

HKIE Panel & List of Arbitrators

1. Eligibility for inclusion on the **HKIE List of Arbitrators** shall be determined by the Construction Dispute Resolution Committee (the Committee) based on the following requirements:

The applicant shall:

- ◆ *be a HKIE Corporate Member; and*
- ◆ *be a Fellow of other related professional institution¹, eg CIArb or HKI Arb, or equivalent; and*
- ◆ *have relevant professional training; and*
- ◆ *have relevant experience in arbitration/mediation/other dispute resolution mechanisms within the construction and engineering sectors.*

Note #1: In the event that the applicant does not acquire Fellow membership of the related professional body, he/she may instead provide supporting evidence on his/her substantial hands-on experience in arbitration/ mediation/ other dispute resolution mechanisms.

(Remarks: Members who have high command of respect in the industry and/or the society and/or with judicial qualities may be invited for inclusion on the List.)

2. A member who is on the HKIE List of Arbitrators and wishes to be considered for inclusion on the **HKIE Panel of Arbitrators** must:

- (a) *demonstrate substantial experience as an arbitrator; and*
- (b) (i) *have drafted three or more arbitral awards in connection with construction disputes within the last five years, with copies of sanitised versions of two to be submitted to the Committee upon application; or*
(ii) *have assisted an arbitrator as his/her assistant in two or more substantial proceedings/ cases²; and*
- (c) *provide two written references.*

Note #2: which includes a hearing of the merits of the case of not less than 5 full days, as well as assisting in the drafting of procedural orders/directions; partial/ interim/ final/ costs awards of that particular case. Please note that the proceedings/ cases must be of different natures and that a potential candidate cannot be supervised by the same arbitrator for more than one proceeding/ case.

(Remarks: The HKIE reserves the right to ask any potential candidate to be called to an interview to assess his/her suitability for admission to the HKIE Panel of Arbitrators. The decision for admission is at the sole discretion of the Committee and such decision is final, nevertheless, a potential candidate is not barred from re-submitting an application should he/she subsequently satisfy the requirements as stipulated.)

3. The Applicant shall confirm that he/she has not been found guilty by a Court or disciplinary tribunal of misconduct, or been convicted of a criminal offence in accordance with *section (2) (1) of the Rehabilitation of Offenders Ordinance, Cap 297* and undertake to inform the Committee if the applicant is charged with a triable criminal offence during the time of being included in the HKIE Panel/ List of Arbitrators.
4. By submitting the application and any information to the Committee, the Applicant is deemed to have provided his/her consent to the HKIE to make the information available to the public and third parties for the purposes of listing and referral of arbitrators.
5. Copies of the documents relating to your education certificates and professional qualifications are required to facilitate the assessment process by the Committee.
6. The Committee reserves the right to accept and reject any application without any explanation.
7. The decision of the Committee shall be absolutely final on all matters about the assessment or the definitions, interpretations of guidelines of application and disclaimers.

8. If, after the application is successful, any information supplied in the respective application is found to be fraudulent or untrue, or an Applicant is found to be associated with a fraudulent or dishonourable act, the Committee reserves the right to withdraw the name of the Applicant from the HKIE List and/or Panel of Arbitrators.
9. None of the information, details and materials submitted with the application will be returned. The Committee will destroy all such information, details and materials, at its sole discretion.

Disclaimers on Personal Data:

- ♦ In this application, you will be requested to provide some personal data. The provision of your personal data is voluntary and it will assist in the process of your application to the HKIE List and/or Panel of Arbitrators. However, if you do not provide the personal data, it may not be possible to process or consider your application. Please read the following statements about the use of your personal data and your rights in respect of them.
- ♦ The personal data provided by means of this application will be used for matters and activities relating to the processing and assessment of the application for admitting to the HKIE List and/or Panel of Arbitrators and the compilation of the relevant statistics to facilitate reviews of the list.
- ♦ Upon successful application, the purposes for which data relating to applicants may be used for all matters and activities relating to the arbitration.
- ♦ In accordance with *section 18 and 22 and Principle 6 of Schedule 1 of the Personal Data (Privacy) Ordinance*, you have the right to request access to and request the correction of the data provided by you. Please contact the Construction Dispute Resolution Committee for these purposes, at “The Construction Dispute Resolution Committee, The Hong Kong Institution of Engineers, 9/F, Island Beverley, No 1 Great George Street, Causeway Bay, Hong Kong”.

PART III : Professional Qualifications		
Full name of issuing authorities	Qualifications	Year obtained / to be obtained

PART IV: Relevant Professional Experience/ Career History		
From Month/Year	To Month/Year	Employer/ Position/ Responsibility

PART V : Relevant experiences in arbitration/mediation/other dispute resolution mechanisms*Please use a separate sheet if necessary***Note:**

For member who wishes to also be considered for inclusion on the HKIE Panel of Arbitrators, please provide relevant information as stated in the requirements on separate sheet(s).

Declaration

I hereby declare that I have read, observed and acknowledged the disclaimers of the application for inclusion on the HKIE List and/or Panel of Arbitrators for which I am now applying and the information given in support of this application is accurate and complete. I understand that I am bound and agree to be bound by the disclaimers throughout. I agree that my personal data can be used for the purposes and otherwise in accordance with the statements about personal data as described in the section “Disclaimers”.

I confirm that I have not been found guilty by a Court or disciplinary tribunal of misconduct, neither been charged with a triable criminal offence in accordance with *section (2) (1) of the Rehabilitation of Offenders Ordinance, Cap 297* nor have criminal cases pending against me.

Name: _____

Signature: _____

Date: _____