

# Rules of Arbitration of the Arbitration Center of Mexico (CAM)

## Appendix I: Internal Rules of the Arbitration Center of Mexico

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#### Article 1. Structure

1. The CAM exercises its functions through a General Council and the Secretary General.
2. The General Council shall be composed of the number of members determined by the Shareholders' Meeting of the CAM and shall be assisted by a Secretary General appointed by the Board of Directors of the CAM. The Secretary General will preside over the Secretariat of the CAM.
3. The Chairman of the General Council shall be the person designated by its members from among themselves.

#### Article 2. Functions of the General Council

The General Council's functions pursuant to these Rules are:

1. to verify the *prima facie* existence of the arbitration agreement;
2. to appoint, replace, and substitute arbitrators;
3. to approve the Terms of Reference drafted by the Arbitral Tribunal;
4. to approve the award rendered by the Arbitral Tribunal;
5. to approve the corrections and interpretation made to the award;
6. to fix the fees of the arbitrators and the administrative expenses of the CAM; and
7. any others which might be necessary for the fulfillment of its obligations.

### **Article 3. Functions of the Secretary General**

The Secretary General's functions pursuant to these Rules are:

1. to confirm arbitrators designated by the parties;
2. to fix the place of arbitration;
3. to extend the procedural time limits when the Rules allow it;
4. to fix the amount of the deposit to cover the arbitration expenses;
5. to readjust the amount of the deposit of to cover the arbitration expenses;
6. to suspend the proceedings;
7. to certify true copies of the awards;
8. to contribute to the carrying through of the arbitration proceeding without delay;
9. to interpret the Rules of Arbitration of the CAM; and
- 10.any others which might be necessary for the fulfillment of his obligations.

### **Article 4. Sessions of the General Council**

1. The General Council shall hold its sessions with the frequency and on the date determined by its Chairman.
2. In the absence of the Chairman, the member designated by him shall preside the sessions of the General Council.
3. The deliberations of the General Council shall be valid when at least 3 of its members or substitutes are present.
4. The decisions of the General Council are taken by a majority vote, the Chairman having a casting vote in the event of a tie.

### **Article 5. Confidentiality**

1. The confidential character of the activities of the General Council shall be respected by all its members, by the Secretary General and by all those who assist him.
2. Shall only be present at the sessions of the General Council its members, the Secretary General and the personnel of the Secretariat of the CAM.
3. Both the documents submitted to the CAM and those produced by the Secretariat of the CAM shall be communicated exclusively to the members of the General Council and the Secretary General.

4. Under no circumstances shall the divulgence of the writings, notes, communications and other documents presented by the parties during the arbitration proceedings be authorized.

#### **Article 6. Conflicts**

1. The members of the General Council, the Secretary General and the members of the Secretariat of the CAM may not act as arbitrators or as counsel in any cases submitted to CAM arbitration.
2. When the Chairman, any of the members of the General Council or any of the members of the Secretariat of the CAM are involved, in any capacity whatsoever, in proceedings pending before the CAM, they must inform the Secretary General immediately. They must refrain from participating in the discussions or decisions taking place at the General Council concerning the proceedings and must be absent from the session whenever the matter is considered. The persons interested pursuant to the terms of this paragraph shall not receive any information pertaining to the proceedings in question.