

## **Member Update**

**Title:** **Nominations for Arbitration Tribunal Chairman (Export Contracts)**

**Update No.:** **34 of 12**

**Date of Issue:** **6 December 2012**

### **Distribution**

- GTA Members – primary contact list. Please circulate to all appropriate internal parties

### **1 Background**

Export contracts being used by GTA members are increasingly referencing the GTA Dispute Resolution Service (DRS) due to the cost and convenience of GTA arbitration as opposed to alternative systems.

Potentially, disputes relating to export contracts will be characterised by technical complexity and substantial quantum of damages.

Accordingly, the GTA Board have approved the creation of a panel of suitably qualified arbitrators who will act as a Arbitration Tribunal Chairman (Export Contracts) (the Chairman) for these arbitrations.

### **2 Nomination requirements**

#### **2.1 General requirements for arbitrators**

Arbitrators, in general, shall meet the following criteria:

- (a) be well versed in the practices and customs of the grain trade;
- (b) have a thorough understanding of the GTA Trade Rules and GTA Arbitration Rules;
- (c) have not less than five years experience in the grain trade or grain related industry, **or** is a professional arbitrator;
- (d) not be a bankrupt, insolvent, or in receivership; and
- (e) not be convicted of a felony.

#### **2.2 Additional professional requirements required by the Chairman**

- (a) Nominees will be drawn from GTA members.
- (b) Nominees will possess legal qualifications with experience in maritime law and/or export grain contracts.

### **3 Responsibilities**

- (a) The Chairman will be responsible for the conduct of the Arbitration and direct the GTA secretariat in arbitral matters as needed.
- (b) The Chairman will act as the legal adviser to the Tribunal as required.
- (c) The Chairman will convene the hearings of the Tribunal and draft, circulate and finalise the award in conjunction with other Tribunal members.
- (d) Selection of the Chairman will at the discretion of the GTA CEO.

### **4 Appointment and duration**

- (a) Appointment to the panel of Tribunal Chairman shall be approved by the GTA Board.
- (b) Appointments as a GTA Tribunal Chairman shall remain valid for a period of three years.

### **5 Fees for Tribunal Chairs**

- (a) \$500 / hourly fee inc GST for all work conducted during the arbitration.
- (b) Tribunal Chairman will enter into a standard Client Agreement with GTA.

### **Further information**

- Geoff Honey – 02 9235 2155

## Nomination Form

### Arbitration Tribunal Chairman (Export Contracts)

I, \_\_\_\_\_ of \_\_\_\_\_  
consent to Act as an Arbitration Tribunal Chairman (Export Contracts).

I declare that I:

1. am well versed in the practices and customs of the grain trade;
2. have a thorough understanding of the GTA Trade Rules and GTA Dispute Resolution Rules;
3. have not less than five years experience in the grain trade or grain related industry, OR am a professional arbitrator;
4. am not a bankrupt, insolvent, or in receivership; and
5. have not been convicted of a felony.

Signature: \_\_\_\_\_ Date \_\_\_\_\_ / \_\_\_\_\_ / 20

#### Contact details:

Address: \_\_\_\_\_

\_\_\_\_\_ Postcode: \_\_\_\_\_

Phone (work): \_\_\_\_\_ Mobile: \_\_\_\_\_

Email: \_\_\_\_\_

#### Proposer – must be a current GTA member

Signature: \_\_\_\_\_

Name: \_\_\_\_\_ Date: \_\_\_\_\_ / \_\_\_\_\_ / 20  
*please print*

**Please attach a current CV in support of your application.**

**Please forward completed nomination forms to:**

- Geoff Honey at [arbitration@graintrade.org.au](mailto:arbitration@graintrade.org.au)