

Rules for the Proposal of Experts

Article 1

(1) The Danish Institute of Arbitration (hereafter referred to as DIA) proposes, upon Request, one or more independent, impartial and suitably qualified experts capable of giving an opinion on specific issues.

(2) The Request is handled by DIA in compliance with these Rules for the Proposal of Experts (hereafter referred to as the Rules). In the event that an issue arises which is not covered by the Rules, it shall be governed by rules decided by DIA.

Article 2

(1) The Request mentioned in Article 1 shall contain:

- 1) The names, addresses, phone numbers and e-mail addresses of the party and any opposing parties and information about any legal counsel of the parties, including the names, addresses, telephone numbers and e-mail addresses.
- 2) A presentation of the background of the case and the subject of the expert's assignment.
- 3) The list of questions on which the expert is to give an opinion (expert statement) including any deadlines for the expert's submission of the opinion.
- 4) A list of the desired qualifications of the expert, e.g. education, experience, language skills, etc.
- 5) Information regarding any circumstances to the party's knowledge, which may be relevant to the evaluation of the expert's independence and impartiality, cf. Article 6.

(2) Exhibits, which are referred to in the Request, shall be enclosed in the form of original documents or copies thereof.

(3) The opposing party will receive a copy of DIA's correspondence with the party, unless the party has requested otherwise.

(4) If the Request does not comply with the requirements above, DIA may fix a deadline for compliance.

Article 3

(1) When the Request is submitted to DIA, a fee of EUR 400 or the equivalent in Danish Kroner (DKK), per expert must be paid. The fee will not be refunded in the event that the Request is withdrawn.

Article 4

(1) DIA will propose an expert without undue delay.

(2) An expert proposed under the Rules may be an individual or a legal entity. DIA may propose several persons, if it is deemed necessary for the fulfillment of the desired qualifications, cf. Article 2 (1) 4).

(3) The expert may have the same nationality and be domiciled in the same country as one of the parties, unless the party requests that the expert shall be of a nationality and be domiciled in a country other than those of the parties.

Article 5

(1) DIA may, depending on the specifics of the case, decide to:

- 1) Propose one expert
- 2) Propose several experts, where the party or parties, on the basis of e.g. interviews with the proposed experts, may choose among the proposed experts.

(2) For DIA's consideration and in order to comply with (1), DIA may request each of the parties to send to DIA a list of a specified number of experts which the party deems to be qualified.

Article 6

(1) Any person, who is proposed as an expert, shall be qualified, independent and impartial in relation to the parties of the case. DIA must also give due consideration to the qualifications agreed by the parties that the expert shall possess as well as to the expert having the time necessary to take on the assignment.

(2) Before being proposed by DIA as expert, the expert shall sign a Declaration of Acceptance and of Impartiality and Independence. At the same time, the expert shall disclose in writing any circumstances which might give rise to reasonable doubts as to the expert's availability, impartiality or independence. The expert shall also produce information on his or her educational background, etc. (CV/résumé). The DIA shall forward the declaration and the CV/résumé to the party and the opposing party if relevant, cf. Article 2 (3).

(3) The above mentioned applies, with the necessary modifications, if the proposed expert is a legal entity.

Article 7

(1) The expert's fee shall be a matter solely between the parties and the expert.

Article 8

(1) The expert, DIA, the members of the Board or DIA's Board of Representatives, the Chairman's Committee, the Secretariat or the Secretary General shall treat all matters relating to the case as confidential.

Article 9

(1) The expert, DIA, the members of the Board or DIA's Board of Representatives, the Chairman's Committee, the Secretariat or the Secretary General shall not be liable for any act or omission in connection with appointment of experts, except to the extent that such limitation of liability is prohibited by the applicable law.

In force as from 1 June 2015.

Adopted by the Board of the Danish Institute of Arbitration 21 May 2015.