



## **ORDER**

(New circumstances disclosed by an Arbitrator)

**Case No. 22/2018/INS/AP**

Claimant: [REDACTED]

Respondent: [REDACTED]

1. [REDACTED], Arbitrator appointed by the Respondent, revealed by email dated [REDACTED] that he was invited to act as a lawyer of [REDACTED] in a judicial proceeding in which [REDACTED] is the Claimant, having added that this has no relationship with the dispute that is the subject of the present arbitration proceeding.

2. Following that disclosure, the Claimant, by email dated [REDACTED], communicated that - although it generally understands that as long as arbitration proceedings are pending, an arbitrator in such proceedings should not be involved in matters relating to or affecting any of the parties, regardless of not having any relation with the matter under dispute in such arbitration proceedings - it is not in a position to establish whether the circumstances described in the aforementioned email may objectively raise well-founded doubts about the impartiality and independence of [REDACTED], and therefore does not intend to raise the refusal of such Arbitrator, pursuant to Articles 13 and 14 of Law No. 63/2011, of 14 December or Article 12 of the Rules of the Arbitration Centre of the Portuguese Chamber of Commerce and Industry, without prejudice to the competence of the President of the Centre to assess the matter on his own motion.

3. Given the above and bearing in mind that the circumstances disclosed by [REDACTED] do not constitute, from the perspective of the Claimant, grounds

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**CENTRO DE  
ARBITRAGEM  
COMERCIAL**

Câmara de Comércio e Indústria Portuguesa

for the refusal of the Arbitrator, the Chairman of the Centre also sees no reason to remove the Arbitrator on his own initiative.

Lisbon, the 3<sup>rd</sup> May 2019

The Chairman of the Commercial Arbitration Centre

Professor António Menezes Cordeiro