

Egyptian Chronicles - Issue 211Bis
On 19 Sept. 2017

In The Name of ALLAH, Most Gracious, Most Merciful

Arab Republic of Egypt
Republic Presidency

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Egyptian Olympic Committee
Decision no. 88/2017

Statutes of Egyptian Sports Settlement
& Arbitration Center

The Board of Directors of the Egyptian Olympic
Committee

Pursuant to perusing the Law of Civil and Commercial
Procedure issued by Law no. 13/1968;

The Law of Arbitration in Civil and Commercial Issues
issued by Law no. 47/1994;

The Law of Sports issued by Law no. 71/2017;

The statutes of the Egyptian Olympic Committee;

The Olympic Charter and correlated international
standards;

And pursuant to what was proposed by the Board of
Directors of the Egyptian Sport Settlement &
Arbitration Center

Has decided
Article One

The enclosed statutes of the Egyptian Sports
Settlement & Arbitration Center shall come into force.

Article Two

This decision shall be issued in the Egyptian
Chronicles and shall come into force as of the date of
its publishing.

Issued on 18 Sept. 2017

Chairman of Board of Directors
Of Egyptian Olympic Committee
Eng. Hesham Hatab

Statutes of Egyptian Sports Settlement
& Arbitration Center

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Part One
Definitions & General Provisions

(Chapter One)
Definitions

Article 1

In the application of the provisions of these statutes, the following words and phrases shall denote the meaning indicated opposite each :

Law of Sports : The Law of Sports issued by Law no. 71/2017

Statutes : The Statutes of the Egyptian Sports Settlement & Arbitration Center

Center : The Egyptian Sports Settlement & Arbitration Center

Sport dispute : The dispute examined before one of the settlement panels at the Center, stipulated by the provisions of the Law of Sports

Reconciliation or mediation : An amicable method to settle sport disputes by virtue of which both parties to the dispute agree on entrusting the settlement proposal task to third party, called mediator or reconciler that they share his selection from the lists prepared for the foregoing.

Arbitration clause : An agreement between both parties to the dispute on settling the dispute that may arise between them in connection with this relationship by way of arbitration and the mechanism of appeal.

Arbitration charter : An agreement between both parties to the dispute on settling the dispute after its rise and the mechanism of appeal.

Arbitration tribunal : A panel comprising one individual arbitrator or three arbitrators competent to examine the arbitral dispute.

Mediation or reconciliation tribunal : A panel comprising an individual mediator or reconciler.

Board of Directors : The Board of Directors of the Egyptian Sports Settlement & Arbitration Center

Secretary General : The Secretary-General of the Egyptian Sports Settlement & Arbitration Center and the head of the administrative agency of the Center.

Consulting committee : The committee competent to resolve the applications and the procedures put forward before it pursuant to the provisions of this statutes.

List of arbitrators, mediators and reconcilers : A list that includes the name of arbitrators, mediators and reconcilers at the Center

List of experts : The list in which the technical experts in the business field of the Center are enrolled; whose expertise is sought before its tribunals.

Fees : The cash amounts that are paid to the Center, which include the dispute registration fees and administrative expenses.

(Chapter Two)
General Provisions

Article 2

The provisions of the Law of Arbitration in Civil and Commercial Issues shall apply with regards to whatever no stipulation has been mentioned in its concern in these statutes.

Article 3

Whenever the competency is tied to the Center pursuant to a sports arbitration term or clause mentioned in a contract or mentioned pursuant to the statutes of an authority or regulations related to a sports activity, the arbitration tribunal shall apply the stipulations of the Law of Sports, the decisions issued in its implementation and the main regulations of the authorities and entities governed by the provisions of this law and the laws related to the subject matter of the dispute.

If there is no stipulation that could be applied, the arbitration tribunal shall rule by virtue of the principles of the International Olympic Charter and relevant international standards; otherwise the principles of justice and fairness shall apply.

Article 4

The examination of a sport dispute shall not be allowed if a mediation or reconciliation agreement has been drawn up in its concern between both parties to the dispute, until all its work is completed.

Article 5

The sport dispute shall be examined in the Arabic language. The English language or any other language may be used pursuant to the approval of the arbitration tribunal, mediation or reconciliation, together with enclosing an official translation of it in the Arabic language.

Article 6

All notices, reports and communications pertaining to the Center must be carried out via the Secretary-General or pursuant to the system that he sets in this concern.

Article 7

The notices, messages and proposals shall be considered delivered, enforceable and productive of their legal effects in the following cases :

1. If they were delivered to the consignee in person.
2. If they were delivered to his usual residence or place of work.
3. If sent by registered mail with acknowledgment of receipt.
4. If sent by email as established in the application or in the reply to the notice.

If a party determines a specific address or if the arbitration tribunal, mediation or reconciliation declares it, the notice shall be delivered to the party at this address, in which case the notice shall be considered enforceable, entailing its effects.

Article 8

Both parties to the dispute must submit all mails and documents as well as other papers during the periods fixed by the Secretariat General of the Center or the arbitration tribunal, as the case may be.

Article 9

The dates fixed for exchanging mail, documents, papers and correspondences shall not exceed thirty days. The arbitration tribunal, as the case may be, may assess the appropriate penalty for failing to comply with the dates.

Article 10

The dates shall be calculated as of the day following the procedure. The days of leaves and official holidays shall be considered in calculating the dates. If the deadline is an official holiday, the date shall extend to the first working day after it. The date shall expire by the lapse of its last day by the end of the official working hours at the Center.

