

CAMES EXECUTIVE BOARD INTERNAL REGULATIONS

CHAPTER I GENERAL PROVISIONS

Section 1. CAMES Executive Board actions will be guided by the provisions of CAMES Mediation and Arbitration Regulations and the Internal Regulations hereof.

Section 2. The Executive Board is in charge of decisions concerning:

I – validity and efficacy of arbitration clause, prior to the establishment of the Arbitration Tribunal;

II – recusal of arbitrator or mediator;

III- appointment of mediator or arbitrator, when there is no consensus between the parties;

IV – interpretation and application of Mediation and Arbitration regulations, resolving unclear matters; and

V – other matters determined by CAMES Regulations.

Sole paragraph. Any matters attributed to the Arbitrator or Arbitration Tribunal raised by the parties prior to the appointment or constitution thereof may be resolved provisionally by the Executive Board, for later confirmation or revision.

CHAPTER II REQUEST

Section 3. The request for action of the Executive Board will always be justified.

Paragraph 1. The interested party will file the request with the main proceeding, addressed to the Local CAMES.

Paragraph 2. Local CAMES will determine the filing of an equally motivated statement submitted by the other party, as well as by arbitrators or mediators, if applicable, within the joint deadline of 5 (five) business days.

Section 4. Local CAMES will register a new proceeding with the PACTO System, and bind it to the original proceeding, if any.

Paragraph 1. As a first update to the proceeding in PACTO System, Local CAMES will attach the order requesting a statement from the Board, containing a description of the facts presented by the parties as well as the reasoning, measures already adopted and other information necessary to the decision, under the terms of Section 3 hereof.

Paragraph 2. Local CAMES may attach the statements of parties, arbitrators, mediators, or experts to the request of the Board, or only mention the registration number of the respective updates, in the original proceeding.

Section 5. When registering the request, Local CAMES will include, among the interested parties, the President of the Board, in order to provide notification of the order that determined the statement by the entity, which initiates the period for decision by the Board, which is 5 (five) business days.

CHAPTER III DUTIES OF THE RAPPORTEUR AND BOARD MEMBERS

Section 6. The President of the Board, or the Board Member to whom the duty is assigned, will appoint, on the date the proceeding is received and among the members of the Board, a Rapporteur, notifying such Rapporteur through the system.

Section 7. The Rapporteur is in charge of:

I – within 24 hours of the filing of the proceeding, presenting a statement on the need of requesting further information to Local CAMES, the Arbitrator or Mediator, taking the measures to notify within the deadline, through the system;

II – by the third business day counted as of the notification to the President of the Board, initiating a virtual session of the Plenary, making available to the other members a report and a grounded vote; and

III – by the fifth business day counted as of the notification of the President of the Board, consolidating the votes, either oral or written, issued in a virtual decision by the Board members and issue the minutes of the session, indicating the collective decision.

Section 8. The other members of the Executive Board must deliver their votes by the fourth business day counted as of the initial notification of the President, either oral or written, and the reasoning is waived only for the vote that endorses the vote of the Rapporteur.

Section 9. If it is deemed that the analysis of the matter requires further clarification, any member of the Executive Board may, within the period assigned to present a statement, submit to their peers a request for a statement from Local CAMES, the Arbitrator, Mediator, Expert, or the Parties.

Paragraph 1. The members of the Board will vote during a virtual session, within 24 hours counted as of the availability of the vote of the Rapporteur.

Paragraph 2. If the request for clarification is granted by a majority, the Rapporteur will register the minutes of the vote with PACTO and will proceed to the notification of Local CAMES and whoever needs to present a statement, within 5 (five) business days.

Section 10. The request for statement set forth in the heading of section 9 and subsection I of section 7 interrupts the deadline for a decision by the Executive Board, which resumes on the day following the filing of the requested information.

Sole Paragraph. The Rapporteur may revise the position after receiving the statements, submitting the vote to the other members of the Board.

Section 11. The information must be provided within 10 (ten) business days.

CHAPTER IV COLLECTIVE DECISION

Section 12. The Decisions of the Board will be reached by a simple majority, if the absolute majority of members is present, and the Rapporteur must consolidate them and indicate:

- I – a summary of the case and the decision;
- II – minutes of the judgment, containing the names of the voting Board members, abstentions and absences; and
- III – full content of the delivered votes.

Paragraph 1. The decisions will be signed digitally by the President and by the Rapporteur.

Paragraph 2. The President of the Board will be entitled to vote and, in the event of a draw, will issue the swing vote.

Section 13. Local CAMES and the interested parties will be notified of the collective decision through PACTO System and the proceeding will be shelved promptly.

Section 14. The decisions of the Executive Board are final and non-appealable.

Section 15. The decisions of the Executive Board are taken in an electronic environment, through virtual sessions.

Paragraph 1. The virtual session commences with the availability of the report and vote by the Rapporteur, by the third business day of processing of the case before the Board and remains open until the fourth business day, when Board members must deliver their vote or declare abstention.

Paragraph 2. The votes will be computed in chronological order of statement.

Paragraph 3. The Board member who does not present a position under the terms of paragraph 1 of this section 15 will be deemed to have agreed with the Rapporteur.

Paragraph 4. The summary, the report and the votes will be disclosed to the interested parties only after the vote is completed.

Paragraph 16. The options of votes by Board members are:

I – ‘I endorse the Rapporteur’;

II - ‘I endorse the Rapporteur, with a reservation as to the understanding’;

III – ‘I dissent from the Rapporteur’; or

IV – ‘I endorse the dissenting opinion’.

Sole Paragraph. In the events of subsections II or III, the Board member will attach the reasoned vote to the electronic environment, to be consolidated by the Rapporteur.

CHAPTER V FINAL PROVISIONS

Section 17. The Board Members must inform the President of any event that prevents them from carrying out their functions before the Executive Board.

Section 18. In the event of a temporary impediment of a Board Member for a period that exceeds 15 (fifteen) days, CAMES Brasil will immediately appoint a substitute among the partners.

Sole Paragraph. The substitute Board Member will close the judgment in all the proceedings to which the Board Member is a party, even if the replaced Board Member returns to activities before the Board.

Section 19. The President of the Executive Board will appoint the Vice-President, who will replace the President in all the absences and impediments thereof.

Section 20. The regulations hereof come into force on 03 August 2018.