

NEPAL COUNCIL OF ARBITRATION

Kupondole, Lalitpur, Nepal
 website: www.nepca.org.np
 email: nepca@outlook.com

APPLICATION FORM FOR¹ :

(Tick the relevant) LIFE MEMBERSHIP GENERAL MEMBERSHIP EMPANELMENT AS AN ARBITRATOR

Full Name: Mr./Ms/ _____
 (in Block letters)

Address: _____

 _____ Pin _____

Parent's/Spouse's Name: _____

Occupation: _____

Phone/s: (Office) _____ **(Resi.)** _____ **Fax:** _____

Email: _____

Date of Birth: _____ **Age:** _____ **Nationality:** _____

(Please attach supporting documents for the purposes of office records)

Educational/Professional Qualifications (Graduation onwards):

Name and Address of College/Institution	University	Year of Passing
_____	_____	_____
_____	_____	_____
_____	_____	_____

(Please attach supporting documents for the purposes of office records)

Experience:

Employers' Name	Address	Position	Period	
			From	To
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Members of the following Organisations:

(Please provide details for all of the above, as applicable)

	Position	Period	
		From	To
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Are you already a Life Member of NEPCA ?

¹ Application Fee: Rs 5,000

(Life Membership is pre-requisite for Panel Membership. For foreign applicant, it is not mandatory)

Category of Applicant:

Please tick (v) one of the following Categories: Judges Advocates Engineers Chartered Accountants/Financial Experts Executives Shipping Businessmen Academia Other Area, specify

Fields of Specialization:

Please write the field based on your priority of experience or knowledge:
.....
.....

Arbitration Training:

Course Name	Organizer's Name	Period
.....
.....
.....
.....

Adjudication/DB Experience:

Number of Cases as a Sole Adjudicator:
Number of Cases as a DB Member/Presiding Member:
Number of Cases as a Counsel/Expert witness:
(Please provide details for all of the above, as applicable)

Arbitration Experience:

Number of Cases as a Sole/Co-Arbitrator:
Number of Cases as a Chairperson or Presiding Arbitrator:
Number of Cases as a Counsel/Advocate/Expert witness:
Number of litigation cases relating to arbitration:
(Please provide details for all of the above, as applicable)

Name of ADR Courses/Seminars/Conferences participated:

Addressed
Participated
Title of Paper presented (Enclose a set of Paper)

Recommendation (Compulsory) from existing NEPCA Life Members :

Proposed By
Seconded By

Undertakings:

- a) I agree to abide by the Constitution and Rules of Nepal Council of Arbitration including Guidelines & Code of Ethics.
- b) I shall take up and complete the arbitration/adjudication assigned to me with utmost diligence and expedition.
- c) All arbitrators and adjudicators being of equal status, I shall not object to my appointment as arbitrator or adjudicator in a particular case on the basis of my previous status or that of any appointed arbitrator or adjudicator.
- d) I have not been convicted or charged of any offence or any criminal investigation or vigilance enquiry pending against me.
- e) I declare that I have not been removed as arbitrator in circumstances where moral probity or incompetence were an issue.
- f) I declare that above particulars furnished are true & correct.

Date:

Signature of the Applicant.

Requirements for General or Life Membership of NEPCA

The applicant must meet the following requirements:

- Age: above 40 years (not Mandatory for General Membership)
- Bachelor's or Higher Degree in Engineering or Law or Related Field,
- At least 10 years of professional experience in related field after Bachelor's degree for Master's Degree holder and 15 Years of experience in related field after Bachelor's degree for Bachelor's Degree holder ,
- Specific Experience
 - as an arbitrator or adjudicator or parties' counsel relating to settlement of commercial dispute in three or more completed cases, OR
 - as a project manager or a construction supervision engineer for more than a year in at least two projects of more than Rs. 500 million each, OR
 - five or more years of experience as former Judge of High Court or Senior Advocate or Senior Level Civil Servant in government or public entities dealing with litigation/planning and development/implementation of infrastructures, OR
 - Member of NEPCA for 10 or more years and participated in 3 or more training, OR
 - Have a fellowship from the Chartered Institute of Arbitrators, U.K. or comparable professional arbitration institute,
- Be of good standing in arbitration or related professional community (to be judged from publications, lectures or presentation on training/seminar/conference)