Article 11

The Secretariat General of the Center shall, after the approval of the Board of Directors, build and operate an e-system for online filing at the Center at a time subsequent to starting work at the Center. Until this is carried out, the mail and fax shall be the two methods in force in notices and communications. Notices and communications may be carried out via email using the PDF format to the email address ratified by the Center, provided that the Center would declare the start of work of the e-filing system after completing it between both parties to the reconciliation, mediation or arbitration or their representatives via the email address previously determined by them, to any other address determined in writing in a subsequent stage or via the e-filing platform.

Part Two
Board of Directors

Article 12

The Center shall be run by a Board of Directors for whose formation a decision shall be issued by the Egyptian Olympic Committee comprising the following :

The chairman of the Board of Directors of the Egyptian Olympic Committee, as chairman
Representative of collective sport games, member
Representative of individual sport games, member
Representative of the ministry competent with sport affairs, member
Three members with legal and technical experience, members

Provided that the Board of Directors of the Center would elect a deputy for it from among its members.

The term of the board shall be four years as of the date of its appointment; renewable once. The chairman of its Board of Directors shall represent it before the judiciary and third party.

Article 13

Without prejudice to the provisions of the law and these statutes, the Board of Directors of the Center shall assume managing the affairs of the Center from all aspects, and the following in particular :

- Propose the statutes of the Center or their amendment, and propose establishing offices in governorates to be put forward before the Board of Directors of the Olympic Committee.
- Select the bank in which the funds of the Center shall be deposited.
- Endorse the general policy of the Center.
- Ratify the annual balance sheet of the Center and the annual report on its business.

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- Determine the lists of arbitrators, reconcilers and mediators, in addition to auditing, amending and updating them by the endorsement of the Board of Directors of the Olympic Committee as well as determining their remunerations and the arbitration fees.
- Set up arbitration tribunals and the consulting committee, regulate the business of each and the method of seeking the assistance of experts.
- Set up the administrative body of the Center and supervise it, in addition to endorsing the internal regulations of the Center, the rules regulating the flow of business in it as well as regulating investigations and penalties in case of breach.
- Endorse the appointment of the Secretary-General and the employees at the Center, and determine their competencies and financial treatment.
- Set up the committees required for the flow of business at the Center and its organization; whether permanent or temporary, determine their competencies, study and ratify their reports and issue the required decisions or recommendations required in their concern as well as the competencies required for the Center to assume its tasks.

Article 14

The Board of Directors shall hold an ordinary meeting at least once every month. The Board may be invited for extraordinary meetings pursuant to the request of the chairman of the Board or one of its members, whenever there is need to do so.

Each member of the Board of Directors shall be entitled to submit topics to be listed as articles on the agenda.

The Secretary-General of the Center shall address the invitation to the members by the method determined by the Board of Directors at least one week in advance. The agenda and enclosures shall be enclosed with the invitation.

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The meetings of the Board of Directors shall be held valid by the attendance of the absolute majority of its members. If quorum is not achieved, the meeting shall be postponed to another date within twenty-four hours after which the meeting shall be considered valid if attended by at least one third of the members of the Board of Directors.

The decisions adopted by the Board shall be considered correct and enforceable by the approval of the absolute majority of its attending members. If votes equate, the chairman shall have the casting vote.

The Secretary-General shall attend the meetings of the Center and participate in its discussions without being entitled to vote.

The management of the Center shall keep registers for recording the minutes and the meetings of the Board of Directors. They shall be signed by the chairman of the Board of Directors and the Secretary-General or however acts on their behalf.

Article 15

The meetings of the Board of Directors shall be presided over by the president of the Center. If he absents himself, the meeting shall be presided over by the vice president.

If both absent themselves, the meeting shall be presided over by whoever the Board of Directors authorizes to do so from among its members.

The Board of Directors may authorize the chairman of the Board, the vice-chairman or any member of the Board in assuming some of the competencies prescribed to the Board of Directors.

Article 16

The membership of the Board of Directors shall expire by one of the following reasons :

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- Death.
- Resignation
- The expiry of the membership term.
- The issuance by a final conviction ruling in a felony or a breach of trust or honor misdemeanor.

Article 17

If all or some of the seats of the Board of Directors are vacated, the Board of Directors of the Olympic Committee shall appoint the complementing number pursuant to the category whose seat was vacated.

Article 18

The Board of Directors, the Secretary-General and all employees of the Center shall be prohibited from practicing any settlement work at the Center or appear in any capacity before its tribunals whether as arbitrators, reconcilers, mediators, experts or lawyers.

Part Three

Mediation & Reconciliation

Article 19

Mediation or reconciliation aims to converge the points of views of both parties to the sport dispute via mediation or reconciliation and try to reach a solution that pleases both parties to the dispute by consent and reconciliation.

Article 20

It is conditional for whoever is listed on the list of mediators and reconcilers to meet the following :

1. Holder of at least a university degree.
2. Acquiring at least five years of legal or sporting experience.
3. Enjoys good reputation and conduct.

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4. would not have been previously convicted in a felony or a breach of honor or trust misdemeanor or not have been finding declared bankrupt; unless he was rehabilitated.
5. would not be among the civil servants.
6. would not have been discharged by the disciplinary method.
7. Spends the first training period in the work of reconciliation, mediation and their fields at the Center.
8. Passes the test held by the Center by a grade of at least seventy percent.

