



**Russian  
Arbitration  
Center**

at Russian  
Institute  
of Modern  
Arbitration

Approved  
By the General Meeting of Founders  
Meeting minutes No 6  
dated December 20, 2016  
Approved as amended  
By the General Meeting of Founders  
Meeting minutes No 10/2021  
dated November 1, 2021

**Russian Arbitration Center  
at the Autonomous Non-Profit Organisation “Russian Institute of  
Modern Arbitration”**

**REGULATION**

**Moscow, 2021**

Autonomous Non-Profit Organisation "Russian Institute of Modern Arbitration"

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Primary State Registration Number (OGRN): 1167700062804  
Taxpayer's Identification Number (INN): 7707371500  
Tax Registration Reason Code (KPP): 770601001  
All-Russian Classifier of Enterprises and Organizations (OKPO): 04017546

Settlement account: 40703810300000000014  
Bank: Gazprombank JSC (Bank GPB AO)  
Correspondent account: 30101810200000000823  
Bank Identifier Code (BIC): 044525823  
Taxpayer's Identification Number (INN): 7744001497  
Tax Registration Reason Code (KPP): 775001001

## Article 1. General Provisions

1. Russian Arbitration Center at the Autonomous Non-Profit Organisation “Russian Institute of Modern Arbitration” (hereinafter, the **RAC**) is a permanent arbitral institution operating in accordance with Federal Law No. 382-FZ dated December 29, 2015 “On Arbitration (Arbitral Proceedings) in the Russian Federation”, Law of the Russian Federation No 5338-1 dated July 7, 1993 “On International Commercial Arbitration”, Executive Order of the Government of the Russian Federation No. 799-p dated April 27, 2017, the present Regulation and the Arbitration Rules duly adopted.
2. Full name of the organisation in the Russian language – РАЦ при РИСА, Российский арбитражный центр при автономной некоммерческой организации «Российский институт современного арбитража».
3. Brief name of the organisation in the Russian language – РАЦ при РИСА, Российский арбитражный центр при РИСА.
4. Full name of the organisation in the English language – Russian Arbitration Center at the Autonomous Non-Profit Organisation “Russian Institute of Modern Arbitration”.
5. Brief name of the organisation in the English language – Russian Arbitration Center at RIMA, RAC at RIMA, Russian Arbitration Center, RAC, RIMA.
6. The RAC is a subdivision of the Autonomous Non-Profit Organisation “Russian Institute of Modern Arbitration” (OGRN<sup>1</sup> 1167700062804, INN<sup>2</sup> 7707371500) (hereinafter, the **Institute**) and is established to achieve goals and address problems of the Institute pursuant to the Institute’s Charter and Articles of Incorporation.
7. The founders of the Institute are:
  - 1) Russian Federal Bar Association (OGRN 1037704010387, TIN 7704255103);
  - 2) LF Academy, LLC (Primary State Registration Number 1147847281823, TIN 7840511148);
  - 3) Foundation for Legal Education and Research (Primary State Registration Number 1137799023493, TIN7703480804);
  - 4) Private Entity “Center for Arbitration and Legal Expertise” (Primary State Registration Number 1107799013145, TIN 7706414704);
  - 5) Autonomous Non-Profit Organisation “International and Comparative Law Research Center” (Primary State Registration Number 1147799008961, TIN 7707492159).

Information about the founders of RIMA is published on the official website: [www.modernarbitration.ru](http://www.modernarbitration.ru).

8. RAC has the right to use a circular seal and letterheads with its name in Russian and English and emblem.

## Article 2. Location and Website

1. The RAC is located in Moscow, the Russian Federation.

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<sup>1</sup> Primary State Registration Number (PSRN) – Rus. «Основной государственный регистрационный номер (ОГРН)».

<sup>2</sup> Taxpayer’s Identification Number (TIN) – Rus. «Индивидуальный номер налогоплательщика (ИНН)».

2. By decision of the General Meeting of the Institute's Founders RAC offices may be opened in other regions of the Russian Federation pursuant to par. 6.3.8 of the Institute's Charter.
3. Arbitration administered by the RAC is carried out at the location of RAC, the location of its offices or in another place determined in accordance with the agreement of the parties to arbitration. Arbitration administered by RAC can also be carried out remotely using tele- or video-conferencing systems.
4. The Arbitration Rules as well as other RAC rules, information on costs of the arbitration and ways of calculating them, information on the management bodies and organisational structure, unified recommended list of Arbitrators and databases of specialists in other fields, as well as other information regarding the RAC functioning is posted on the official website: [www.centerarbitr.ru](http://www.centerarbitr.ru).

