

Approved by  
decision of the Board  
NGO "Ukrainian Arbitration Association"  
of 05.11.2012

*President*  
*Slipachuk T.V.*

## **Regulations on Membership in Non-Governmental Organization "Ukrainian Arbitration Association"**

Regulations on Membership in Non-Governmental Organization "Ukrainian Arbitration Association" were designed to implement the provisions of Article 3 of the Charter of the NGO "Ukrainian Arbitration Association."

Regulations on Membership in Non-Governmental Organization "Ukrainian Arbitration Association" define the procedure for admission and termination of membership in the Association, the rights and obligations of members, the order of their accounting in the Association and the procedure for payment of entrance, annual membership fees and other fees by the members of Association and candidates for membership of the Association.

### **Definition of terms**

Terms, including those beginning from capital letter, are used in these Regulations in the meaning, that they are given in the Charter of the Association. The terms, which are not used in the Charter of the Association shall be used in this Regulation with following meanings:

**Fees** - entrance fees, annual membership fees, charitable, trust and other contributions, the amount and payment procedure of which is established by these Regulations.

**Applicant** - an individual, who wishes to join the Association and submitted an application to the Association in the form prescribed by the Board.

**Regulations** - Regulations on membership in the Non-governmental organization "Ukrainian Arbitration Association".

### **Article 1. Membership of the Association**

- 1.1. Members of the Association can be capable individuals with a law degree, who are specialists in the field of international commercial arbitration, or have a professional interest in international commercial arbitration and share the goals and objectives of the Association.
- 1.2. Candidates for the membership of the Association may be individuals, who are in the process of obtaining a law degree and are interested in issues of arbitration.
- 1.3. An individual may be granted the title of honorary member of the Association by the decision of the Board. The Honorary member of the Association may be an individual, who has outstanding achievements in the field of arbitration and provides significant organizational, financial or other kind of support to the Association. Honorary members are elected at a meeting of the Board by majority of the votes of Board members by the initiative of the President or a Board member.

- 1.4. Members of the Association have equal rights.
- 1.5. Membership in the Association is voluntary and personal.
- 1.6. Members of the Association may be members in other associations.

**Article 2. The rights and obligations of members and candidates for membership in the Association**

- 2.1. Members of the Association have the rights to:
  - 2.1.1. participate in the governing bodies of the Association in accordance to the Charter;
  - 2.1.2. elect and to be elected to the governing bodies of the Association;
  - 2.1.3. receive complete and accurate information about the activities of the Association;
  - 2.1.4. make proposals for consideration at the General Meeting of the Association of the issues that were not included in the agenda of the meeting not later than three days prior to its summoning;
  - 2.1.5. make proposals for improvement of the activity of the Association and its bodies and structural subdivisions;
  - 2.1.6. participate in the work on documents, that define the main directions of activities of the Association, to submit to the Board of the Association proposals and recommendations to them;
  - 2.1.7. participate in events held by the Association;
  - 2.1.8. initiate the organization of seminars and other events within the budget of the Association;
  - 2.1.9. use methodical resources and material and technical base of the Association, advices and recommendations of the Association, information available to the Association, as well as other results of charter activity, under conditions established by the governing bodies of the Association in accordance with their competence;
  - 2.1.10. publish personal information on the website of the Association, as well as own scientific works and scientific articles in publications of the Association on terms approved by the Board;
  - 2.1.11. have access to the databases on various aspects of arbitration established by the Association;
  - 2.1.12. contact the Association governing bodies to protect own rights and interests;
  - 2.1.13. use symbols of Association as proof of their belonging to it.

Members of the Association have other rights under the Charter, decisions of the General Meeting of the Association, the Board of the Association and laws of Ukraine.

- 2.2. Members of the Association are obliged to:
  - 2.2.1. fulfill the provisions of the Charter of the Association;
  - 2.2.2. fulfill the decisions of the governing bodies of the Association;
  - 2.2.3. actively participate in the activities of the Association and contribute to the realization of its purpose;
  - 2.2.4. timely pay entrance and membership fees in accordance with these Regulations;
  - 2.2.5. cooperate with the Association in all matters relating to the tasks of the Association;
  - 2.2.6. maintain the authority of the Association;
  - 2.2.7. assist by own activities to the achievement of the main goals and objectives of the Association;
  - 2.2.8. adhere to the principles of professional ethics;
  - 2.2.9. inform the Association about known facts / events that may affect the activity / reputation of the Association, and violation of the Charter of the Association;
  - 2.2.10. participate in the governing bodies of the Association, to which the member is elected or appointed, or delegate authorized representatives;
  - 2.2.11. not perform actions that would contradict the purpose of the Association, impair its reputation.
- 2.3. A candidate for the membership of the Association has the same rights and responsibilities as members of the Association except the right to elect and be elected to the governing bodies of the Association, to participate in their activities and in other cases of restrictions, foreseen by the Charter.
- 2.4. Honorary Member of the Association may participate in the activities of the Board in an advisory capacity by the decision of the Board.

### **Article 3. Procedure for admission to the Association**

- 3.1. Admission to members and to candidates for the membership of the Association is made on the ground of the applicant's written application in the prescribed form.
- 3.2. Completed and signed application for admission to the Association, written consent to the processing of personal data in the Association, and in case of will – an application for their publication on the website of the Association, shall be sent to the Association by registered mail, a copy – by email to the address: [info@arbitration.kiev.ua](mailto:info@arbitration.kiev.ua)
- 3.3. In case of doubt, the Association may require from the applicant the documents confirming the information stated by him/her in the application.