The Center may seek the assistance of members of judicial authorities and entities after obtaining the approval of their supreme councils. It may also seek the assistance of legal experts and sportspersons known for their efficiency and experience.

The term of enrollment of reconcilers and mediators in the lists shall be four renewable years.

If the reconciler or mediator loses one of the terms stipulated in this article, he shall be deleted from the lists of the Center.

Article 21

The mediation or reconciliation application shall be submitted on the form prepared for the foregoing at the Secretariat General, meeting the following terms :

1. The application shall be addressed to the Secretary General who shall send a copy of it to the other party.
2. It shall include sufficient information on the issues, subject matter of the dispute, and its parties.
3. Selecting a reconciler or a mediator from the list ratified at the Center.
4. The settlement of the prescribed fees and remunerations.

Article 22

The Secretariat General shall register the mediation or conciliation application in the register prepared for the foregoing; unless it is apparent from the papers and information included in the application that the dispute lies beyond the competency of the Center, pursuant to the approval of the consulting committee. In such case, no fees or remunerations shall be due.

Article 23

The Secretary General shall notify the other party of the mediation or conciliation application within ten days as of the date of submitting the application to obtain its written approval for the method of mediation or reconciliation as means for resolving the dispute, and to name the arbitrator or reconciler within ten days as of the date of receiving the notice.

Article 24

The mediation or reconciliation panel shall be set up within thirty days as of the date of registering the application mentioned in Article 21 of these statutes, provided that the panel would be selected from among those enrolled in the list prepared for the foregoing.

Article 25

If both parties do not agree on the mediation or reconciliation panel during the period stipulated in Article 24 of these statutes, the Secretary General shall appoint the panel within one week at most after consulting both parties.

Article 26

Amending the panel after its setup shall not be allowed, unless the member passes away, is unable to work or resigns. In such case, he shall be replaced by another to be selected by both parties from the Center's list pursuant to the provisions of this Part.

Article 27

The panel shall decide on any objection or plea with regards to its lack of incompetence expressed by either party before entering into the subject matter.

The mediation or reconciliation procedures shall be taken pursuant to the provisions of this Part according to its rules in force once agreed upon by both parties.

Article 28

The task of the arbitration or reconciliation panel shall commence on the day following the day of referring the dispute to it. It shall be imperative upon it to achieve its task within ten days as of the date of entrusting it with examining the dispute.

The arbitration or reconciliation panel shall have all competencies required to examine the dispute and comprehend its elements. It shall be competent in particular to listen to the two parties of the dispute, peruse the required documents and request the data and information that assist it in performing its task.

Article 29

It shall be imperative upon the financial to seek the convergence of the points of views of both parties to the dispute. If this is not achieved, it may write down the recommendations it proposes for resolving the dispute.

If both parties accept the recommendations submitted, this shall be established in an agreement signed by both parties and the panel. This agreement shall become binding to both parties within the limits of what has been agreed upon. This shall be established in the register prepared in this concern.

If both parties do not accept such recommendations or some of them, the panel shall offer the recourse to arbitration.

If they agree, the dispute shall be referred to the Secretariat General to start taking the arbitration procedures at the Center.

In all cases, it shall be imperative upon the arbitration or reconciliation panel to submit within seven days as of the date of completing its task a report to the Secretary General including a summary of the dispute, the papers and documents submitted by its two parties, the recommendations accepted by both parties, what has been rejected and the reasons for rejection.

Article 30

The Secretary General shall determine the fees that should be paid by both parties in advance pursuant to the decision issued by the Board of Directors.

Article 31

Both parties shall bear the fees and remunerations of the members of the arbitration or reconciliation panel.

Article 32

The mediation or reconciliation procedures shall be carried out at the headquarters of the Center; unless the Board of Directors decides otherwise.

Part Four Arbitration

(Chapter One) Arbitrator & Experts

Article 33

It is conditional for whoever is listed on the list of arbitrators and the list of experts to meet the following terms :

1. Holder of at least a university degree.
2. Acquiring at least ten years of legal or sports experience.
3. Enjoys good reputation and conduct.
4. would not have been previously convicted in a felony or a breach of honor or trust misdemeanor or not have been finally declared bankrupt; unless he was rehabilitated.
5. would not be among the civil servants (with regards to arbitrators only).
6. would not have been discharged by the disciplinary method or his membership on a sports authority would have been dropped.
7. Spends the terms of the courses that the Center prepares for this purpose.
8. Passes the test held by the Center by a grade of at least seventy five percent.
9. Settling the due fees imposed by the Center.

The Center may seek the assistance of former or current members of judicial authorities and entities after obtaining the approvals of their supreme councils. It may also seek the assistance of legal experts and sportspersons known for their efficiency and experience.

Article 34

Combining between any of the tasks of an expert, arbitrator, reconciler or mediator shall be prohibited. Likewise, combining between the task of the defense and arbitration in the arbitral dispute shall be prohibited.

Article 35

If the arbitrator or expert loses one of the terms stipulated in Article 33 of these statutes, he shall be deleted from the lists of the Center.

