

## Gafta Qualified Arbitrator Status

There are two main routes to becoming a Gafta qualified arbitrator. These are to attend all the Gafta Professional Development courses (Trade Foundation Course, Formation and Fulfilment of Contractual Obligations, Shipping the Goods and Dealing with and Resolving Problems) or to pass the Gafta Distance Learning Programme (DLP). Candidates who wish to become Gafta Qualified Arbitrators need, in addition, to have at least ten years' experience in the trade and to sit the Gafta Trade Diploma Examination.

Eligible applicants<sup>1</sup> who pass the Gafta Trade Diploma can apply to become a Gafta Qualified Arbitrator. All applications are considered and decided upon by Gafta's Arbitration Committee.

**Exemptions from the training requirement:** Individuals who have significant legal and/or arbitral experience may apply for exemption from the training requirement. All applicants for exemption must be current members of Gafta. An application supported by a CV and relevant supporting papers should be made in the first instance to [membership@gafta.com](mailto:membership@gafta.com). All applications will be shared with and considered by, the Arbitration Committee. The Arbitration Committee will decide on the request for exemption from the training requirement. Unless there are exceptional circumstances, the Arbitration Committee will not grant exemption from the exam. No exemption will be made for those with less than ten years' experience in the trade.

**Gafta Qualified Arbitrators:** Arbitrators will be appointed in line with Gafta's 'Guidelines for Appointment of Arbitrators'. Gafta arbitrators are required to comply with the 'General Rules and Regulations Applicable to All Members' and the 'Rules and Code of Conduct for Qualified Arbitrators and Qualified Mediators.' Gafta arbitrators must comply with annual CPD requirement as set out in 'Gafta Qualified Arbitrators Annual CPD Policy' and sign the annual letter of agreement. Arbitrators must comply with the 'Service Level Guidelines', the 'Expenses Policy' and all other rules and guidelines that the Arbitration Committee shall decide upon.

**Gafta Appeal Board Arbitrators:** Arbitrators may apply to become appeal board arbitrators when they have served on five first tier tribunals, including at least one as Chair. At least one of these arbitration tribunals must have taken place within the preceding twelve months. In addition, applicants must have no documented adverse feedback on their performance as an arbitrator, to produce their compliant CPD record for the previous twelve months, and to pass a written assessment which will assess their arbitration award-writing skills. Appeal board arbitrators who have not sat on any first tier or appeal hearings for the previous three years, will be removed from the list of appeal board arbitrators (also currently known as the Committee of Appeal).

### **Exemptions to Gafta Qualified Arbitrator's and Appeal Board Arbitrator's Default Retirement Age:**

The Gafta arbitrator retirement age is 70<sup>2</sup>. Any arbitrator may apply to the Arbitration Committee for an extension to the age of seventy five. This will be granted on an annual basis, providing that the arbitrator satisfies the Committee that they have sat on at least one tribunal in the previous twelve months; have no documented adverse feedback on their performance as an arbitrator; and can produce their compliant CPD record for the previous twelve months.

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<sup>1</sup> Candidates must be employees of Gafta members or be members in their own right. In-house lawyers working for Gafta members are eligible, but not those working primarily in private practice.

<sup>2</sup> Gafta arbitrators are not considered 'workers' under the UK Equality Act 2010