

# CODE OF ETHICS FOR ARBITRATORS OF THE PRAGUE STOCK EXCHANGE ARBITRATION COURT

## Article 1

### General Obligations of the Arbitrator

- 1) Each person included in the list of arbitrators of the Prague Stock Exchange Arbitration Court (hereinafter referred to as “**PSEAC**”), kept in accordance with Article 14 of the Statutes of PSEAC, as well as every person who is nominated to the arbitration tribunal in accordance with Article 15(3) of the Statutes of PSEAC (each such person is hereinafter referred to as the “**Arbitrator**”) is obliged to contribute with his/her actions to the credibility of the arbitration proceedings before PSEAC, in particular, but not exclusively, by respecting fairness and impartiality of the arbitration proceedings in all respects.
- 2) The Arbitrator shall maintain confidentiality of the facts of which he/she has learned in connection with the performance of the role of Arbitrator, unless he/she has been relieved of this obligation by the parties.
- 3) The Arbitrator shall act in accordance with the IBA Guidelines on Conflicts of Interests in International Arbitration, as amended (hereinafter referred to as the “**IBA Guidelines**”).
- 4) If the Arbitrator accepts the appointment, he/she shall act in the capacity of Arbitrator until the termination of the dispute and shall not resign from his/her role as Arbitrator, except where absolutely exceptional and unforeseeable circumstances arise at the time of the appointment, which would make it impossible or extremely impractical for him/her to remain an Arbitrator. If the Arbitrator resigns, he/she shall take all the steps necessary to preserve the interests of the parties to the dispute, including returning all documents and materials and maintaining confidentiality, and shall provide PSEAC with any reasonably requested cooperation and assistance required to ensure that the arbitration proceedings in question can continue with the shortest possible delay and the lowest possible additional costs.

## Article 2

### Arbitrator’s Obligations Prior to Acceptance of Appointment

- 1) Before accepting his/her appointment, the Arbitrator shall carefully consider whether
  - a) he/she is capable of acting and making decisions within the proceedings impartially and independently of the parties to the dispute, possible witnesses, other arbitrators, as well as of any other persons or influences, including the public opinion;
  - b) he/she has sufficient qualifications for acting and making decisions within the proceedings; and
  - c) he/she will be able to devote adequate time and attention to the proceedings.
- 2) If the Arbitrator concludes that he/she does not meet any of the requirements set out in Article 2(1), he/she shall refuse his/her appointment.
- 3) From the moment the Arbitrator becomes aware of the proposal for his/her appointment, he/she shall only act towards the parties to the dispute in a manner consistent with the Green List of the IBA Guidelines, in particular in relation to the specific dispute in respect of which

- a) he/she may, to the extent necessary, answer questions about the Arbitrator's availability or qualification to act as an arbitrator;
- b) he/she may answer questions about the list of the names of possible presiding arbitrators,
- c) he/she may identify information to assess whether or not he/she has any conflict of interest in the case, i.e., especially the identity of all the parties, other possible parties to the dispute, and the nature of the subject matter of the dispute;
- d) he/she must not answer questions or communicate in any manner beyond the findings according to Article 2(3)(c) regarding the merits of the case or the procedural aspects of the dispute.

### **Article 3**

#### **Arbitrator's Conduct**

- 1) If the Arbitrator accepts his/her appointment, he/she hereby undertakes to act impartially and without bias when hearing the dispute, and to act fairly, politely, patiently and transparently.
- 2) The Arbitrator shall not communicate with the parties to the dispute other than at an oral hearing or in writing, always with both parties simultaneously, with a copy to the other arbitrators.
- 3) The Arbitrator undertakes not to delegate his/her power to decide in the dispute to any other person.

### **Article 4**

#### **Arbitrator's Actions During the Hearing of the Dispute**

- 1) Once the Arbitrator has accepted the role, he/she shall proceed in the proceedings, without further requests, so that the case is heard and settled as quickly as possible, but always in coordination with the other arbitrators. In principle, the presiding arbitrator shall communicate with the parties on behalf of the arbitration tribunal, unless otherwise agreed between the arbitrators.
- 2) The Arbitrator shall act so as to avoid delaying tactics, pressure or intimidation of the parties or other parties to the dispute or any other attempts to abuse or disrupt the arbitration proceedings.
- 3) The Arbitrator undertakes not to assist any of the parties in the execution of the arbitration award after the dispute has ended.