(Chapter Two)
Applying for Arbitration, Arbitration
Notice & Dates

Article 36

The arbitration application shall be submitted to the Center in the name of the Secretary General on the form designated for the foregoing, enclosed with it two copies of the following documents and data :

- A. Requesting the referral of the dispute to arbitration; including an explanation of the subject matter of the application.
- B. The full name of the Claimant, its profession or job, capacity, residence and email and phone no. in addition to the full name of its representative, profession or job, capacity, residence, email and phone no.
- C. The full name of the Respondent, its profession or job, residence and email address, if any. If its residence is unknown, its last known residence.
- D. Determining the arbitration agreement that will be relied on.
- E. A statement of the source from which the dispute arose and submitting a summarized description of the relationship of the relevant dispute if the contract or the legal source of the relationship does not exist.
- F. A summarized description of the dispute and a statement of its value, if any.
- G. The requests.
- H. Selecting an arbitrator from the arbitrators' list at the Center.
- I. Settling the prescribed fees.

The Secretariat General shall assume registering the application in the register prepared for the foregoing, and the Respondent shall be notified within one week as of the date of submitting the application.

The Respondents shall deposit a reply to the arbitration notice in two copies within one week as of the date of receiving the notice.

The reply to the arbitration notice sent to the Secretariat General of the Center must include the following :

- A. The full name of the Respondent, its profession or job, residence and email address, if any.
- B. A reply to the information, facts, supports, evidences and data mentioned in the arbitration notice and the documents that support the foregoing.
- C. Determining the name of the arbitrator from the list that the Center sets and is sent to him.

Article 37

The failure of the Respondent to send a reply to the arbitration notice, the insufficiency of the reply or the delay in sending it shall not prevent setting up the arbitration tribunal. Such issues shall be resolved by the arbitration tribunal.

(Chapter Three) Selecting Arbitrators, their Recusal, Discharge & Replacement

Article 38

Unless otherwise agreed upon by both parties, the following disputes shall be subject to the system of the individual arbitrator :

- Disputes whose value does not exceed one hundred thousand Egyptian pounds.
- Disputes related to membership affairs.
- Disputes related to nomination, elections and the Board of Directors.
- Other disputes that the Center deems their subjection to the individual arbitrator system.

The arbitrator shall be nominated by the Secretary General after obtaining the approval of the consulting committee and the non-objection of both parties to the dispute to such nomination by written and substantial objections; otherwise, proceeding with the arbitration procedures is permitted.

The fees and remunerations for such disputes shall only amount to one thousand pounds .

Objecting to the individual arbitrator shall not be allowed except if there are circumstances that point out to serious doubts about his neutrality and independence.

Article 39

If both parties to the dispute agree on appointing an individual arbitrator without reaching an agreement on his name, the Secretary General shall assume appointing the individual arbitrator from among the names ratified in the lists prepared for the foregoing and furnishing both parties to the dispute with the name of the arbitrator within one week as of the date of selecting him.

Article 40

If the arbitration tribunal is set up of three arbitrators, the Claimant and the Respondent shall each select an arbitrator, then both arbitrators shall agree on selecting the third arbitrator as umpire. If they do not agree on the umpire, he shall be selected by the Secretary General after obtaining the approval of the consulting committee.

If one of both parties to the dispute fails to determine an arbitrator within one week as of the date of submitting the application or delivering the notice, the Secretary General shall appoint the second arbitrator after obtaining the approval of the consulting committee.

If the parties of the Claimant, the Respondents or both vary, each party regardless of the variety of its individuals shall select one arbitrator for it, provided that the two arbitrators would meet on naming the umpire.

In the Claimant and the Respondent fail to select their arbitrators, the Secretary General shall select the arbitration tribunal in full after obtaining the approval of the consulting committee.

If it was not possible to set up the arbitration tribunal pursuant to this article, the Secretary Generals shall assume setting up the arbitration tribunal after obtaining the approval of the consulting committee.

In all cases, the umpire shall assume the presidency of the arbitration tribunal. He shall be selected from among the legal arbitrators.

Article 41

The Secretary General shall refer the file of the dispute to the arbitration tribunal within seven days as of the date of setting it up on the manner mentioned above. It shall be imperative upon the tribunal to start its task within fifteen days as of the date of notifying it of the foregoing, together with notifying both parties to the dispute.

Article 42

If one of the arbitrators passes away, apologizes or if there was a force majeure that prevented him from assuming his task or to continue with it, he shall be replaced by the same method by which he was appointed.

Article 43

The arbitrator appointment procedures shall not be taken except by his explicit approval of the task. If the arbitrator accepts the arbitration task he must submit within one week as of the date of notifying him of his nomination a written declaration confirming by its virtue his neutrality, independence and the nonexistence of any reasons that prevent his assumption of the arbitration task.

Article 44

It shall be imperative upon the arbitrator to avoid any individual communications with any party in connection with the arbitration.

If this occurs, it shall be imperative upon him to furnish the other parties and arbitrators with the purport of the communications carried out.

It shall be imperative upon the arbitrator to avoid any behavior or conduct that would likely obstruct the deliberation or the disruption of resolving the dispute and any act that would likely breach his neutrality and independence.

Article 45

If one the arbitrations fails to assume his task, if there was a legal or actual impossibility that prevents him from carrying it out or if he deliberately disrupts starting or proceeding with the arbitration procedures, this arbitrator may be discharged pursuant to the request of either party to the dispute by virtue of a decision issued by the consulting committee after giving the chance to such arbitrator and both parties to the dispute to express their points of views in this concern.

The work of the arbitrator or his award in the cases stipulated in Article 58.2 of the Law of Arbitration in Civil & Commercial Issues shall be invalid, even by the agreement of both parties to the dispute.

Article 46

The arbitrator shall not be fit to examine the arbitration if he meets one of the cases stipulated in Article 146 of the Civil & Commercial Procedural Law.