- 3.4. The President makes a decision to admit or refuse admission to the Association within 15 (fifteen) working days from the date of submission of the application to the Association.
- 3.5. Within 3 (three) working days from the date of the President's decision on admission of the applicant to the Association the Secretary General shall transmit to the applicant by e-mail:
  - 3.5.1. notification on admission to the Association;
  - 3.5.2. request for payment of entrance and annual membership fees in accordance to the terms of admission.
- 3.6. Member of the Association is considered admitted since the date of decision of the President on this matter, provided that the entrance and membership fees were paid.

#### **Article 4. Payment of the fees**

- 4.1. Members of the Association and candidates for the membership of the Association shall pay an entrance fee for admission to the Association and subsequently pay annual membership fees.
- 4.2. Entrance fee is paid regardless of the fact if the applicant was ever the member of the Association.
- 4.3. Cash receipts from contributions of members of the Association and candidates for the membership of the Association are used by the Association to implement its charter goals and objectives, projects and programs, the development of logistics and maintenance of executive bodies.
- 4.4. Amount of entrance and annual membership fees is set by the decision of the Board of the Association.
- 4.5. Honorary members of the Association shall be exempt from entrance fees and annual membership fees at will.
- 4.6. Members and candidates for the membership of the Association have the right to transfer to the Association in any reporting period and in any amount charitable contributions (above fixed amount of membership fees) to implement the charter goals and objectives of the Association and to make targeted donations for projects and programs within the charter activity of the Association.
- 4.7. When paying entrance, annual membership fees, charitable or target contributions members of the Association shall clearly indicate type of payment in the payment documents:
  - entrance fee;
  - annual membership fee;
  - charitable contributions;
  - targeted contribution to [name of event, project, program].

- 4.8. On the request of the applicant the Board may reduce the annual membership fee that has to be paid by the applicant or release the applicant from payment of entrance and / or annual fee.
- 4.9. Entrance and first annual membership fees are paid by the applicant within 15 (fifteen) calendar days after receiving notice on admission to the Association.
- 4.10. Each subsequent annual fee is paid by the member of the Association or by a candidate for the membership of the Association within 15 (fifteen) calendar days after the expiration of 12 (twelve) months from the previous payment of annual fee.
- 4.11. To confirm the payment of entrance and / or annual membership fee, members of the Association and candidates for the membership of the Association shall send to the Association a copy of the payment order for the transfer of the fee with a note of banking institution or copy of the receipt proving payment on the request of the Secretary-General (stated in the letter and / or email and / or expressed in a telephone conversation).
- 4.12. Entrance and annual membership fees are considered paid since receipt of funds to the account of the Association.
- 4.13. Membership may be renewed under the conditions stipulated by the Regulations on the membership in the Association, by re-joining the Association, provided that the entrance and annual membership fees are paid.
- 4.14. Secretary General monitors the accuracy and timeliness of payment of annual membership fees.
- 4.15. The lawfulness of the use of funds received on account of the Association from its members at least once every 2 (two) years is audited by the Inspector. The results of inspection are reported to the Board and the General Meeting by Inspector.

#### **Article 5. Accounting of the members**

- 5.1. Accounting of the members and candidates for the membership of the Association shall be made by the Secretary General of the Association.
- 5.2. Each member of the Association and candidate for the membership of the Association has a personal account card according to the form approved by the Board. Secretary General of the Association additionally keeps electronic records of members according to the form approved by the Board.
- 5.3. Personal information of members and candidates for the membership of the Association is processed according to internal documents of the Association, governing the processing and protection of personal data.

#### **Article 6. Termination of membership in the Association**

- 6.1. Member of the Association may be expelled by decision of the Board in the following cases:
  - 6.1.1. systematic (more than twice) breach or non-fulfillment of the decisions of the Association governing bodies and provisions of the Charter;

- 6.1.2. detection of non-conformity to the requirement to the members of the Association, that are provided by the Charter;
- 6.1.3. dissemination of information that is untrue or stated falsely and prejudicially to the interests, honor, dignity or business reputation of the Association;
- 6.1.4. imposing on a current member of the Association of the disciplinary sanction in connection with his professional activities;
- 6.1.5. non-observance of standards of ethical and professional conduct, approved in the order established by the Charter, by the member of the Association.
- 6.2. Failure of the member of the Association to fulfill obligations, foreseen by the Charter and resolutions of the governing bodies of the Association are also grounds for exclusion from membership of the Association by the Board of the Association.
- 6.3. Member of the Association may withdraw from the Association at own will by notifying the President of the Association. The date of termination of membership, in this case, is the date of filing of the relevant application.
- 6.4. Termination of the membership in the Association is automatic and does not require making any decisions in this regard in the case of:
  - 6.4.1. non-payment of membership fees;
  - 6.4.2. recognition of the person as incapable in the procedure foresee by the law;
  - 6.4.3. coming into effect of the court conviction on a member of the Association, who committed an intentional crime;
  - 6.4.4. death of a member of the Association.
- 6.5. Upon termination of membership in the Association or expulsion from the membership in the Association the entrance and membership fees will not be returned.

#### **Article 7. Procedure for approval, amendments to the Regulations**

Regulations are approved by the Board.

Amendments to these Regulations can be made by decision of the Board.