



NEPAL COUNCIL OF ARBITRATION (NEPCA)

Kupondole, Lalitpur, Nepal

website: www.nepca.org.np

email: nepca@outlook.com

MEMBERSHIP APPLICATION FORM:

(Tick the relevant)

GENERAL MEMBERSHIP:

INDIVIDUAL ☐

INSTITUTIONAL ☐

LIFE MEMBERSHIP:

INDIVIDUAL ☐

PANELIST ARBITRATOR ☐

Full Name: Mr./Ms. _____
(in Block letters)

Date of Birth: _____ (BS) _____ (AD) Age: _____ Gender: _____
(Please attach supporting documents for the purposes of office records)

Permanent Address: _____

Current Address: _____

Nationality: _____ Occupation: _____

Phone No: _____ Mobile No: _____ Email: _____

Citizenship/NID/Passport No.: _____ Date of issue: _____ Place of Issue: _____

Educational/Professional Qualifications (Graduation onwards):

	<u>Name and Address of College/Institution</u>	<u>University</u>	<u>Year of Passing</u>
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____

(Please attach supporting documents for the purposes of office records)

Experience:

	<u>Employers' Name</u>	<u>Address</u>	<u>Position</u>	<u>Period</u>
				From To
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____

(Please provide details for all of the above, as applicable)

	<u>Members of the following Organizations:</u>	<u>Position</u>	<u>Period</u>
			From To
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____

(Please provide details for all of the above, as applicable)

Are you already a Member of NEPCA?

YES ☐ NO ☐ if Yes, Since

(Life Membership is pre-requisite for Panel Membership. For foreign applicant, it is not mandatory)

Category of Applicant:

Please tick (v) relevant of the following Categories:

- Judge ☐ •Advocate ☐ •Senior Advocate ☐ •Engineer ☐ •Chartered Accountant/Financial Expert ☐
 •Executive ☐ •Contractor ☐ •Contract Entrepreneur ☐ •Academia ☐ •Other, specify

Fields of Specialization:

Please write the field based on your priority of experience or knowledge:

Arbitration Training:

	Course Name	Organizer's Name	<u>Period</u>
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____

(Please provide details for all of the above, as applicable)

Adjudication/DB Experience:

Number of Cases as a Sole Adjudicator:

Number of Cases as a DB Member/ DB Chair:

Number of Cases as a Counsel/Expert witness:

(Please provide details for all of the above, as applicable)

Arbitration Experience:

Number of Cases as a Sole/Co-Arbitrator:

Number of Cases as a Chief/Presiding Arbitrator:

Number of Cases as a Counsel/Advocate/Expert witness:

Number of litigation cases relating to arbitration:

(Please provide details for all of the above, as applicable)

Name of ADR Courses/Seminars/Conferences Paper presented:

Addressed

Number of Participant

Title of Paper presented (Enclose a set of Paper)

Recommendation (Compulsory) from existing NEPCA Members:

1. Full Name: Signature:

2. Full Name: Signature:

Undertakings:

- I agree to abide by the Constitution and Rules of Nepal Council of Arbitration including Guidelines & Code of Ethics.
- I shall take up and complete the arbitration/adjudication assigned to me with utmost diligence and expedition.
- All arbitrators and adjudicators being of equal status, I shall not object to my appointment as arbitrator or adjudicator in a particular case on the basis of my previous status or that of any appointed arbitrator or adjudicator.
- I have not been convicted or charged of any offence or any criminal investigation or vigilance enquiry pending against me.
- I declare that I have not been removed as arbitrator in circumstances where moral probity or incompetence were an issue.
- I declare that above particulars furnished are true & correct.

Date:

Signature of the Applicant:

Criteria for NEPCA Membership

The applicant must meet the following requirements:

1. Bachelor's or Higher Degree in Engineering or Law or relevant Field,
2. At least 10 years of professional experience in relevant field after Bachelor degree.
3. At least five (5) days training in dispute resolution or contract management or procurement management.
4. Be of good moral character.
5. In case of life membership, the applicant must complete 40 years of age.
6. Specific Experience (any one of the followings):
 - a) As an arbitrator or adjudicator for settlement of commercial disputes at least in two (2) cases,
 - b) Parties' counsel relating to commercial disputes at least three (3) cases.
 - c) As a project manager/ contract administrator or a construction supervision engineer for more than a year in at least two projects of more than Rs. 500 million each,
 - d) Three (3) or more years of experience as a Judge in relevant court,
 - e) Five (5) or more years of experience as an Advocate,
 - f) Senior Advocate,
 - g) At least first class or equivalent level officer in government or public institution or private entities dealing with arbitration or similar Litigation cases,
 - h) Have a fellowship from chartered Institute of Arbitrators, U.K. or comparable professional arbitration institute.