Article 47

Neither party shall be allowed to recuse the arbitrator that it had appointed except for reasons that it did not detect upon naming him or that appeared after his appointment.

The recusal of the arbitrator appointed by the other party shall be disallowed; unless there are circumstances that raise doubts about his neutrality or independence.

In all cases, the recusal application shall not be accepted from those who have previously submitted an application for the recusal of the arbitrator himself in the same arbitration.

Article 48

It shall be imperative upon the party that intends to recuse an arbitrator to deposit a notice with the Secretariat General of the Center requesting the recusal within one week as of the date of notifying it of appointing such arbitrator or within one week as of the date of gaining knowledge of the circumstances justifying the recusal, provided that the notice would include the reasons for the recusal accompanied by a trust amounting to one thousand Egyptian pounds that are nonrefundable if the recusal application is rejected.

The Secretariat General shall notify both parties to the dispute, the arbitrator whose recusal is requested and the other arbitrators of the recusal application within three days. In such case, all parties may agree on discharging such arbitrator. The arbitrator may also decline from examining the dispute after submitting the recusal application. The approval of the discharge or accepting the declination shall not be considered an explicit declaration of the validity of the reasons on which the application was based.

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If one week lapses as of the date of the recusal application notice without all parties agreeing on the discharge of the said arbitrator or if he did not decline from examining the dispute, the party applying for recusal may continue with the recusal procedures.

In such case, the issue of the recusal application shall be finally resolved by virtue of a decision issued by the consulting committee.

Article 49

The procedures stipulated in Articles 38, 39 & 40 of these statutes shall be adopted upon appointing the alternative arbitrator.

If either party to the dispute applies with a request to replace the arbitrator it had named, the matter shall be put forward before the consulting committee within one week as of the date of submitting the application accompanied by a report from the arbitration tribunal to decide on accepting the application and carrying out the replacement or rejecting the application and continuing the arbitration.

If one of the arbitrators is replaced, at least one hearing must be held for oral pleading in the presence of the alternative arbitrator.

Article 50

Neither the arbitrators, the Center, its employees, the Secretariat General, the members of the Board of Directors, the consulting committee nor any person appointed by the arbitration tribunal shall be liable towards third party for any act or refrainment related to the arbitration; apart from the case of the deliberate error, fraud or deception.

(Chapter Four)
Arbitration Procedures

Article 51

The arbitration tribunal shall observe upon practicing the arbitration task the principles and rules established for litigation, justice and conflict.

Article 52

All arbitration procedures shall be taken and the meetings of arbitration tribunals shall be held at the headquarters of the Center in Cairo; unless the Board of Directors decides otherwise.

Article 53

The arbitration tribunal may set a time schedule for arbitration through which both parties to the dispute shall be invited to express their opinions and submit their defense and documents. The arbitration tribunal may, at any time after inviting both parties to the dispute, extend or shorten any time period stipulated in these statutes, provided that the dispute would be resolved within six months at most as of the date of submitting the settlement application.

The arbitration tribunal shall practice, pursuant to its discretionary authority, the arbitration procedures in the manner that guarantees avoiding delay and unnecessary expenses that are likely to increase the arbitration expenses unjustifiably.

Article 54

The arbitration tribunal must embark upon and resolve the dispute put forward before it; unless the tribunal deems its suspension pursuant to its discretion.

Article 55

Pleading the lack of competence is among the pleas related to public order; accordingly, the arbitration tribunal must resolve it first before starting to examine the subject matter. It may resolve it by a separate preliminary award.

Article 56

It shall be imperative upon the Claimant to establish its allegation and it shall be imperative upon the respondent to establish its defence.

Article 57

Anyone who expresses a plea that is likely to end the dispute before the arbitration tribunal, a plea that entails suspending the examination of the dispute or any other plea may submit a written memo in this concern during the period determined by the arbitration tribunal.

Article 58

Both parties to the dispute may select whoever legally represents them before the arbitration tribunal, provided that he would be a lawyer enrolled in the Egyptian Bar Association from among the lawyers at least accepted before the Court of Appeal.

Article 59

The pleading hearings and listening to the witnesses shall be carried out in the presence of both parties to the dispute exclusively. The tribunal may make a decision on the publicness of the hearing pursuant to the request of both parties to the dispute.

The arbitration tribunal may order the cross examination of the witnesses and experts by means of the communication methods that require their attendance in person in the pleading hearing, among which for example is the videoconference.

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If the arbitration tribunal decides to listen to the oral plea, it shall be imperative upon it notify both parties to the dispute of the foregoing at least one week before the pleading hearing and in urgent requests at least forty eight hours in advance.

The arbitration tribunal shall hold, pursuant to an application submitted by any party in appropriate phases of the procedures, hearings to listen to the testimony of witnesses or experts or listen to oral pleadings. If no party submits such application, the arbitration tribunal shall decide if it is better to hold the hearings or proceed with the procedures on basis of submitting memos and documents.

Article 60

The Center shall comply with taking procedures that guarantee authenticating the hearings and the procedures, and keeping them in the registers required for the foregoing.

Article 61

Memos, documents, notices and all types of correspondences shall be submitted in a number of copies that is equivalent to the number of parties in addition to two copies to the Center.

Unless otherwise permitted by the arbitration tribunal, all correspondences addressed by either party to the arbitration tribunal shall be deposited at the Center, for the Secretariat General to furnish them to the arbitration tribunal and the other party or parties. In addition, all correspondences addressed by the arbitration tribunal to one of the parties shall be deposited at the Center, for the Secretariat General of the Center to furnish them to the other party or parties.