### **Article 3. Functions and Activities Performed**

1. The principal function of the RAC is to administer cases. While administering cases the RAC, represented by its authorised bodies and employees, performs a number of other functions assigned to it under an arbitration agreement, Arbitration Rules, and other applicable rules of the RAC.
2. The RAC does not perform any dispute resolution functions. These functions are entrusted solely to arbitrators (Arbitral Tribunal) nominated to resolve a particular dispute.
3. The RAC may provide the following categories of administrative services:
  - 1) administering domestic disputes;
  - 2) administering international commercial disputes;
  - 3) providing certain administrative functions, *inter alia*, nominating arbitrators, assisting with any questions relating to challenges and termination of arbitrators' powers, in cases when arbitration is performed by an Arbitral Tribunal formed by the parties for purposes of settlement of a specific dispute, without general administration of the dispute (subject to prior adoption of the RAC Rules regulating RAC provision of such functions).

### **Article 4. RAC Jurisdiction**

1. The jurisdiction of the RAC shall extend to any legal dispute between parties to civil-law relations, unless settlement of such dispute by arbitration is contrary to the federal law, including art. 33 of the Commercial (Arbitrazh) Procedure Code of the Russian Federation and art. 22.1 of the Civil Procedure Code of the Russian Federation.
2. Arbitration of disputes administered by the RAC is carried out in accordance with Arbitration Rules of the RAC and other RAC rules.
3. The Arbitration Rules and other RAC rules are approved in accordance with the Institute's Charter and the applicable legislation.

### **Article 5. Organisational Structure of the RAC**

1. For arbitrations being administered by the RAC the following bodies are established: the Board of the RAC, which fulfills, among others, the role of the appointment authority (hereinafter, the Board), and the Administrative Office of RAC (hereinafter, the Administrative Office), headed by the Executive Administrator of the RAC (hereinafter, the Executive Administrator).

2. The structure of the RAC divisions is defined by the internal documents that are appendices to the present Regulation.

#### **Article 6. The RAC Board**

1. The Board is a permanent collective body of the RAC performing the functions of appointment and challenge of arbitrators and termination of their mandate as well as other functions accorded to the Board by the Arbitration Rules, other rules of the RAC and the applicable law.
2. The Board is comprised of 14 members. The Board may comprise separate subcommittees performing functions of the Board with regard to arbitration of certain types of disputes. Decision to form subcommittees is made by a simple majority of the Board's members upon the Executive Administrator's suggestion. One member of the Board can join more than one subcommittee. The subcommittee acts on behalf of the Board.
3. At least two thirds of members of the Board shall have a law degree, confirmed by a diploma of the established standard issued within the territory of the Russian Federation or by certificates issued by a foreign state and recognised by the Russian Federation.
4. The Board shall be elected by the persons included into the unified recommended list of arbitrators of the RAC. The decision on the election of a member of the Board is deemed adopted, if a majority of the persons included in the unified recommended list of arbitrators of the RAC voted for him/her.
5. The candidates are introduced by the Executive Administrator from the list of highly qualified professionals with impeccable reputation. If the decision on the election of a Board member is not adopted, the Executive Administrator shall introduce another candidate.
6. The Board shall be partially rotated every three years. During the rotation, 7 members of the Board shall be replaced. The replaced members of the Board are allowed to regain their status three years after the termination of their mandate. In any case, the members of the Board are not allowed to serve their functions for more than two consecutive mandates.
7. The Board member's mandate can be terminated prior to the expiry of the appointed term upon his/her own initiative, and in exceptional cases (inter alia, in case the member of the Board is unable de jure or de facto to perform his/her functions) – by the decision of the Board made by a qualified majority of votes (by at least two thirds of the members of the Board). In case of early termination of the mandate of the Board's member, the new member of the Board shall be elected in accordance with Paragraph 5 of this Article for the rest of the previous member's term.
8. The Board elects from among its members the President for three years. Members of a subcommittee elect the President of a subcommittee for three years. Presidents of subcommittees are deputies of the Board's President except when the President of the Board is also the President of a subcommittee.
9. The Board sessions are held in person, by tele- or videoconference and (or) by correspondence, inter alia by means of e-mail voting.
10. The session is considered duly convened (a quorum is deemed to be present), if at least half members of the Board and, when the subcommittees are formed in accordance with

Paragraph 2 of this Article, – at least half members of the subcommittee competent over the question put to the vote, participated in it.

