



## REQUEST FOR ARBITRATION

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Contact details Secretariat Netherlands Arbitration Institute

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### Introduction

CAfA arbitration is commenced by submitting a request for arbitration to the NAI administrator at [cafa@nai-nl.org](mailto:cafa@nai-nl.org). The arbitration will be deemed to have commenced on the date the request is received by the administrator (Article 7(1) CAfA Arbitration Rules of 1 January 2019).

The requirements to be satisfied by a request for arbitration are laid down in Article 7(2). If the request for arbitration does not satisfy the requirements set in Article 7(2), the NAI administrator shall contact the claimant in order to obtain the necessary supplements or corrections and may suspend the handling of the request; this may cause the handling to be delayed (Article 7(3)). The NAI administrator shall send a copy of the request for arbitration to the respondent, inviting the respondent to respond to the request for arbitration in the short answer (Article 8(1)).

The request for arbitration and the short answer serve as an introduction to the arbitral proceedings and are designed to further the process of appointing arbitrators. They do not prejudice the right of the parties to submit a statement of claim or a statement of defence (Article 9(1)).

The special requirements a request for summary arbitral proceedings must meet are stated in Article 36.

### 1. Particulars claimant (Article 7(2)(a))

Name : \_\_\_\_\_

Address : \_\_\_\_\_

Place of residence : \_\_\_\_\_

Telephone number : \_\_\_\_\_

E-mail address : \_\_\_\_\_

VAT number : \_\_\_\_\_

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## If applicable, contact details of claimant's representative (Article 7(2)(b))

Name of authorised representative : \_\_\_\_\_  
Address : \_\_\_\_\_  
Place of residence : \_\_\_\_\_  
Telephone number : \_\_\_\_\_  
E-mail address : \_\_\_\_\_

## 2. Particulars respondent (Article 7(2)(a))

Name : \_\_\_\_\_  
Address : \_\_\_\_\_  
Place of residence : \_\_\_\_\_  
Telephone number : \_\_\_\_\_  
E-mail address : \_\_\_\_\_  
VAT number : \_\_\_\_\_

## If applicable, particulars of respondent's representative

Name of authorised representative : \_\_\_\_\_  
Address : \_\_\_\_\_  
Place of residence : \_\_\_\_\_  
Telephone number : \_\_\_\_\_  
E-mail address : \_\_\_\_\_

## 3. E-mail address at which the claimant may be reached for the duration of the arbitral proceedings (Article 7(2)(c))

\_\_\_\_\_

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## 4. Brief description of the dispute (Article 7(2)(d))

(The description provided here serves to introduce the proceedings and to inform the NAI administrator and does not prejudice the parties' right to present a statement of claim and statement of defence, respectively (Article 9(1)). The description of the dispute may be provided in an attachment to the request for arbitration.)

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## 5. A clear specification of the claim along with, if possible, a specification of the monetary interest of each of the claims (Article 7(2)(e))

(The description provided here serves to introduce the proceedings and to inform the NAI administrator and does not prejudice the right to change, increase or reduce a claim within the limits of the relevant provisions of the CAfA Arbitration Rules.)

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## 6. Arbitration agreement and any other agreement to which the arbitration relates (Article 7(2)(f))

(A copy of such (agreement(s)) must be sent along with the request for arbitration.)

The agreement between the parties, that their disputes will be decided by arbitration according to the CAfA Rules, is evidenced by: \*

- (a) submission agreement dated \_\_\_\_\_, attached
- (b) contract (confirmation) with arbitration clause dated \_\_\_\_\_, attached
- (c) other written proof, namely \_\_\_\_\_

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## 7. Number of arbitrators (Article 7(2)(i))

(There should be an **uneven** number of arbitrators. The number of arbitrators shall be three, unless the monetary value of relief sought is less than € 1,500,000 or the parties have agreed to one arbitrator, see Article 12.)

As regards the number of arbitrators:\*

(a) The parties have not made other agreements on the number of arbitrators, so the number of arbitrators is three since the monetary value of relief sought is more than € 1,500,000.

(b) The parties have not made other agreements on the number of arbitrators, so the number of arbitrators is one since the monetary value of relief sought is less than € 1,500,000.

(c) The parties have agreed that the case will be decided by one arbitrator.

## 8. Appointment of arbitrators (Article 7(2)(g)(h))

(On the basis of the CAfA Arbitration Rules of 1 January 2019, parties appoint the arbitrator(s) themselves from the Arbitrator Pool (Article 13). If the parties agreed the appointment of one arbitrator, they appoint this arbitrator jointly, from the CAfA Arbitrator Pool (**www.....**). If parties have agreed the appointment of three arbitrators, each party shall appoint an arbitrator from the Arbitrator Pool and these arbitrators will jointly appoint the chair of the arbitral tribunal. Please also note Article 11(7) stating that the chair and sole arbitrator must have university legal training. Parties may also agree to follow the list procedure immediately. Finally, the parties may agree a method of appointment that deviates from the procedures provided for in Article 13 and 14 (Article 13(6)). Please indicate below what is applicable.)

(a) (Article 13) The number of arbitrators is three:

### Claimant appointed:

Name arbitrator 1 : \_\_\_\_\_

Address : \_\_\_\_\_

Place of residence : \_\_\_\_\_

Telephone number : \_\_\_\_\_

E-mail address : \_\_\_\_\_

### Respondent appointed:

Name arbitrator 2 : \_\_\_\_\_

Address : \_\_\_\_\_

Place of residence : \_\_\_\_\_

Telephone number : \_\_\_\_\_

E-mail address : \_\_\_\_\_

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If known who is appointed as chair of the arbitral tribunal:

**Chair (must have university legal training, see Article 11(7)):**

Name arbitrator 3 : \_\_\_\_\_

Address : \_\_\_\_\_

Place of residence : \_\_\_\_\_

Telephone number : \_\_\_\_\_

E-mail address : \_\_\_\_\_

(An arbitrator must be impartial and independent. He or she may not have any close personal or business ties with any of the parties or with one of the fellow arbitrators. He or she may not have any direct personal or business interest in the outcome of the proceedings. Neither may an arbitrator have communicated an opinion regarding the case to any of the parties prior to his or her appointment.)

- (b) (Article 13) Parties agreed to the appointment of one arbitrator (who must have university legal training, see Article 11(7) (www.....)), or the monetary value of relief sought is less than € 1,500,000:

**Parties jointly appointed:**

Name arbitrator : \_\_\_\_\_

Address : \_\_\_\_\_

Place of residence : \_\_\_\_\_

Telephone number : \_\_\_\_\_

E-mail address : \_\_\_\_\_

- (c) (Article 14) If the parties have agreed the list procedure in accordance with Article 14, please indicate this below (or in an attachment to the request):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- (d) (Article 13(6)) The claimant declares that neither situation (a), nor (b), nor (c) has occurred and requests the following method of appointment:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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## 9. Qualification of the arbitrator(s) (Article 7(2)(i))

As regards the qualifications of the arbitrator(s):\*

(a) The parties have agreed that the arbitrator(s) must have the following qualifications:

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(b) The parties have agreed nothing, but the claimant prefers:

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## 10. Further particulars concerning the arbitral proceedings (Article 7(2)(j))

(Any further particulars concerning the arbitral proceedings which the claimant would like mentioned should be stated here. The respondent can state further particulars in the short answer. A further particular in this sense is, for example, the request that the chairman of the tribunal should be of a nationality other than those of the parties, see Article 13(3) and 14(4)).

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(Place) \_\_\_\_\_, (date) \_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_  
(signature of claimant)

\* Please complete what is applicable; delete what is not.