

Rule 10: Challenge Procedure

(1) A party who intends to challenge an arbitrator shall, within 14 days of being notified of the arbitrator's appointment or becoming aware of any ground referred to in Rule 9(1), send a written notice stating the reasons for the challenge to the BIAC, Arbitration Tribunal, the arbitrator who is being challenged and the parties to the arbitration.

(2) The other party may agree to the challenge when an arbitrator is challenged by one party. The challenged arbitrator may withdraw from his office. In neither case, does this imply acceptance of the validity of the grounds for the challenge.

(3) In case the party agrees or the challenged arbitrator withdraws from office, a substitute arbitrator shall be appointed in accordance with Rule 7.

(4) If, within 7 days of receipt of the notice of challenge, the other party does not agree to the challenge or the arbitrator does not withdraw voluntarily, the Arbitration Committee shall decide on the challenge. The Arbitration Committee may offer the challenged arbitrator an opportunity to respond in writing to the challenge, if the latter so wishes. If the challenge is not successful, the Arbitral Tribunal shall continue with the arbitral proceedings and make the Award. If the challenge is successful, a substitute arbitrator shall be appointed in accordance with Rule 7.

(5) The Arbitration Committee's decision with respect to a challenge application shall be treated as final and binding.