The following translation is done for the purposes of a wide distribution at national and international level, if there is any difference of interpretation between the Spanish and the present version; the Spanish text is authoritative.
Whereas, the Plurinational Legislative Assembly has enacted the following Law;

The Plurinational Legislative Assembly

DECREES:

CONCILIATION AND ARBITRATION LAW

TITLE I

COMMON PROVISIONS

CHAPTER I

PURPOSE, JURISDICTION AND PRINCIPLES

Article 1. (PURPOSE).

The present law has the purpose to regulate the conciliation and arbitration as an alternative means of solving disputes arising from contractual or extra-contractual relationships.

Article 2. (JURISDICTION).

The present law develops the conciliation and arbitration under the Section II of Article 297 of the Political Constitution of the State, as an exclusive competence of the central level of the State.
Article 3. (PRINCIPLES).

Conciliation and arbitration are sustained on the following principles:

- **Good Faith.** The parts act in an honest and fair way, with the aim of reaching an agreement and the access to alternative means to end the dispute.
- **Celerity.** It includes the timely and without delay exercise in the settlement of disputes.
- **Peace Culture.** Alternative means of dispute resolution contributes to the Living Well
- **Economy.** The procedures will be developed to avoid unnecessary procedures or proceedings, safeguarding judicial guarantees.
- **Purpose.** The validity of the procedural acts is subordinate to the interest of resolving the dispute and not just the mere compliance with rules or requirements.
- **Flexibility.** By which the proceedings will be informal, simple and adaptable to the particularities of the dispute.
- **Suitability.** The conciliator or arbitrator will legitimize their intervention from their aptitude, knowledge and experience in the development of the alternative means of dispute resolution.
- **Equality.** The parties have an equal opportunity to assert their rights and claims.
- **Impartiality.** The conciliator and arbitrator must remain impartial during the procedure without holding any personal, professional or commercial relationships whatsoever with the Parties, nor have an interest in the subject matter of the dispute.
- **Independence.** Conciliators and arbitrators have full freedom and autonomy for the exercise of their functions.
- **Legality.** The conciliator and arbitrator must act in accordance with the law and other legal rules.
- **Orality.** As a means of ensuring dialogue and communication between the parties, generating mutual trust.
- **Voluntariness.** For the parties, to freely and by mutual agreement, agree to an alternative means of dispute resolution.
Article 4. (MATTERS EXCLUDED FROM SETTLEMENT AND ARBITRATION).

May not be subject to conciliation or arbitration, the following:

- Ownership of natural resources.
- Titles granted on fiscal reserves.
- Taxes and royalties.
- Administrative contracts, except as provided in this Law.
- Access to public services.
- Licenses, registrations and authorizations on natural resources in all its states.
- Matters affecting public order.
- Matter that has resulted in a firm and final judgment, except for aspects of its implementation.
- Matters on the civil status and capacity of people.
- Matter concerning assets or rights of incapable, without prior judicial authorization.
- Matters concerning State functions.
- Matters that are not object of transaction.
- And, any other determined by the Political Constitution of the State or the law.

Article 5. (EXPRESS EXCLUSION).

Excluded from the application of this Law are:

- Disputes on labor and social security matters, as they are subject to their proper legal provisions.
- Trade and integration agreements between States, signed by the Plurinational State of Bolivia, which are governed by the provisions on conciliation and arbitration determined by the parties, in the framework of such.
- External financing contracts undersigned by the Plurinational State of Bolivia with organizations or international financial institutions.

Article 6. (GOODS, WORKS AND SERVICES CONTRACTED ABROAD).

I. State entities or companies may apply the conciliation and arbitration in disputes arising from contract of procurement of goods, works or service provision with
foreign companies or entities without legal residence in Bolivia signed abroad, in the stipulated framework in the contract.

II. In the case of entities and public enterprises, they may apply their specific rules of contracts abroad.

Article 7. (CONFIDENTIALITY OF INFORMATION).

When the State is part of a conciliation or arbitration, all known and produced information in such proceedings, will be confidential if it is qualified as such by current regulations.

Article 8. (CONFIDENTIALITY)

I. All information known and produced by individuals in a conciliation or arbitration is confidential. In addition, in conciliation has no probative value.

II. Exceptionally, confidentiality is lifted when:
- The interests of the State are committed, in which case, the information will be transmitted to the Attorney General’s Office.
- There is evidence of criminal commission, in which case, the information will be delivered by indictment or by an order of the court.

