

TECBAR DISPUTE RESOLUTION APPOINTMENTS

QUALIFYING CRITERIA

Should you wish to apply for one or more appointment, the qualifying criteria which you will be expected to meet are set out below.

- 1) **TECBAR Arbitrator:** applicants are required to have 10 years' experience of arbitration as counsel and:
 - (i) to have obtained a recognised qualification from an approved / accredited arbitration/ADR institution; or
 - (ii) to have conducted 3 arbitrations as arbitrator (although not necessarily to award stage), or 3 adjudications, expert determinations or DABs/DRBs (through to decision), or a combination of the foregoing, or to have been appointed Recorder.

TECBAR also accepts applications from former TCC Judges, or from former Judges who had a substantial TCC practice at the Bar. Such applicants need not satisfy the above criteria.

- 2) **TECBAR Adjudicator:** applicants are required to have passed a recognised approved/accredited adjudication course. TECBAR runs its own approved adjudication course periodically, and those who have not qualified elsewhere will be entitled to apply for accreditation upon completion of that course. TECBAR Adjudicators will be required to retrain from time to time (as determined by the TECBAR Committee) in order to remain on the list.

TECBAR also accepts applications from former TCC Judges, or from former Judges who had a substantial TCC practice at the Bar. Such applicants need not satisfy the above criteria.

- 3) **DRBs:** applicants are required to:
 - (i) have 10 years' experience of DRBs as counsel, or
 - (ii) be of at least 10 years call and qualify for at least one of the other categories referred to above (Adjudicator or Arbitrator).

TECBAR also accepts applications from former TCC Judges, or from former Judges who had a substantial TCC practice at the Bar. Such applicants need not satisfy the above criteria.

- 4) **TECBAR Mediator:** All applicants are required to have undertaken an approved/accredited mediation course.

- 5) **All:** There is no other reason why a member should not be included in a Dispute Resolution List. Examples of reasons why a member should not be included in a Dispute Resolution List include, without limitation:
- (1) criminal conviction;
 - (2) being disqualified from acting as a company director by Court Order;
 - (3) being made subject of a Bankruptcy Order, Debt Relief Order or Bankruptcy Restriction Order
 - (4) having given a direction disqualification undertaking or Bankruptcy Restriction undertaking;
 - (5) being, or having previously been, a director of a company which is or was placed into administration and/or liquidation by virtue of being insolvent (including by way of CVA or CVL) as defined by s.123 of the Insolvency Act 1986;
 - (6) making an accommodation with creditors (including a voluntary arrangement);
 - (7) failing to pay a judgment debt;
 - (8) any matter which results in censure by, or removal from, a professional body, or from any other appointment panel run by a professional body;
 - (9) any matter which risks bringing that member, a Tecbar Dispute Resolution List, or Tecbar, into disrepute.