Article 62

The arbitration tribunal may, pursuant to the request of either party to the dispute, permit the intervention of one person or more from third party as party the in the arbitration, if this person was party in the arbitration agreement or charter.

It may also reject such intervention.

Article 63

The arbitration tribunal may authorize the Respondent after submitting a statement of its defense to express contingent requests. It may adhere to pleading an offset, provided that the arbitration tribunal would be competent to do so.

In contingent requests the data stipulated in Article 36 of these statutes must be observed.

Article 64

It is allowable to any party during the arbitration procedures and before closing the door for pleading to amend its requests or defense, submit contingent requests or request pleading an offset; unless the arbitration tribunal decides not to accept the request in view of being submitted late or it was likely to remove the original request beyond the scope of competence of the arbitration tribunal.

Article 65

The arbitration tribunal shall resolve the pleas related to its lack of competence including the pleas arising from the nonexistence of an arbitration agreement or its invalidity.

The arbitration clause mentioned in the contract shall be considered an independent agreement of the other terms of the contract. If the arbitration tribunal rules the nullity of the contract, this shall not entail the nullity of the arbitration clause.

Article 66

The arbitration tribunal may order, pursuant to the request of either party to the dispute, taking provisional precautionary measures at any time preceding the issuance of its award in the dispute, and the following in particular :

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1. Maintain or restore the position to its previous status until resolving the dispute.
2. Order taking a precautionary procedure that prevents the occurrence of damage or refrain from taking any procedure that entails damage.
3. Order providing a method for keeping the assets that could be the subject matter of implementing an award by virtue of a subsequent arbitration award.
4. Order keeping evidences closely related to resolving the dispute.

The consulting committee shall assume taking provisional measures during the period that precedes the complete set up of the arbitration tribunal.

Article 67

The following is conditional to order taking provisional measures :

1. That it could be feared the occurrence of grave damage that could not be rectified.
2. That it would be weighted that an award would be issued in the dispute in favor of the party requesting the provisional measure.
3. That the party requesting the provisional measure would submit a guarantee or collateral for maintaining the right of the other party.

Ordering the provisional measure shall have no effect on the award of the arbitration tribunal in the subject matter.

Article 68

The arbitration tribunal may decline from its provisional measure order if it is revealed to it that the circumstances of issuing it were the result of fraud or deception. In such case, the party against which the provisional measure was issued may claim compensation for the damage sustained by it from the foregoing.

Article 69

The arbitration tribunal may, after consulting both parties to the dispute, appoint one or more independent expert/s from among those enrolled in the experts register at the Center to submit a written report to it on specific issues that it determines. The arbitration tribunal shall send a copy of the statement of the experts' task statement prepared by it to the parties.

The experts shall submit before accepting his appointment to the arbitration tribunal a declaration of his neutrality and independence. The parties shall report to the arbitration tribunal during the grace period that it determines any objections that they have to the neutrality of the expert, his independence and qualifications. The arbitration tribunal shall take the initiative of making a decision on the extent of accepting any of such objections within five days as of the date of submitting them.

As soon as the expert is appointed, neither party to the dispute shall be allowed to object to his qualifications, neutrality or independence; unless such objection is built on reasons subsequent to his appointment. The arbitration tribunal shall determine the procedures in such case.

Article 70

Both parties to the dispute shall comply with submitting any information related to the dispute to the expert once requested to do so. They shall also comply with submitting the documents or any other matters that the expert requires to examine and inspect.

Article 71

The arbitration tribunal shall send the expert's report once deposited to both parties to the dispute, provided that it would grant them the sufficient time to peruse it and express their opinion with its regards in writing.

Each party shall be entitled to inspect any document on which the expert relied in his report.

Either party shall be allowed to listen to the statements of the expert in the presence of the other party and discuss them with him.

Either party shall be allowed to request listening to one expert or more that the tribunal assesses the feasibility of listening to them to give their testimonies in connection with the points of disagreement in the expert's report. The tribunal shall assess the feasibility of accepting any request pursuant to its conviction in the expert's report and work or its rejection.

Article 72

If either party to the dispute was invited in the right manner pursuant to these statutes to attend one of the pleading hearings and it failed to appear without expressing an acceptable excuse, the arbitration tribunal may proceed with the arbitration procedures.

In the arbitration tribunal invites either party to the dispute in the right manner to submit documents or other evidences and it fails to submit them during the period fixed for the foregoing without expressing an acceptable excuse, the arbitration tribunal may issue the arbitration award pursuant to the evidences made available to it.

Article 73

Both parties to the dispute may submit the statements, evidences or witnesses that they have before closing the door for pleading. The arbitration tribunal may decide on its own or pursuant to the request of one of the parties to open the door for pleading at any time before issuing the arbitration award, if it deems this important.

Article 74

If neither party to the dispute takes the initiative to object to any breach to such rules and procedures or to any term in the arbitration agreement in the pleading hearings until closing the door for pleading, this shall be considered an assignment of its right to object; unless this party establishes that the reason for not submitting its objection is justifiable pursuant to what the arbitration tribunal assesses.