Article 9. (LANGUAGE)

I. The parties may decide on the language or languages with which the conciliation or arbitration will take place also the participation of translators and interpreters as required in the proceedings of conciliation or arbitration.

II. Failing such agreement on the language of the proceedings, the language used shall be Spanish.

Article 10 (LIABILITY)

I. The conciliator is responsible for failure to observe the legality of the content of the Conciliation minute, not the compliance.

II. The arbitrator is responsible for the actions or omissions in the exercise of their functions.
SECTION I
COMPETENT AUTHORITY

Article 11 (COMPETENT AUTHORITY).

The Ministry of Justice is the competent authority to authorize the operation of Conciliation Centers, Arbitration and Conciliation Centers or Arbitration Centers.

Article 12 (FUNCTIONS OF THE MINISTRY OF JUSTICE).

I. Under the present Law, the Ministry of Justice has the following functions:

- Authorize the operation of Conciliation Centers, Arbitration and Conciliation Centers or Arbitration Centers, and verify its operation.
- Register Conciliation Centers, Arbitration and Conciliation Centers or Arbitration Centers.
- Approve the rules of conciliation and arbitration of Conciliation Centers, Arbitration and Conciliation Centers or Arbitration Centers, based on their compatibility with the provisions of this Law, within a period of up to one hundred twenty (120) days calendar from its submission.
- Temporarily or permanently, suspend the authorization when the centers do not comply with the provisions of Articles 15 and 17 of this Law.
- Promote training and competence on conciliation and arbitration, through agreements with the university system and approved centers.
- Elaborate, adopt and implement conciliation policies.

II. For purposes of the adoption of the rules of conciliation and arbitration, the Ministry of Justice exceptionally, may require a specialized opinion.

III. In order to grant legal personality by the authority called by law, the authorized centers should explicitly include in its purpose, the administration of conciliation procedures, arbitration procedures, or both procedures.

Article 13. (FUNDING).

To fulfill the duties established in the preceding article, the Ministry of Justice shall have the following funding sources:

- Specific resources.
- Internal or external donations.
SECTION II
ADMINISTRATORS OF CONCILIATION AND ARBITRATION

Article 14. (CATEGORIES).

I. Legal personalities may form administrations of Conciliation and Arbitration, under the following:
   • Conciliation Centers
   • Arbitration and Conciliation Centers
   • Arbitration Centers

II. For the development of their activities, the conciliators and arbitrators and shall be registered in one of the authorized centers, except for ad hoc arbitration.

III. Public institutions, within the framework of their powers, may administer Conciliation Centers.

Article 15. (REQUIREMENTS)

Legal personalities must meet the following requirements to administer conciliation or arbitration proceedings:
   • Legal personality
   • Rules of conciliation, arbitration, or both, approved by the Ministry of Justice
   • Having more than one conciliator accredited or more than one arbitrator accredited.
   • Infrastructure that meets the technical and administrative conditions in accordance with the rules of the competent authority.

Article 16 (FUNCTIONS).

Authorized centers shall have the following functions:
   • Provide services in conciliation, arbitration, or both.
   • Accredit and appoint their conciliators or their arbitrators, as appropriate.
   • Temporarily or permanently, suspend its conciliators or its arbitrators, for breach of the Rules of the Center.
   • Define the fee for the service.

Article 17 (OBLIGATIONS).

Authorized centers have the following obligations:
• Develop and implement their conciliation, arbitration rules, or both, under the provisions of the present Law.
• Develop and implement codes of ethics, which must undergo its conciliators, arbitrators, or both.
• Every six months submit to the Ministry of Justice, statistical reports and related information.
• Submit statistical information as required by the Ministry of Justice.
• Spread through Media or its website, the service fee and the updated list of their conciliators and arbitrators, which shall be known by the Ministry of Justice.
• Have a record and file the conciliation minutes and arbitration awards.
• Contribute to the development of the capacities of the conciliators, and value their performance.
• Obtain the operating authorization from the Ministry of Justice and keep it in force.

Article 18 (PROHIBITION).
Authorized centers shall not interfere or administer cases in which it or any of its subsidiaries fall within the grounds set out in Article 74 of this Law, as applicable, under penalty of nullity of the entire proceedings.

Article 19. (CONCILIATION SERVICE OF THE MINISTRY OF JUSTICE)
The Ministry of Justice, pursuant to its powers, is empowered to provide conciliation between private parties in civil, family and commercial matters.