11. The decision is made by a simple majority of the votes of the Board members participating in the Board's session and, when the subcommittees are formed in accordance with Paragraph 2 of this Article, – by a simple majority of the subcommittee's members participating in the subcommittee's session. In the event of equally divided votes among the Board members, the President shall have a casting vote. In the event of equally divided votes among the subcommittee's members, the President of the subcommittee shall have a casting vote.
12. The orders rendered by the Board as well as the records of the Board's sessions (if any) shall be signed by the Board's President or, if the voting is held within the subcommittee, – by the President of the subcommittee.

#### **Article 7. Administrative Office of the RAC**

1. The Administrative Office performs all functions related to organisational and technical administration of the arbitration and assists the Arbitral Tribunal and the Parties in the course of arbitration of a specific dispute, if necessary.
2. The Administrative Office personnel are the employees of the RIMA who shall report directly to the Executive Administrator. The number of personnel and the organisational structure of the Administrative Office shall be determined by the Executive Administrator.
3. The Administrative Office personnel shall respect the confidentiality obligations provided for in Article 25 of the Arbitration Rules.
4. The provisions regulating the activities of the Administrative Office may be provided for by other rules of the RAC.
5. The provisions of the present article apply unless otherwise set forth in internal documents regulating the activities of the RAC Specialized Divisions.

#### **Article 8. The Executive Administrator of the RAC**

1. The Executive Administrator manages the RAC and the Administrative Office and performs other assigned functions set forth by the Arbitration Rules or other rules of the RAC.
2. The Executive Administrator is appointed by the Director General of the RIMA. The Executive Administrator shall have a law degree and be fluent in English.
3. All requirements and restrictions for the Administrative Office personnel set out in Article 3 of the present Rules, including the regime of confidentiality set forth in Article 25 of the Arbitration Rules, shall equally apply to the Executive Administrator.

#### **Article 9. Inadmissibility of Conflicts of Interest**

1. Within the activities of the RAC, no situations in which any personal interest, either direct or indirect, may affect due, objective and impartial performance of the RAC's functions (conflicts of interest) are allowed.
2. Unless the applicable law provides otherwise, the RIMA and its founders, as well as the members of the RIMA's bodies, may not act as a Party in the proceedings administered by the RAC. These restrictions shall also apply to the mentioned persons for three years after the person ceases to satisfy the criteria established by this Paragraph.

3. While performing their functions, the Board, the Administrative Office and the Executive Administrator shall be guided by the applicable law and internal policies in order to prevent, reveal and eliminate any conflict of interest.
4. In case of an actual or potential conflict of interest with any Party or arbitrator, the employee of the Administrative Office shall immediately cease to perform his/her functions with regard to the specific arbitration and notify the Parties, the Arbitral Tribunal and the Executive Administrator thereof. In this case, the Executive Administrator shall appoint another employee to perform the functions in this arbitration.
5. In case of an actual or potential conflict of interest of the Executive Administrator with any Party or arbitrator, the functions of the Executive Administrator in the specific arbitration shall be performed by the employee appointed by the Executive Administrator once a year. Such an employee shall have a law degree and be fluent in English. If such a person cannot perform the functions of the Executive Administrator due to the conflict of interest in this arbitration, these functions shall be performed by the President of the relevant subcommittee. In this case, the President of the subcommittee shall not take part in the appointment of arbitrators in this arbitration as well as in the performance of any other functions of the Board related to this arbitration.
6. If a Board's member learns about any circumstances raising doubts as regards his/her impartiality or independence, that member shall immediately notify the Board and the Executive Administrator of such circumstances and shall not participate in any deliberation and decision-making with respect to the arbitration involving the respective circumstances.
7. Neither the Board nor the Parties shall be entitled to designate or appoint the employees of the Administrative Office or the Executive Administrator as arbitrators.
8. In the course of arbitration administered by the RAC, the employees of the Administrative Office and the Executive Administrator shall not perform any functions other than those stipulated in the Arbitration Rules or other rules of the RAC.
9. The procedure for resolving situations of a potential conflicts of interest may be stipulated by other rules of the RAC.