Article 75

If during the arbitration procedures an issue that lies beyond the jurisdiction of the arbitration tribunal was put forward before it, or if any paper submitted to it was challenged to be forged or if criminal proceedings were taken with regards to its forgery or for any other criminal act, the arbitration tribunal may continue examining the subject matter of the dispute if it deems that resolving this issue, the forgery of the paper or the other criminal act is not necessary for resolving the subject matter of the dispute; otherwise it shall suspend the procedures until a final award is issued in this concern. This shall entail suspending the enforceability of the period fixed for issuing the arbitration award.

(Chapter Five)
Arbitration AwardsSection One
Awards Issuance

Article 76

If the arbitration tribunal was set up of three arbitrators, its awards, orders and decisions shall be issued by the majority of its members.

In the issues of the dispute procession procedures a decision may be issued by the umpire if the arbitration tribunal allows the foregoing.

Article 77

The arbitration tribunal may issue preliminary awards or order provisional measures or others upon embarking on the dispute.

All awards, orders and decisions of the arbitration tribunal shall be in writing. They shall be final and binding to the parties which must implement them.

Article 78

The arbitration award must be causative. It shall be signed by the arbitrators, mentioning the date of its issuance and the venue in which it was issued. If there is more than one arbitrator, and one of them refrains from signing the award, the award must indicate the reason for such refrainment.

Article 79

An original copy of the arbitration award shall be sent to each party signed by the arbitrators.

Article 80

Both parties to the arbitration dispute shall comply with implementing the awards, orders and decisions of the arbitration tribunal and the decisions of the Center.

Article 81

The arbitrators' awards and orders issued pursuant to these statutes shall acquire the force of the claim preclusion (*res judicata*) and shall be implemental.

The rules stipulated in the Law of Arbitration in Civil and commercial Issues shall apply in connection with obtaining the executive writ for the awards and orders of the arbitration tribunal.

Article 82

The arbitration tribunal shall not be allowed to resolve the dispute as a reconciliation authorized arbitrator or pursuant to the principles of justice and fairness unless it was authorized by the parties to do so.

In all cases, the arbitration tribunal shall resolve the dispute pursuant to the terms of the contract, if any; observing the general principles of the law.

Article 83

The deliberations of the arbitration tribunal shall be confidential.

Article 84

If both parties to the dispute agree before the issuance of the arbitration award on a settlement that puts an end to the dispute, the arbitration tribunal must either issue an order on terminating the arbitration procedures or establish the settlement pursuant to their request and approval in a form of an arbitration award by terms that are agreed upon. In such case, the arbitration tribunal is not obligated to mention the reasons for such award.

Article 85

If before the issuance of the arbitration award, continuing the arbitration procedures has become unfeasible or impossible, the arbitration tribunal must notify both parties to the dispute and the Center of its intent to issue an award on terminating the procedures.

The arbitration tribunal may issue such award; unless there are issues put forward before it that should be resolved, if the tribunal assesses so.

An original copy of the arbitration procedures termination award or the arbitration award shall be sent signed by the arbitrators to each party.

(Section Two)
Interpretation of Arbitration Awards,
Their Correction & Applications Disregard

Article 86

Each party may ask the arbitration tribunal to interpret the ambiguity or obscurity committed in the wording of the arbitration award within fifteen days as of the date of receiving the award, provided that this request would be furnished to the other party or parties and the Center.

The arbitration tribunal may invite the other party or parties to comment on such request within one week as of the date of the notice.

Article 87

If the arbitration tribunal deems the interpretation request justifiable, it shall issue the interpretation award in writing within one week as of the date of the lapse of the period fixed for commenting on the interpretation request. The interpretation award shall be considered integral part of the arbitration award and complementary to it.

Article 88

If the arbitration tribunal disregards issuing an award in some requests, either party may ask it within fifteen days as of the date of receiving the order terminating the procedures or the arbitration award to look into such request and resolve it after furnishing the other party or parties and the Center with this request.

The arbitration tribunal may invite the other party or parties to reply to such request within one week as of the date of the notice.

Article 89

If the arbitration tribunal deems answering the disregard applicant to its request, it shall issue its award on the disregard request within fifteen days as of the date of the lapse of the period fixed for replying to the request for issuing the award on the disregard request.

Article 90

The arbitration tribunal may correct any pure material errors in its award, order or decision whether written or calculated by an award, order or a decision that it issues automatically or pursuant to the request of one of the litigants. The arbitration tribunal shall conduct the correction without a plea within thirty days as of the date of issuing the award, order or decision or deposit the correction request, as the case may be. It may extend this period if it deems this necessary.

The correction award, order or decision shall be issued in writing by the arbitration tribunal and shall be furnished to both parties to the dispute.

Article 91

Unless otherwise agreed upon by both parties to the dispute, all parties shall comply with maintaining the confidentiality of the documents submitted during the arbitration procedures.

This obligation shall apply to the arbitrators, the experts, the Secretary General and all employees of the Center.

Article 92

In case of appealing the arbitration award pursuant to the arbitration clause or charter, the provisions of Part Four and Part Five of these statutes shall apply in the manner that agrees with the nature of the appeal litigation.

Part Five
Fees & Remunerations

(Chapter One)
Fees' Particulars

Article 93

Without prejudice to the provisions of Article 38 of these statutes, the arbitration tribunal shall determine the arbitration fees in the award ending the litigation and in any other issue if it deems this appropriate.

The fees include the following :

1. The registration fee amounting one thousand Egyptian pounds.
2. Administrative expenses in the manner determined in appended Schedule no. 1 to these statutes.
3. The remunerations of the arbitration tribunal in the manner indicated in appended Schedule no. 2 of these statutes.

