

Constitution of the BIAC Arbitration Committee

Article 1: Composition of the Arbitration Committee

1. The Arbitration Committee shall consist of up to fifteen ordinary members appointed by the Council of Directors of the BIAC ('the Council').
2. The members of the Arbitration Committee shall serve for a period of six years. Subject to the Council's discretion, any member may be re-appointed for a further six year period after due consultation with other Arbitration Committee members.
3. The Arbitration Committee shall make recommendations to the Council to fill appointments arising from retirements or casual vacancies and on other issues relating to the composition of the Arbitration Committee from time to time as appropriate.
4. The Arbitration Committee shall consist of:
 - a. A President appointed by the Council on the recommendation of the Arbitration Committee, to serve for a period of up to three years, and to be eligible for reappointment; and
 - b. Up to five Vice-Presidents appointed by the Arbitration Committee, to serve until expiry of their terms as members of the Arbitration Committee.
5. In the absence of the President or at the request of the President, any Vice-President shall be entitled to exercise the functions and powers of the President.
6. Former Presidents may be invited by the Arbitration Committee to attend Arbitration Committee meetings.

Article 2: Secretary General

1. The Council shall appoint a Secretary General to perform day to day operational tasks of the BIAC and fulfil such responsibilities as may arise under the BIAC Arbitration Rules.
2. The Secretary General shall be appointed for a period of three years and may be re-appointed subject to the Council's discretion.

Article 3: Functions of the Arbitration Committee

1. The Arbitration Committee shall have power to do anything which it may consider appropriate for the proper performance of its functions and shall in particular:
 - a. Perform the functions conferred on it under the BIAC Arbitration Rules;
 - b. Keep the BIAC Rules and their associated schedules of costs under review;
 - c. Make recommendations to the Council as appropriate concerning the introduction of new general or special Rules; and

- d. Promote the objectives of the BIAC and international arbitration generally.
2. The functions of the Arbitration Committee under this Constitution and the BIAC Arbitration Rules shall be performed in its name by the President or, in his absence, by a Vice President of the Arbitration Committee.
3. For the purpose of performing specific tasks in relation to the functions of the Arbitration Committee, the President may set up ad hoc sub-committees of the Arbitration Committee chaired by any member appointed by the President.
4. In the performance of its functions under this Constitution, members of the Arbitration Committee shall at all times act independently of the Council.
5. No member of the Arbitration Committee who is related with an arbitration which is being administered in accordance with the BIAC Arbitration Rules shall participate in or influence any decision of the Arbitration Committee relating to such arbitration.

Article 4: Meetings of the Arbitration Committee

1. The Arbitration Committee shall meet when required under the BIAC Arbitration Rules and at least once every six months.
2. The meetings shall be chaired by the President or, in his absence, by a Vice-President and the quorum shall be five. The Chairman of the meeting shall have a casting vote.

Article 5: Appointment of Arbitrators

1. All appointments of arbitrators in the name of the Arbitration Committee shall be made by the President or, in his absence, by a Vice-President on the President's behalf.
2. All ordinary members of the Arbitration Committee shall be eligible for appointment as arbitrators, provided they have not taken part in the appointment of an arbitral tribunal to which they have been nominated or in any other function of the Arbitration Committee relating to such an arbitration.

Article 6: Functions of the Secretary General

The Secretary General shall carry out day to day operations of the BIAC and administrative functions under the BIAC Arbitration Rules.

Article 7: Amendments

The provisions of this Constitution may only be amended with the mutual consent of the Arbitration Committee and the Council.