#### **Article 10. Unified Recommended List of Arbitrators and Additional Databases of Specialists**

1. The RAC shall compile:
  - 1) the unified recommended list of Arbitrators of the RAC;
  - 2) additional databases of Specialists, including for resolving particular categories of disputes and for the RAC Specialised Divisions.
2. The unified recommended list and additional databases of Specialists shall be published on the RAC website for informational purposes and are of a recommendation nature.
3. The Parties to a dispute may designate an arbitrator who is not included in the unified recommended list, unless otherwise expressly stipulated in the Parties' agreement.
4. The Board may appoint an arbitrator who is not included in the unified recommended list, unless otherwise expressly stipulated in the Parties' agreement.
5. The unified recommended list shall include at least thirty (30) persons. Prior written consent is required for a person to be included in the unified recommended list.

6. From among arbitrators on the unified recommended list, at least one third of arbitrators shall have academic degrees awarded in the territory of the Russian Federation in the field of academic research included in the list approved by the Order of the Ministry of Justice of the Russian Federation No. 236 dated October 14, 2016 "On the approval of the list of fields of academic research, academic degrees in which shall be held by at least one third of Arbitrators included in the recommended list of Arbitrators of a permanent arbitration institution", and at least half of the arbitrators shall possess the experience of resolving civil law disputes as arbitrators and/or as judges of federal courts, a constituent (statutory) court of a constituent territory of the Russian Federation, magistrate judges for at least ten years preceding the date of inclusion on the recommended list. The person included in the recommended list may not be included in the recommended lists of arbitrators of more than three permanent arbitration institutions.
7. The unified recommended list is approved by the General Meeting of Founders upon a proposal of the Director General for a three-year period. If necessary, the list may be amended within the specified term based on the decision of the General Meeting of Founders upon a submission of the Director General. Should a new recommended list not be approved outside the specified term the list approved previously is deemed valid pending the adoption of the new. The additional databases of specialists are formed by the Executive Administrator.
8. In case a designated arbitrator is not included in the unified recommended list or the additional databases of specialists, the Party who elected them or the arbitrator themselves shall submit evidence of compliance with the requirements stipulated in the Parties' agreement, the present Regulation, applicable RAC rules and current legislation of the Russian Federation. In such a case, the arbitrator shall sign the declaration provided by the Arbitration Rules or other applicable RAC rules, adhere to all requirements, including rules on impartiality and independence, set forth in the Parties' agreement, the present Regulation, the Arbitration Rules, applicable RAC rules, other applicable acts or documents and applicable legislation of the Russian Federation.
9. An arbitrator may be excluded from the unified recommended list on their own initiative or by the decision of the General Meeting of Founders upon a proposal of the Director General in case of circumstances that do not allow or significantly impede the exercise of their powers, in particular, in case of obtaining an official status that prohibits to perform the functions of an arbitrator, in case of serious violation of the RAC rules, actual inability to participate in hearing cases due to illness or prolonged absence, inability to devote to the arbitration the time needed. A specialist may be excluded from the additional databases of specialists on their own initiative or by the decision of the Executive Administrator.

#### **Article 11. RAC Specialised Divisions**

1. The RAC may establish Divisions within the regions of the Russian Federation (Regional Divisions) as well as divisions specialised in administration of certain types of civil disputes (Specialised Divisions).
2. The activities of the RAC Divisions are governed by the internal documents that are appendices to the present Regulation.
3. The number of personnel and organisational structure of the RAC Divisions shall be determined by the Executive Administrator upon a proposal of the Divisions' Heads.

4. Decisions on establishment and liquidation of the RAC Divisions as well as on approval of internal documents of the RAC Divisions are made in accordance with the Institute's Charter.
5. Financing the activity of the RAC Divisions is carried out in accordance with the annual estimates of the RAC Divisions approved pursuant to the Institute's Charter.

#### **Article 12. Maintenance of the RAC Activities**

1. Organisational and technical support of the RAC activities, including assistance in nominating, appointing and challenging arbitrators, record keeping, organisation of collection and distribution of arbitration fees, except for the dispute resolution functions entrusted to arbitrators, are exercised by the Administrative Office.
2. The Institute provides material support of the RAC activities, including premises, transportation, office equipment, means of communication, other equipment and means necessary for the functions on administration of arbitration by the RAC to be performed.

#### **Article 13. The RAC Emblem**

1. The emblem of the RAC is an abstract graphic image featuring three rectangular isosceles triangles of the same shape and size of red, blue and black colors, arranged in the form of sectors of an equilateral rectangular rhombus inside a circle of black color. To the right of the image described above is the inscription "Russian Arbitration Center" in black. There is an inscription "at the Russian Institute of Modern Arbitration" in gray color below.
2. The emblem of the RAC:



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