TITLE II
CONCILIATION

CHAPTER I
GENERAL DISPOSITIONS

Article 20. (NATURE)
Mediation is an alternative means of dispute resolution that natural or legal persons, public or private, national or foreign, can freely and voluntarily access, before or during a
Article 21. (MATERIAL SCOPE)

Can be submitted to conciliation all disputes arising from contractual or non-contractual legal relationships that can be resolved through the free provision of rights and do not contravene public order.

CHAPTER II
PROCEDURAL RULES

Article 22. (ACCESSORY MEANS)

Mediation, negotiation or amicable settlement may accompany the conciliation as accessory means, independent or integrated into it, as the parties shall agree.

Article 23. (PLACE OF THE CONCILIATION).

The conciliation should be held in the place agreed by the parties, failing agreement, alternately held in the following order:

- Where the obligation should be fulfilled.
- The domicile of the Claimant.
- The domicile of the Respondent.

Article 24. (APPLICATION AND INVITATION).

I. The parties, jointly or separately, may apply for conciliation before a conciliation Center or Conciliation and Arbitration Center of their choice.

II. The parties will be immediately invited to the conciliation hearing, by the most expeditious and effective way, briefly indicating the purpose of the Conciliation, the advantages and effects.

Article 25 (PARTICIPATION AND REPRESENTATION).

I. Participation in the conciliation procedure is personal. It will admit a representative accredited by special powers to the effect, in which case involves the declaration of will of the representative involved, on behalf and in the interest of the principal, supplying legal purposes as determined by this Law.
II. Natural or legal persons domiciled abroad, may appoint an agent to conciliate on their behalf. If applicable, the special power or an instrument of delegation of representation must be duly translated and validated by the competent authority.

I. The Authorized Center shall provide the list of conciliators, ensuring that the parties have the right to freely choice.
II. The choice of the conciliator shall be made by agreement. Failing agreement, the Conciliation Center or the Conciliation and Arbitration Center will choice the conciliator from the list of conciliators.
III. Since the appointment, the conciliator will assume responsibility for their actions.

Article 27. (USE OF COMMUNICATION TECHNOLOGIES).
I. Communications during conciliation shall be by any means agreed by the parties.
II. They may use the new information and communication technologies, including for the hearings.

Article 28 (HEARINGS).
I. At the conciliation hearing, the conciliator will apply the necessary and appropriate means to ensure the development of it.
II. The conciliator will conduct the hearings as are necessary to give effect to the resolution of the dispute. Where necessary and under absolute respect for the principle of impartiality and confidentiality, it can make private and separate interviews with each of the parties prior knowledge of the other.

Article 29 (TECHNICAL ASSISTANCE).
The conciliator, prior consent of the parties, may request technical assistance from an expert to help to clarify the dispute and suggest alternative solutions. The expert will be paid as provided by the rules of the Conciliation Center or the Conciliation and Arbitration Center.

Article 30. (CONCLUSION OF THE CONCILIATION).
I. The conciliation will conclude with the signing of the Conciliation Minute.
II. The conciliation procedure shall be concluded if: The parties do not reach an agreement; either party declares to the conciliator its willingness to conclude the
conciliation; one of the parties leaves the conciliation. This fact must be duly registered by the conciliator, whose minimum content is:

- The identification of the conciliator and the parties.
- Precision and succinct account of the dispute.
- Place, date and time.
- The signature of the conciliator.

III. In both cases, the conciliator shall provide the certified copy of the document to the concerned parties.

CHAPTER III
CONCILIATION MINUTE

Article 31. (CONCILIATION MINUTE).
I. The Conciliation Minute is the legal instrument that expresses the free and voluntary consent of the parties, to reach a total or partial agreement.

II. If the settlement is partial, the Conciliation Minute expressly includes the items in respect of which solution had been reached and unreconciled.

Article 32. (MINIMUM CONTENT OF THE CONCILIATION MINUTE)
The minimum contents of the Conciliation Minute are:

- The identification of the parties.
- Precision and succinct account of the dispute.
- The agreement reached by the parties indicating the manner, time and place of the enforcement of the agreed obligations, and if so, the amount.
- Penalties for non-compliance, as appropriate.
- Effective or necessary guarantees to ensure its implementation, if appropriate measures.
- Place, date and time of the conciliation.
- The signature of the conciliator and the parties.

