

**APPLICATION FORM**

**FOR THE NOMINATION OF A DISPUTE RESOLUTION BOARD BY TECBAR**

**TO THE CHAIR OF TECBAR:**

**Ben Patten KC**

4 New Square Chambers

Lincoln’s Inn

London

WC2A 3RJ

**DATE OF THIS REQUEST**: ...........................................................................................

**THE REQUEST FOR NOMINATION**

The parties listed below have entered into an agreement (attached hereto).

The parties hereby request that TECBAR select a person or persons to determine any disputes that arise in relation to the above mentioned agreement as a Dispute Resolution Board (“**DRB**”). For the purposes of this application, the term DRB also encompasses a Dispute Board, Dispute Review Board, Dispute Adjudication Board, or any equivalent term.

No person is named in the relevant agreement to act as DRB, or the person named has indicated he/she is unwilling or unable to act, and a DRB has not been agreed between the parties.

The parties request that the person or persons nominated to act as a DRB be in the following band of seniority (please delete as appropriate):

Senior QC (10 years or more in silk) Number:

Junior QC (Less than 10 years in silk) Number:

Senior Junior (More than 10 years call) Number:

Junior Junior (Less than 10 years call) Number:

Please specify if you have any other particular requirements for any person or persons to be nominated to act as a DRB (e.g. specific call, other professional qualification, other particular experience etc) and please indicate whether the requirement(s) are (a) essential or (b) desirable:

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The parties agree to meet all the reasonable costs incurred by the person(s) nominated by TECBAR even if there is no entitlement to make this application in accordance with the relevant agreement between the parties named herein.

**ADMINISTRATIVE FEE**

The parties enclose a cheque for the sum of £75 made payable to “TECBAR” in respect of the nomination fee for the administrative costs in connection with this application.

**THE DRB’S FEES**

The person(s) nominated to act as a DRB shall be entitled to the payment of such fees as may be agreed between him/her/them and the parties plus expenses reasonably incurred by him/her/them and VAT.

**THE PARTIES**

**Party 1**

Name:

Address:

Contact reference:

Email:

Tel:

Fax:

**Signed for and on behalf of Party 1**:

……………………..........................................................................

(Signature)

**Party 2**

Name:

Address:

Contact reference:

Email:

Tel:

Fax:

**Signed for and on behalf of Party 2**:

……………………..........................................................................

(Signature)

(Use a continuation sheet for any other parties)

**THE AGREEMENT AND FEE MUST ACCOMPANY THIS FORM**

**NOTES:**

1. TECBAR will make a nomination by selecting a person or persons (as applicable) within the band of seniority indicated above and may have regard to any requirements indicated above upon the application of any person using this form without further reference to the parties. However, TECBAR reserves the right to consult the parties on any requirements listed. The validity of the application will not be investigated by TECBAR.
2. In making the application on this form the parties undertake to meet the reasonable charges of the person(s) nominated by TECBAR pursuant to this application even should the subject matter of the relevant agreement not proceed.
3. If the validity of the application is challenged then the person selected by TECBAR and the parties involved must resolve the challenge.
4. TECBAR will use its best endeavours to select a person or persons willing and able to act as a DRB within five working days of receiving this request.
5. Neither TECBAR nor its Committee or members nor its servants or agents shall be liable to any party for any act omission or misconduct in connection with any nomination or appointment made or any DRB conducted in consequence of this request.