

# **ISBHF ARBITRATION REGULATIONS**

## **I. COMPETENCE**

§ 1 The ISBHF Board of Arbitration (BA) shall examine disputes where the parties directly or indirectly are members of ISBHF.

Dispute regarding labour legislation shall be examined by BA only if both parties have agreed upon that.

## **II. COMPOSITION**

§ 2 BA shall consist of one or three members, each party shall appoint one arbitrator each and ISBHF shall appoint one arbitrator.

The arbitrator appointed by ISBHF shall be the Chairman of the BA and have the appropriate competence for the issue concerned. The ISBHF arbitrator shall be appointed from the list of ISBHF arbitrators that the ISBHF CB establishes once a year.

§ 3 Any issue can be settled by the Chairman of the BA single-handedly if the parties agree upon that.

§ 4 If ISBHF is one part the Chairman of BA and the arbitrator appointed by the other party shall together appoint the third arbitrator.

If one party fails to appoint an arbitrator ISBHF shall appoint one arbitrator for that party.

§ 5 A person that is member in a Club or Association that is one part in the dispute, or has been representing the party, or has been advisory in the dispute or is challengeable in any other way is not allowed to be appointed as arbitrator.

## **III. HANDLING**

§ 6 When a dispute arises a part shall announce the dispute to the ISBHF CB, that within 14 days from receiving the report shall appoint the Chairman of BA.

§ 7 The Chairman of BA shall from the parties obtain answers whether the BA shall consist of one or three members. If the parties can not agree upon one or three members the BA shall consist of three members. Even though the BA will consist of three members the Chairman single-handedly, if the parties agree upon that, is allowed to make oral preparations.

The Chairman runs the work of the BA, which among other things includes deciding upon suitable places for the meetings, summons and leading the meetings. The Chairman is entitled to engage a secretary to assist with the handling of an issue.

§ 8 The BA shall handle each issue impartial, appropriate, prompt and as extensively as possible according to the wishes of the parties regarding the handling.

§ 9 The parties shall be given the opportunity of presenting the circumstances, written and/or orally, they wish to express in the issue.

If a party, without acceptable reasons, fails to plead their issue in the prescribed way the BA is allowed to

decide upon the issue on the basis of the present investigation.

§ 10 On request of a party the BA may interrogate a witness or other person quoted by the party.

The BA may also, when special circumstances are at hand, by own initiative interrogate a witness or other person.

Interrogation may, if appropriate considering the art of the evidence and other circumstances or if personal attendance would lead to costs or inconvenience not in reasonable proportion to the importance of a personal attendance when interrogated by the BA.

## **IV. VOTING, RULING AND DECISION**

§ 11 The BA settles an issue by a ruling. Other settlements are made through decisions.

If not due to the proportion of an issue or of other special circumstances considered justifiable, a ruling shall be settled by the BA within three months from reception of the dispute.

A ruling shall be written and signed by the arbitrator/arbitrators. The ruling shall contain the following:

- the members of the BA.
- time and place for the announcement of the ruling.
- the parties and their claims and circumstances they have pleaded in the issue.
- the settlement of the BA stating the circumstances from which the ruling is based on.
- if within the BA there has been different opinions upon the ruling that shall be stated.

Ruling, through which a conciliation is confirmed, may be issued in a simplified form.

§ 12 Before making any ruling or decision a meeting shall be held.

If there are different opinions within the BA a voting shall be held.

When voting the opinion of the majority shall be in charge. If there is no majority for an opinion, the opinion of the Chairman shall be in charge.

§ 13 A ruling shall only be given according to the claims of a party and shall be based only on the circumstances pleaded for or other conclusions of the investigation.

§ 14 If the parties in a dispute have reconciled the BA may upon request of the parties settle the conciliation in a ruling.

Even though the BA consists of three members the Chairman single-handedly may confirm a conciliation. The Chairman single-handedly is allowed to remove an issue.

§ 15 If nothing else is enacted a ruling of conciliation shall be in charge immediately.

A ruling of the BA must not be brought to a civil court.

## **V. COSTS**

**§ 16** Each party shall bare its own costs and the costs for their arbitrator.

The costs for the Chairman and the secretary shall be shared equal between the parties. The parties shall, however, be joint and several for these costs.

Costs for evidence or other investigations decided by the BA shall be shared equal between the parties.

The parties are entitled to agree upon another division of the costs than what is stated above.

## **VI. SECRECY**

**§ 17** The members of the BA must not without authorization reveal the contents or circumstances of the ruling of the BA.

The above is also in charge for the parties and assistants of the BA.

## **VII. SECRETARIAT FOR CO-ORDINATION**

**§ 18** The ISBHF CB shall appoint the Chairman of the BA according to § 2 to be responsible for the co-ordination of the activities of the BA. The Chairman may appoint a secretary to assist in the task.

The Chairman shall, in addition to what is stated above, among other things also:

- a) Register all issues that has been reported to ISBHF.
- b) Be responsible for all documents in all issues being entitled to engage the ISBHF office for filing away documents and for destruction of documents. Unless there are special circumstances documents shall be destroyed two years after settlement of an issue. A ruling of the BA shall be kept in the archives for ten years
- c) be the contact between the ISBHF CB and the BA and keep the CB currently informed of the work in the BA.annually register and bring the rulings and final decisions of the BA together.

This ARBITRATION REGULATIONS took effect with their approval by ISBHF Conference on 23<sup>rd</sup> January 1999.