Article 33. (EFFECTIVENESS OF THE CONCILIATION MINUTE).
The Conciliation minute from its subscription is binding on the parties; their enforcement is immediate and acquire the status of res judicata, except in matters established by law, where approval is required by a competent judicial authority.

Article 34. (ENFORCEMENT OF THE CONCILIATION MINUTE).
In case of breach of the Conciliation minute, it proceeds the enforcement of the Conciliation minute, according to the procedure of enforcement of judgment before the competent judicial authority in the place agreed by the parties. Failing agreement, the competent judicial authority shall be the place where the agreement was concluded.

Article 35. (ENFORCEMENT OF INTERNATIONAL CONCILIATION MINUTE)

The signed international conciliation minute will be recognized and enforced in the Plurinational State of Bolivia, in accordance with the rules on international judicial cooperation, established by civil procedural rule in force.

CHAPTER IV
THE CONCILIATOR

Article 36 (ACCREDITATION)

To be accredited, the Conciliator must minimally meet the following requirements:

- Proven competency in conciliation.
- Specialized formation.

Article 37 (RIGHTS, DUTIES AND PROHIBITIONS).

I. Conciliators are entitled to:

- Receive the professional fees for the services rendered by case, according to the approved fees, except public servants serving in conciliation.
- Receive training by the accrediting authority and the Conciliation Center or the Conciliation and Arbitration Center, of which he is a member.

II. Conciliators have the following duties:

- Act transparently and in accordance with the principles laid down in this Law, taking care of the interests of the parties and their rights.
- Ensure the legality and the minimum content of the conciliation minute.
- Submit to the competent authority the background, where there are indications of a criminal commission.
- Refuse to proceed in the contested irreconcilable disputes or those against the law.
- Perform the necessary steps to achieve the best solution to the dispute.
- Others established by a precise provision.
III. The conciliator is prohibited to perceive another income other than the fees based on the agreed fee scale.

Article 38 (INCOMPATIBILITY).

The conciliator shall not act as an arbitrator, counsel or agent of the parties that were in conciliation for the same matter, in any judicial or arbitral procedure. This provision does not apply to the Sole arbitrator or the Arbitral Tribunal that within its powers, applied the conciliation.

TITLE III
ARBITRATION

CHAPTER I
GENERAL DISPOSITION

SECTION I
RULES

Article 39. (NATURE).

I. Arbitration is an alternative mean to judicial resolution of disputes between the parties, be they natural or legal persons, public or private, national or foreign when they relate to matters that are not prohibited by the Political Constitution of the State and Law, before a sole Arbitrator or an Arbitral Tribunal, arbitration may be institutional or Ad Hoc Arbitration.

II. Under this Law, Ad Hoc Arbitration is a non-institutional form, in which the parties can establish procedures, effects, appointment of arbitrators and any other matters relating to the arbitration process.

Article 40. (ARBITRATION IN LAW OR IN EQUITY).

I. Arbitration in Law is one in which the Sole Arbitrator or the Arbitral Tribunal must resolve the dispute by strictly applying the relevant legal standards to the case, in support of its decision.

II. Arbitration in Equity is one in which the Sole Arbitrator or the Arbitration Tribunal must resolve the dispute in accordance with their knowledge, according to his natural sense of right and according to what is right.
III. It is the power of the parties to decide that the Sole Arbitrator or the Arbitral Tribunal, resolve the controversy in law or in equity.

IV. Where there is no explicit agreement with respect to such arbitration, it shall be in right.

Article 41. (ARBITRATION OPPORTUNITY).
The Arbitration may be initiated:

- Before a legal proceeding, avoiding the one that could be initiated.
- During a court case in accordance with the relevant procedural law, concluding the case initiated.

Article 42. (ARBITRATION CLAUSE)
The arbitration clause is the written agreement set in a clause of a contract in which the parties agree to submit their emergent disputes of the contract, to arbitration.

Article 43. (ARBITRATION AGREEMENT).

I. The Arbitration Agreement is an agreement that is implemented in writing in another document other than the contract in which the parties agree to submit their disputes to arbitration.

II. The arbitration agreement must, be documented in physical or electronic, o other that leaves a record of the expression of will of the parties, expressed in whole or in succession.

III. The Arbitration Agreement will refer to a contractual or an extra-contractual relationship.

Article 44. (AUTONOMY OF THE ARBITRATION CLAUSE OR ARBITRATION AGREEMENT).