Application fee:

General Member:

Individual: - Entry Fee - Rs. 5,000/-, Yearly renewal Rs 1,000/-

Intuitional: - Entry Fee – Rs. 50,000/-, Yearly renewal Rs 25,000/-

Life Membership fee: Rs. 25,000/-

Criteria for Inclusion in NEPCA Panelist of Arbitrators

The applicant must meet the following requirements:

1. Life member of NEPCA
2. Age at least 45 years.
3. Have good moral character.
4. Experience:
 - a. Worked as arbitrator for at least three (3) cases related to commercial dispute arises out of a contract. OR
 - b. Worked as adjudicator for at least four (4) cases related to commercial dispute arises out of contract. OR
 - c. Prepared bid documents and involved in bid evaluation in at least five (5) contracts of value exceeding Rs. 500 million each. OR
 - d. Involved in contract administration or construction supervision of the project of value exceeding Rs. 500 million each of at least five (5) projects. OR
 - e. Prepared claim, counter claim or defense statements at least five (5) Arbitration cases. OR
 - f. Worked as a judge in District Court (for more than five (5) years) or in High Court (for more than three (3) years). OR
 - g. Enlisted as panelist arbitrator of any comparable institution abroad.

Note: For Non-Nepali applicant, Life Membership/ Membership of NEPCA is not mandatory.

Application fee:

Panelist fee: Rs. 5,000 and US\$ 100 for Foreign Applicant

Evaluation of Application for Membership

1. **Full Name: Mr./Ms.**
2. **Age:** Above 40 years: ☐ Yes (Life Membership) ☐ No (General Membership)
3. **Academic Qualification:** Bachelor's Degree: ☐ Yes ☐ No
Master's Degree: ☐ Yes ☐ No
4. **Nos. of Years of Professional Experience:** 10 or more years: ☐ Yes ☐ No
5. **Training:**
Dispute Resolution/Contract Management/Procurement Management: 5 or more days: ☐ Yes ☐ No
6. **Specific Experience**
 - a. Nos. of cases completed as Arbitrator/Adjudicator..... 2 or more cases: ☐ Yes ☐ No
 - b. No of Case as parties' counsel 3 or more cases: ☐ Yes ☐ No
 - c. No of major Projects as a Project Manager/Construction Supervision
Engineer of value exceeding Rs. 500 million for more than a year:... 2 or more years: ☐ Yes ☐ No
 - d. No of year of Experience as Judge in relevant Court: 3 or more years: ☐ Yes ☐ No
 - e. No of year of Experience as Advocate: 5 or more years: ☐ Yes ☐ No
 - f. Senior Advocate: ☐ Yes ☐ No
 - g. First class or equivalent level officer in government/public/private institution
dealing with arbitration or similar Litigation cases: ☐ Yes ☐ No
 - h. Fellowship from chartered Institute of Arbitrators, U.K. or comparable
professional arbitration institute: ☐ Yes ☐ No
7. **Professional Standing:** ☐ High ☐ Medium ☐ Ordinary
(To be assessed from Membership of Reputed Professional Organizations; Papers published, Papers presented in seminar/workshop /conference, Lectures delivered in training and other works related to your category and dispute settlement)

Comments and Recommendation:

Tick as appropriate

- ☐ Recommended for Life Membership of NEPCA
- ☐ Recommended for General Membership of NEPCA
- ☐ Requirements not met. Other Comments, if any:

Evaluation of Application for Panelist Arbitrator

1. **Full Name: Mr./Ms.**
2. **Age:** Above 45 years: ☐ Yes ☐ No
3. **Academic Qualification:** Bachelor's Degree: ☐ Yes ☐ No
Master's Degree: ☐ Yes ☐ No
4. **Life Member of NEPCA (not applicable for Foreign Applicant):** ☐ Yes ☐ No
5. **Specific Experience**
 - a. Nos. of cases completed as Arbitrator 3 or more cases: ☐ Yes ☐ No
 - b. Nos. of cases completed as Adjudicator 4 or more cases: ☐ Yes ☐ No
 - c. Prepared bid documents and involved in bid evaluation of
contracts of value exceeding Rs. 500 million 5 or more cases: ☐ Yes ☐ No
 - d. Prepared claim or defense/counter claim of Arbitration cases ... 5 or more cases: ☐ Yes ☐ No
 - e. No of year of Experience as Judge of District Court: 5 or more years: ☐ Yes ☐ No
 - f. No of year of Experience as Judge of High Court: 3 or more years: ☐ Yes ☐ No
 - g. Enlisted as panelist arbitrator of any comparable institution abroad ☐ Yes ☐ No
6. **Professional Standing:** ☐ High ☐ Medium ☐ Ordinary

(To be assessed from Membership of Reputed Professional Organizations; Papers published, Papers presented in seminar/workshop /conference, Lectures delivered in training and other works related to your category and dispute settlement)

Comments and Recommendation:

Tick as appropriate

- ☐ Recommended for Inclusion in NEPCA Panelist of Arbitrators
- ☐ Requirements not met. Other Comments, if any: