

DRS2(CEA)

RICS Dispute Resolution Service (DRS)

Application for appointment of an Arbitrator on Construction and Engineering disputes in England, Wales and Northern Ireland.

Notes to consider before completing the application:

- RICS does not have the duty or power to interpret a contract, lease or other document and decide whether or not your application is valid. RICS acts in an administrative capacity and will make an appointment in accordance with your application. It is important that you check carefully to ensure that you have the right to make the application and that it is made in accordance with the requirements of the contract or lease.
- RICS DRS reserves the right to copy the application and/or any accompanying documentation to the responding party and/or representatives. This is on the basis that your application is accepted.
- This application form is the contract between the applicant and the President/Chairman and we will rely entirely upon the information contained herein. The information submitted on this application is accepted as being accurate and complete. Neither RICS or the appointed dispute resolver accept liability in relation to the appointment, if the information provided is inaccurate or incomplete.
- Your application is processed on the basis that appointments are often made on behalf of the President/Chairman of RICS by one of the duly appointed agents.
- Please ensure that a copy of the relevant arbitration agreement is provided. If an agreement is not available, RICS can provide a sample ad-hoc arbitration agreement for execution by the parties.

Type of arbitration appointment

Please indicate whether you require an appointment under the:

- Select Arbitration Service Fast Track Arbitration Service

Authority to appoint

Do you require an appointment by: RICS President (England & Wales) RICS Chairman (Northern Ireland)

Information about the dispute

It is essential RICS receives sufficient information about the type of dispute to enable an appropriate arbitrator to be identified and appointed. The arbitrator will also require sufficient information to satisfy him/herself that the dispute is within the areas of his/her own normal professional expertise. It may be necessary to provide a summary or extract from an appropriate document.

Address of the subject property: _____

Town/City: _____ Postcode: _____

Please provide brief details of the nature of the dispute:

Value of the claim: _____

Value of the counterclaim (if known): _____

Where is the arbitration agreement: _____

Please provide a copy of the agreement, if there is no agreement, would you like to use the RICS agreement

Yes No

Information about the parties and their representatives

The parties professional representatives must be stated. If a party is unrepresented, please ensure contact numbers and email addresses are included. RICS DRS will forward all relevant correspondence to them. Normally correspondence from DRS is sent by email. Therefore, it is important that you provide email addresses.

Applicant/Claimant

Firm name: _____

Address: _____

Town/City: _____ Postcode: _____

Email: _____ Telephone: _____

Applicant/Claimant representative

Title: _____ First name: _____ Last name: _____

Designation: _____ RICS membership number (if applicable) _____

Firm name: _____

Address: _____

Town/City: _____ Postcode: _____

Telephone: _____ Mobile: _____

Direct line: _____ Email: _____

Referring party: Yes No

Non-applicant/Respondent

Firm name: _____

Address: _____

Town/City: _____ Postcode: _____

Email: _____ Telephone: _____

Non-applicant/Respondent representative

Title: _____ First name: _____ Last name: _____

Designation: _____ RICS membership number (if applicable) _____

Firm name: _____

Address: _____

Town/City: _____ Postcode: _____

Telephone: _____ Mobile: _____

Direct line: _____ Email: _____

Referring party: Yes No

Professional background of the dispute resolver

Are there any specific requirements detailed in the contract or agreed between the parties?

Yes No

(if there are no requirements please state none below)

Please indicate any specific requirement (as detailed in the contract or agreed between the parties relating to the potential Arbitrator for example: experience, qualifications, time restrictions or if the decision requires reasons).

Authority for RICS to appoint

Generally a unilateral application can be made if an agreement is in place that provides for this. If no agreement is in place, a joint application should be made. RICS will appoint on request and will not become involved in a dispute as to whether the application is valid.

Please indicate if the application is a unilateral or joint appointment: Unilateral Joint

Please indicate the document that gives authority for the RICS President/Chairman or duly appointed agent to make an appointment:

Contract Lease Court Order Joint agreement of the parties Other (please state):

Conflict of Interest

RICS will take reasonable steps to ensure that the dispute resolver is free from conflict of interest. It is therefore essential that you provide details of the parties (including any parent and/or subsidiary companies or related entities that a prospective appointee would need to consider in their conflict checks).

If in your view there are any potential dispute resolvers who would have a conflict of interest in this case, you should list them below. Please also provide for each such person, brief but clear reasons for this statement. Your attention is drawn to the decision in Eurocom Ltd -v- Siemens Plc [2014] EWHC 3710 (TCC) to effect the misrepresentation in this statement could vitiate the appointments process in its entirety rendering any award made unenforceable:

Name	Firm	Reason

Please note: While the President/Chairman will give careful consideration to any representations, they will reach their own decision as to who is appointed and always retains an unfettered discretion to any dispute resolver he/she regards as suitable.

How to pay

RICS charges an administration fee of **£425.00** inclusive of VAT to process an application. This payment is non-refundable whether or not the President/Chairman makes the appointment (e.g. if the matter is settled by agreement and the application is withdrawn).

Payment options (please tick then complete relevant section):

- Card
- RICS Bank account details:
- Trade Account

Card payment:

A card payment can be completed online through the RICS secure portal we will provide instruction on how to do this within the formal acknowledgement communication that is sent. To help us bill the

correct person on this matter. RICS is unable to accept credit or debit card details by email due to PCI compliance regulations. Please be aware the applicant has responsibility to ensure that payment is complete. Please indicate who will be making the payment e.g. applicant or the applicant representative.

If you are using your bank or building society to pay the application fee.

RICS Bank account details:

Account number: 30786339

Sort code: 56-00-45

Swift Code: NWBK GB2L

You must provide your name, your firm name, and the date of your application. This will ensure that your payment is correctly allocated and your application is processed. Please email a copy of the remittance to bacs@rics.org

Trade Accounts

Debit my RICS trade account number: _____

Account holders will be invoiced by our finance department. To apply for an account please email

drs@rics.org

Application submitted by:

Name: _____

Firm name: _____

Date: _____

Signature _____

If it is a **joint application** can the responding party or their representative detail their name, firm name and sign and date below:

Name: _____

Firm name: _____

Date: _____

Signature _____

Please tick to confirm you have read and understood the [explanatory notes](#). Your application is accepted on this basis.

Your Privacy

We understand that your privacy and the security of your personal information is extremely important. This [Privacy Policy](#) sets out what we do with your personal information, what we do to keep it secure, from where and how we collect it, as well as your rights in relation to the personal information we hold about you.

Please return completed application forms to drs@rics.org

T: +44 (0) 207 334 3806