I. Any arbitration clause or arbitration agreement which forms part of a contract is considered as an independent and autonomous agreement regarding the other contractual provisions.

II. The nullity, revocability, ineffectiveness or invalidity of the contract shall not affect the arbitration clause or arbitration agreement.

Article 45. (ARBITRATION OBJECTION).
I. The existence of an arbitration clause or arbitration agreement, imports the waiver of the parties to initiate judicial proceedings on disputes submitted to arbitration.

II. The judicial authority, that becomes aware of a dispute subject to an arbitration clause or an arbitration agreement, must withdraw from the case, as requested by the respondent in court. In this case, that party may oppose an arbitration objection in documented form, according to the procedural rules in force. The objection will be resolved without further ado, by an explicit decision.

III. Proven the existence of the arbitration clause or an arbitration agreement and without any recourse, under this law, the competent judicial authority may:
   - Declare proven the arbitration objection or,
   - Rule on the annulment or impossible execution of the arbitration clause or the arbitration agreement, dismissing the arbitration objection.

IV. Having taken legal action, the arbitration proceedings may start or continue and issue an arbitral award while the objection is pending before judicial authority.

Article 46 (WAIVER OF ARBITRATION).

I. The waiver to the arbitration shall be valid only upon the occurrence of the will of all parties concerned, before the arbitration award is issued, in the following way:
   - Explicit waiver by written notice extended to the sole arbitrator or to the Arbitral Tribunal jointly, separately or sequentially, in which case they may resort to the courts or other alternative means of dispute resolution they deem appropriate.
   - Implied waiver, when one party is sued by the other party and does not recur to the arbitration objection under the relevant procedural rules.

II. The fact that any party before or during the arbitral proceedings, request from a competent judicial authority interim measures demand, or judicial authority that grants the compliance with them. Will not be deemed as an implied waiver.

Article 47. (RULES OF INTERPRETATION).

I. When a provision of this Law grants the parties the right to freely decide on a particular issue, they may authorize a third person, natural or juridical, to make that determination.
II. Where a provision of this Law refers to agreements between the parties concluded or to be concluded, they are understood to be included in that agreement all provisions of the arbitration rules that the parties have decided to adopt.

III. The rules concerning the designation or the Sole arbitrator or the constitution of the Arbitral Tribunal and the arbitration procedure, are of supplementary character in relation to the will of the parties. These, by mutual agreement, may propose to the Sole Arbitrator or the Arbitral Tribunal the partial modification or supplementation of the rules of procedure provided for in this Law, provided they do not alter the principles of arbitration and disputes submitted to special regime or excluded from arbitration.

Article 48. (STAGES OF ARBITRATION).

The stages of the arbitral process are:
- Initial.
- Merits.
- Development and issuance of the arbitration award.
- Appeal.

Article 49. (INITIAL STAGE).

The initial stage includes from the date of notification of the request for arbitration to the Conciliation and Arbitration Center or to the Arbitration Center, to the date of acceptance of the sole arbitrator or the constitution of the Arbitral Tribunal, or from the date of the last replacement thereof.

Article 50 (MERITS STAGE)

The merits stage includes from the acceptance of the Sole Arbitrator or the constitution of the Arbitral Tribunal, until the date of the concluding hearing or the submission of the written submissions after the last hearing or the last act that results in the closure of the proceedings. Unless otherwise agreed by parties, the maximum duration of the merits stage shall be two hundred seventy (270) days.

Exceptionally and with duly justified grounds, the Sole arbitrator or the Arbitral Tribunal may extend the term up to three hundred sixty five (365) days.

Article 51. (STAGE OF DEVELOPMENT AND ISSUANCE OF THE AWARD).
The stage of preparation and issuance of the award ranges from the conclusive hearing or written submissions after the last hearing or the last procedural act following the closing of the proceedings, until the date of notification to the parties with the award issued by the Sole Arbitrator or the Arbitral Tribunal. Unless otherwise agreed between the parties, this stage will last a maximum of thirty (30) calendar days, renewable for a similar term only once.

Article 52. (RECURSIVE STAGE).

The recursive stage comprises from the formal notification of the award until it becomes *res judicata*.

Article 53. (PERIODS OF THE PROCEDURE).

I. The time limits provided in this Law shall be computed on business days, except those expressly determined deadlines as calendar days.

