbitration Court *ad hoc* (hereinafter the "arbitrator").
2. The Statute of the Arbitration Court, the Rules of the Arbitration Court and other regulations on the conduct of arbitration proceedings take precedence over this Code of Ethics.
3. The rules contained in the Code of Ethics serve as a guide for arbitrators. The mere violation of the rules contained in this Code of Ethics does not provide a basis for setting aside an arbitration award issued in the arbitration proceedings.
4. The arbitrator is responsible for the performance of his/her activity in his/her own name. In the case of a serious violation of the ethical standards applicable in arbitration proceedings, measures specified in this Code of Ethics can be applied against the arbitrator.

Section II Professional Competence and Availability

1. The arbitrator will only accept the position of arbitrator if he/she fully believes that he/she has sufficient professional and linguistic knowledge and expertise that allows him/her to properly and effectively discuss and decide the dispute.
2. The arbitrator shall not accept the position of arbitrator if, due to his/her current workload, he/she believes that he/she does not have sufficient time capacity to discuss the given dispute in such a way as to ensure its effective discussion and proper decision. The procedure is similar if the arbitrator can reasonably believe that his/her time capacity will be filled in the foreseeable future.

Section III Impartiality and Independence

1. The arbitrator acts independently and impartially in the arbitration proceedings. When assessing his/her independence and impartiality, the arbitrator proceeds appropriately according to the IBA Guidelines on Conflicts of Interests in International Arbitration in its current version.
2. The arbitrator shall refrain from any *ex parte* communication with the parties or their representatives regarding the matter in which he/she was appointed as an arbitrator, even

before his/her appointment. This does not apply to the extent that the party or its representative communicates with the arbitrator to verify whether the proposed arbitrator can accept his/her appointment (in terms of his/her time availability, expertise or conflict of interests), or to verify acceptability (in terms of expected time availability, expertise or conflict of interest) of the considered candidates for the presiding arbitrator. In any case, the *ex parte* communication must not relate to the details of the merits of the dispute or the specific procedural procedure in the given dispute.

3. After the constitution of the arbitration tribunal, the arbitrator conducts all procedural communication with the parties through the administrative apparatus of the Arbitration Court or with its knowledge of such communication.

Section IV Amicable Settlement

If it is useful and appropriate in the given case, the arbitrator actively endeavors to achieve an amicable settlement between the parties throughout the entire arbitration proceedings.

Section V Efficiency of Proceedings

The arbitrator always proceeds to ensure that the arbitration proceedings are conducted conscientiously and efficiently, avoiding unnecessary delays and preventing parties from incurring unreasonable costs.

Section VI Confidentiality

1. The arbitrator shall maintain confidentiality about all facts that he/she has learned in connection with the performance of the position of arbitrator, even after the termination of the position of arbitrator, unless relieved of this obligation.
2. The arbitrator shall ensure that his/her employees, or other persons authorized by him/her, maintain confidentiality to the same extent regarding all facts they have learned in connection with the arbitrator's activities, unless relieved of this obligation.

Section VII Protection of the Reputation of Arbitration and the Arbitration Court

The arbitrator, even when he/she is not acting as an arbitrator in a particular arbitration, always acts with loyalty towards the arbitration and the Arbitration Court, particularly he/she protects the reputation of arbitration and the Arbitration Court.

Section VIII Measures in Case of Violation of the Code of Ethics

1. In case of violation of obligations arising from this Code of Ethics, the Board of the Arbitration Court decides on the imposition of measures.
2. The Board of the Arbitration Court may impose:
 - (a) Reduction of the arbitrator's fee for a particular dispute;
 - (b) Forfeiture of the entire arbitrator's fee for a particular dispute;
 - (c) Removal of the arbitrator from the List of Arbitrators of the Arbitration Court.
3. Such measures can also be imposed retroactively for a particular dispute. The arbitrator is obliged to return the arbitrator's fee that has already been paid and was reduced or forfeited by the decision of the Board of the Arbitration Court.

Section IX
Final Provisions

This Code of Ethics shall enter into effect on 1 June 2022.

JUDr. Juraj Szabó, Ph.D.
the President of the Arbitration Court