

**Constitution  
of the International Centre for Commercial Arbitration and Mediation, Hyderabad**

**Article 1: Composition of the Centre**

- 1.1. The International Arbitration and Mediation Centre Hyderabad (“Centre”) shall be composed of a Governing Council (“Council”) and a Secretariat (“Secretariat”).
- 1.2. The Council and the Secretariat shall be constituted in accordance with this Constitution and shall discharge functions assigned to them by this Constitution, the applicable Arbitration Rules of the Centre and the Mediation Rules of the Centre.

**Article 2: The Council of the Centre**

- 2.1. The Council of the Centre shall be composed of up to 15 members appointed by the Board of Trustees of the International Arbitration and Mediation Centre Trust, Hyderabad (“IAMC Trust”). The Life Trustees of the IAMC Trust shall serve as permanent members of the Council.
- 2.2. The other members of the Council shall be selected from amongst arbitrators, mediators, lawyers (whether so qualified in India or outside India), corporate counsel and academics, who the Trustees recognize to be accomplished in commercial arbitration and/or mediation and representatives of industry.
- 2.3. The Council shall have at least 3 members who are nationals of countries other than India and not more than 1 member shall, at the time of appointment, belong to or be connected with the same law firm or law chambers.
- 2.4. Members appointed to the Council shall serve for a term of 3 years and cannot be appointed for more than 2 consecutive terms.
- 2.5. In the event of early retirements or casual vacancies or on issues relating to the membership of the Council, the Council may make recommendations to the Board of Trustees as may be appropriate.

**Article 3: Chairperson and Vice-Chairperson of the Council**

- 3.1. The Members of the Council shall appoint one among them as the Chairperson and another as Vice-Chairperson of the Council whose term of office shall be co-terminus with their respective term membership of the Council. The Chairperson and Vice-Chairperson shall be eligible for re-appointment at the end of the term. The Vice-Chairperson shall discharge the functions of Chairperson in his absence.
- 3.2. Meetings of the Council shall be convened by the Registrar on the advice of the Chairperson. There shall be at least two meetings of the Council in each calendar year.
- 3.3. The Governing Council may constitute committees from amongst its members and assign to such committees such functions as the Governing Council considers appropriate.

#### **Article 4: Functions of the Council**

The Council shall perform the following functions:

- 4.1. To perform the functions conferred on it by the applicable rules of arbitration, mediation and other rules of the Centre.
- 4.2. To periodically review and adapt the Arbitration Rules and the Mediation Rules of the Centre and their associated schedules of costs.
- 4.3. To make or introduce new general or specialist rules for Arbitration or Mediation.
- 4.4. To receive and review bi-annual reports from the CEO and/or the Registrar of the Centre in respect of the functioning of the Secretariat and provide suggestions and recommendations in that regard to the Secretariat as well as the IAMC Trust.
- 4.5. To approve and recommend the budget for the Centre's activities and its operations to the IAMC Trust, including cost and expenses of the Secretariat, maintenance & improvement of the Centre's building, premises, physical and IT infrastructure and related matters.
- 4.6. To promote the objectives of the Centre and of international commercial arbitration generally.
- 4.7. To invite, empanel and appointing arbitrators and mediators with the Centre, as and when deemed necessary, for such term and on the basis of such criteria which the Council considers appropriate.

#### **Article 5: Secretariat of the Centre**

- 5.1. The Secretariat of the Council shall ordinarily consist of a CEO and/or Registrar, one or more Deputy Registrar(s), Counsel/Case Co-ordinators/Case Managers, appointed by the Board of Trustees.
- 5.2. The zone of consideration for appointment of CEO and Registrar shall be members of the bar, former members of the judiciary and persons having rich experience in the management of arbitral/mediation institution/s, whether qualified as such in India or outside India, who the Board of Trustees recognizes to be accomplished in arbitration and/or mediation, having sufficient experience of handling the administrative affairs of an international arbitration and/or mediation institution.
- 5.3. The Board of Trustees, at the request of the Registrar or otherwise, may appoint one or more Deputy Registrars. The term and qualifications of the Deputy Registrars shall, in consultation with the Registrar, be decided by the Trustees.
- 5.4. The Registrar and the Deputy Registrars shall carry out, in the name of the Secretariat, the day-to-day operations of the Secretariat and functions under any applicable arbitration, mediation rules or procedures of the Centre, maintain books and records of the Centre, convene meetings and maintain minutes of meetings etc. The Registrar shall attend the meetings of the Governing Council as a permanent invitee.

- 5.5. The Registrar, upon prior written approval of the Chairman or Vice- Chairman of the Council , may appoint such number of Counsel/Case Manager as required to assist with the work of the Secretariat.
- 5.6. Counsel/Case Manager appointed shall be qualified to practice law, whether in India or in another jurisdiction.
- 5.7. Counsel/Case Manager shall be allotted such functions as deemed fit by the Registrar to assist the Secretariat in managing cases administered by the Centre and to assist arbitral tribunals or mediators from time to time.

#### **Article 6: Appointment of Council Members as Arbitrators/Mediators**

- 6.1. In arbitrations or mediations administered by the Centre under its Rules, the Centre shall not appoint any member of the Council as arbitrator or mediator. Nor will the Centre register any member of the Council as an as an arbitrator or a mediator.
- 6.2. It is made clear that Clause 6.1 will not be considered as a bar for a member of the Governing Council being appointed as an arbitrator by a party or being appointed as a mediator by the parties even in arbitrations or mediations administered by the Centre. Such member who is so appointed shall not take part in the procedure for appointment of an arbitral tribunal or mediation panel to which they have been already nominated, or in any other function of the Council relating to such arbitration or mediation.
- 6.3. Nothing in Clause 6.1 shall come in the way of any Council Member who is a qualified mediator being appointed by the Centre to conduct mediations or introductory sessions explaining mediation on *pro-bono* basis.

#### **Article 7: Amendments**

- 7.1. The provisions of this Constitution may be amended by the Board of Trustees of the IAMC Trust only in consultation with the Governing Council.