II. These may be reduced or extended as long as agreed by the parties, except as indicated in Article 50 of this Law.

III. The periods run from the business day following the notification, if it is on Saturday, Sunday or a holiday, it will move to the next business day.

IV. Business days are for the purposes of this law, Monday through Friday, except holidays.

Article 54. (SEAT OF ARBITRATION).

I. The national arbitration will have as seat the Plurinational State of Bolivia under Bolivian law. The parties may agree to hold hearings and other proceedings outside the territory of the Plurinational State of Bolivia.

II. If the parties agree on the arbitration clause or on the arbitration agreement, that the arbitration may have a different seat from the Plurinational State of Bolivia, it will be considered as international arbitration under the rules agreed by the parties, provided they do not violate the Political Constitution and Law.

Article 55. (PLACE OF ARBITRATION).

Meetings, hearings and deliberations will be held in the place agreed by the parties; failing agreement, the place will be determined by the Sole Arbitrator or the Arbitral Tribunal.

Article 56 (RIGHT TO OBJECT).
The parties may object the breach of this Law or of any requirement under the arbitration clause or arbitration agreement, at the time of designation of the Sole Arbitrator or the constitution of the Arbitral Tribunal, unless proofs that it didn’t timely objected under justifiable reasons.

SECTION II
ARBITRATORS

Article 57 (REQUIREMENTS TO BE ARBITRATOR).
I. The Minimum requirements for designation as Arbitrator, are the following:
   • Be in full exercise of their capacity to act according to law.
   • Have the qualified professional profile, to be defined by the authorized Conciliation and Arbitration Center or Arbitration Center, except in the case of ad hoc arbitration.
   • Not having a judgment in criminal matters pending of compliance.
   • Not having a civil penalty linked to its role as arbitrator in another process.
   • Not having sanction for issues related to professional ethics.
II. Ad Hoc Arbitrator, the nominating party shall take full responsibility for the verification of these requirements, the Ministry of Justice will not allow any claims about it.

Article 58. (IMPEDEMENTS TO BE ARBITRATOR).
Impediments to be Arbitrator are the following:
   • Absence of any of the requirements of Article 57 of this Law.
   • Perform public service.
   • Working as a stockbroker.

Article 59. (IMPARTIALITY AND INDEPENDENCE).
The arbitrators not represent the interests of either party and may not be influenced by any institution, authority, body or court; they must perform their duties with absolute impartiality and independence.

Article 60. (FAILURE TO EXERCISE).
If an arbitrator dies, withdraws, has a temporary disability longer than fifteen (15) days, or has a permanent incapacity, legal impediment or concurrence of grounds for
disqualification that prevents the exercise of the arbitration, a substitute arbitrator will be appointed, at the request of the parties or the Arbitral Tribunal.

Article 61 (NUMBER OF ARBITRATORS).
I. The parties are free to determine the number of arbitrators to resolve the dispute, and must always be an odd number.
II. If the parties have not previously agreed on the number of arbitrators and with the application and the defense occurs a difference in the number of arbitrators, the arbitration shall be conducted with three (3) arbitrators.

Article 62 (APPOINTMENT OF ARBITRATORS).
I. In arbitration with a Sole Arbitrator, the parties shall agree the appointment of the Arbitrator.
II. Unless otherwise agreed by parties in arbitration with three (3) or more arbitrators, each party shall appoint an equal number of arbitrators, within ten (10) days from the last notification to Defense to the Request for arbitration, they must within ten (10) days, elect the odd Arbitrator.
III. Failing agreement of the parties or the arbitrators, the appointment of one or more arbitrators shall be made by the Appointing Authority within ten (10) days.
IV. The designation or the Sole Arbitrator, Substitute Arbitrator, Emergency Arbitrator and members of the Arbitral Tribunal, made by the parties or the appointing authority shall be notified personally to each of the arbitrators.
V. If within six (6) days counting from the date of notification, the designated arbitrator did not accept the appointment in writing, it will proceed to appoint a new one in accordance with the provisions of this Law.
VI. Should the arbitrator appointed accept his appointment within a maximum period of six (6) days, it must submit to the Conciliation and Arbitration Center or Arbitration Center, the statement of acceptance, availability, impartiality and independence; where appropriate, it shall also inform possible grounds for disqualification.

Article 63. (PRESIDENCY OF THE TRIBUNAL).
Unless otherwise agreed by parties, the chairman of the Arbitral Tribunal shall be exercised by the arbitrator appointed by the arbitrators appointed by the parties and, failing agreement, he shall be appointed by the Appointing Authority.
Article 64 (APPOINTING AUTHORITY).