In all cases, the value of the dispute shall be assessed on basis of the total value of valid requests, contingent requests and pleas, among which is pleading offset.

If it was not possible to determine the value of the dispute, the Secretariat General shall determine the value of the fees and remunerations after putting forward the matter before the consulting committee.

Article 94

The arbitration tribunal shall not be allowed to receive any additional remunerations in return for interpreting its award or its correction, or resolving the requests disregard.

Article 95

If an order is issued by the arbitration tribunal terminating the arbitration procedures before the issuance of the final arbitration award pursuant to Article 84 of these statutes, the Secretariat General shall determine the arbitration fees in a final form in light of the timing of terminating the procedures by the arbitration tribunal and the works it has accomplished.

Article 96

The parties shall settle the fees, expenses and remunerations to the Center in cash or by a certified cheque in the name of the Center which shall be delivered to the Secretariat General.

Article 97

The Claimant shall settle the registration fee upon depositing the arbitration application with the Center or upon notifying it of a contingent request. The Respondent shall settle the same fee upon depositing the reply to the notice or upon submitting a contingent request to the Center. If the registration fee was not settled upon submitting the arbitration application or the contingent request, the Center shall not register the dispute or the application. The registration fee shall be nonrefundable.

Article 98

If either party to the dispute defaults in settling its share in the **fees** pursuant to Article 93 of these statutes, the other party may settle the full fees, provided that the arbitration tribunal would observe in its award compelling the defaulting party and the loser of the arbitration with all such fees or part of them, according to the circumstances of the dispute.

(Chapter Two)
Remunerations of Arbitration Tribunal

Article 99

Without prejudice to the provisions of Article 38 of these statutes, the remunerations of the arbitration tribunal shall be assessed on basis of the value of the dispute pursuant to Schedules 1 & 2 enclosed with these statutes.

If it was not possible to determine the value of the dispute, the Secretariat General shall assume determining the remunerations of the arbitration tribunal.

Article 100

The remunerations prescribed to the arbitration tribunal shall be distributed among its members in the following rates :

40% to the umpire
30% to each one of its members.

Unless otherwise agreed upon by the members of the arbitration tribunal.

Article 101

The remunerations shall be settled to the arbitration tribunal as soon as the final arbitration award is issued signed by the arbitrators. It is allowable before the issuance of the award and pursuant to the request of the arbitration tribunal to settle an advance payment of the remunerations of the arbitration tribunal, provided that it would not exceed half the deposited remunerations and provided that this would not be carried out before holding the pleading hearing.

Article 102

If an arbitrator passes away after accepting the task and before the issuance of the arbitration award, the Secretariat General shall assume determining his remunerations in consultation with the members of the arbitration tribunal by looking into the works accomplished by him.

Article 103

The arbitrator discharged or recused pursuant to Articles 45 & 48 of these statutes shall not receive any remuneration.

Article 104

The arbitrator shall not be allowed to reach an agreement whether directly or indirectly with both parties to the dispute or whoever acts on their behalf in connection with his remunerations or in connection with the arbitration fees. The arbitrator shall not be allowed to accept gifts or privileges whether directly or indirectly from the parties to the dispute or whoever acts on their behalf whether before starting the arbitration procedures, during their procession or after their completion.

Article 105

The Secretariat the Center may in exceptional cases and pursuant to the approval of the consulting committee determine the remunerations of the arbitration tribunal in a sum that exceeds or drops below the sums prescribed in the enclosed schedules, provided that this increase or decrease would not exceed 15% of the prescribed sums in light of the dispute put forward.

(Chapter Three)
Distributing Fees & Remunerations
Between Both Parties to Dispute

Article 106

Both parties to the dispute shall settle the registration fees to the Center in equal shares between the Claimant and the Respondent; unless both parties agree on or the arbitration tribunal decides otherwise.

If the full required fees are not deposited within fifteen days as of the date of delivering the application, the arbitration tribunal may suspend or terminate the arbitration procedures.

Article 107

The arbitration fees and remunerations shall be borne by the party losing the dispute. The arbitration tribunal may distribute them between both parties to the dispute if there was a logical reason for the foregoing from among the circumstances of the dispute, provided that this would be mentioned in the whereases of the award or the order issued.

The arbitration tribunal shall assess in the arbitration award that put an end to the dispute or in any other matter if it deems a legitimate justification for the foregoing the sum that either party to the dispute must settle to the other party as an effect to the decision of distributing the fees and remunerations as well as any fees or remunerations that either party to the dispute would have defaulted in settling.

Article 108

The Center shall determine a sum for the travel expenses of the members of the arbitration tribunal apart from the fees and remunerations of the arbitration tribunal, if there was need to do so.

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Schedule No. 1
Administrative Expenses

Value of Dispute EGP	Administrative Expenses EGP
Un-assessed value	To be determined by Secretary General after tabling before Consulting Committee
Up to EGP 50 thousand	1,000.00
From EGP 50 thousand Up to EGP 250 thousand	1,500.00
Whatever exceeds EGP 250 thousand up to EGP 500 thousand	2,000.00
Whatever exceeds EGP 500 thousand up to One million pounds	3,000.00
Whatever exceeds one million pounds	5,000.00

Schedule No. 2
Arbitrators' Remunerations

Value of Dispute EGP	Remunerations Rate
Un-assessed value	To be determined by Secretary General after tabling before Consulting Committee
Up to one million pounds	2% of value of dispute in EGP
Whatever exceeds One million pounds	1.5% of value of dispute in EGP