Application fee: Rs. 5,000.00 , US\$100 for Foreign Applicant Life

Membership fee: Rs. 25,000, US\$ 500 for Foreign Applicant

Requirements for Empanelment as an Arbitrator in NEPCA

The applicant must meet the following requirements:

1. Life member of NEPCA
2. Age at least 45 years.
3. Have good moral character.
4. Experience:
 - a. Worked as **arbitrator** for at least three (3) cases related to commercial dispute arises out of a contract. OR
 - b. Worked as **adjudicator** for at least four (4) cases related to commercial dispute arises out of contract. OR
 - c. Prepared bid documents and involved in bid evaluation in at least five (5) contracts of value exceeding Rs. 500 million each. OR
 - d. Involved in contract administration or construction supervision of the project of value exceeding Rs. 500 million each of at least five (5) projects. OR
 - e. Prepared claim, counter claim or defense statements at least five (5) Arbitration cases. OR
 - f. Worked as a judge in District Court (for more than five (5) years) or in High Court (for more than three (3) years). OR
 - g. Enlisted as panelist arbitrator of any comparable institution abroad.

Note: For Non-Nepali applicant, Life Membership/ Membership of NEPCA is not mandatory.

Format for Evaluation of Application for Life/General Membership

- 1. Name:**
- 2. Age:** Above 40 yrs: Yes No
- 3. Academic Qualification :** Bachelor's Degree Yes No
 Master's Degree Yes No
- 4. Nos. of Years of Professional Experience:** 15 or more years: Yes No
 10 or more years: Yes No
- 5. Specific Experience:**
- a. Cases completed
- i) Nos. of cases of Completed Arbitration :, 3 or More: Yes No
- ii) Nos. of cases Adjudicated: 3 or More: Yes No
- iii) Nos. of completed cases as a Counsel 3 or More: Yes No
- b. Nos. of major Projects of value of Rs. 500 million or more Contract Price supervised for 1 year or more:
, 2 or more: Yes No
- c. Nos. of Years, formally , as Judge/Senior Advocate/ Senior Civil Servant or Executive:
 5 years or more: Yes No
- d. Years of NEPCA Membership:, 10 years or more: Yes No
- e. Fellowship of CI Arb or Equivalent: Yes No
- 6. Professional Standing:** High Medium Ordinary
 (To be assessed from Membership of Reputed Professional Organizations; Papers published, Papers presented in seminar/workshop/conference, Lectures delivered in training and other works related to your category and dispute settlement)

Comments and Recommendation:

Format for Evaluation of Application for Empanelment as Arbitrator

1. Name:

2. Age: more than 40 years? Yes No

3. Life Member of NEPCA (not applicable for Foreign Applicant): Yes or No

4. Academic Qualification : Bachelor's Degree Yes or No

..... Master's Degree Yes or No

5. Nos. of Years of Professional Experience: 15 or more years: Yes or No

..... 10 or more years: Yes or No

6. Experience:

Nos. of cases of completed Arbitration in Construction Contracts :

..... more than 3nos. Yes No

Fellowship of CIA Arb/Panel Member of CI Arb or Equivalent Institution Yes No

7. Moral Standing expected of an Arbitrator: Peer's review:

High Medium Ordinary

8. Professional Standing: : High Medium Ordinary

(To be assessed from Membership of Reputed Professional Organizations; Papers published, Papers presented in seminar/workshop/conference, Lectures delivered in training and other works related to your category and dispute settlement)

Comments and Recommendation:

Tick as appropriate

- Recommended for Empanelment in the NEPCA National Panel / International Panel of Arbitrators
- Recommended for Empanelment in the NEPCA National Panel / International Panel of Adjudicators/DB Member
- Requirements not met

Other Comments, if any