I. The parties may agree on the appointment of an appointing authority, with power to appoint or replace arbitrators or resolve disqualifications.

II. Failing agreement, the Center for Conciliation and Arbitration or Arbitration Center, according to its regulations, designate an appointing authority.

III. Failing agreement, in the Ad Hoc arbitration, the competent court will be the appointing authority.

Article 65. (DESIGNATION OF SUBSTITUTE ARBITRATOR).

I. In the event that it is a Sole Arbitrator, the appointment of the substitute arbitrator is under the same designation procedure.

II. In arbitration with three (3) or more arbitrators, it will proceed according to the following:

- If the arbitrator to be replaced was appointed by a party, the same party will designate the Substitute Arbitrator.
- If the arbitrator to be replaced was appointed by the arbitrators, they will proceed to the appointment of a new arbitrator.

III. In all cases described above, in the absence of agreement, the substitute arbitrator shall be appointed by the Appointing Authority.

Article 66. (HEARING AND PROCEDURAL CALENDAR).

The Sole Arbitrator or the Arbitral Tribunal shall summon the parties to a hearing, which the parties will determine a procedural calendar, which can be amended at any time by agreement of the parties.

Article 67. (EMERGENCY ARBITRATOR).

I. The Emergency Arbitrator will be facilitated prior to the appointment of the Sole Arbitrator or the constitution of the Arbitral Tribunal, provided there is an explicit agreement between the parties to the arbitration clause or the arbitration agreement, at the request of one of the parts for:

- Solving the appropriateness or inappropriateness of the interim measures expressly agreed in the arbitration clause or arbitration agreement, and request them to public or private authority if applicable.
• Request to the judicial authority the implementation of emerging interim measures not agreed by the parties in the arbitration clause or arbitration agreement.
• Request the judicial authority implementing interim measures for the arbitration proceeding.

II. The implementation of interim measures may relate only to the assets, rights and obligations of the parties.

III. The interim measures will expire of right if the arbitration request is not made within the term of fifteen (15) days. Applying the rules in force in Civil Procedure.

IV. The reasoned decision issued by the Emergency Arbitrator in relation to subsection 1 of Section I of this Article, shall be binding on the parties, being able to the use of judicial assistance in case of default.

V. The Sole Arbitrator or the Arbitral Tribunal may uphold, modify, rescind or nullify the provisions of the Emergency Arbitrator.

VI. The provisions of the Emergency Arbitrator do not prevent any party to seek urgent interim measures to a competent judicial authority at any time.

Article 68. (EMERGENCY ARBITRATOR’S REQUEST).

I. The Party that requests an Emergency Arbitrator shall direct its request to the Conciliation and Arbitration Center or Arbitration Center.

II. The request shall contain the following information:

• The arbitration clause or arbitration agreement that contains the manifestation of the will of the parties to submit to the Emergency Arbitrator.
• The full name, description, address and other contact information of each of the parties and any persons representing the requesting party.
• A description of the circumstances that gave rise to the dispute application submitted to arbitration.
• Indication of interim measures giving the reasons that justify its applicability before the appointment of the Sole Arbitrator or the constitution of the Arbitral Tribunal, if they had not been agreed in the arbitration clause or arbitration agreement.
• Any agreement on the Seat of arbitration, the applicable legal rules or the language of the arbitration.
• Other established in the Rules of the Arbitration Center or the Conciliation and Arbitration Center.

III. The petition shall be written in the language of arbitration if the parties had agreed it.

Article 69 (DESIGNATION OF THE EMERGENCY ARBITRATOR).

I. The Conciliation and Arbitration Center or Arbitration Center, according to its regulations, will designate a lawyer as Emergency Arbitrator within ten (10) days after the receipt of the request.

II. Once the Emergency Arbitrator has been appointed, the Conciliation and Arbitration Center or Arbitration Center, will notify the requesting party and submit the records to the Emergency Arbitrator.

III. Before being appointed, every person capable of acting as Emergency Arbitrator will sign a statement of acceptance, availability, impartiality and independence. The Conciliation and Arbitration Center or Arbitration Center will send a copy of that statement to the requesting party, who only once may request a replacement, in which case the Conciliation and Arbitration Center or Arbitration Center, within ten (10) days, shall proceed with the new appointment.

IV. The Emergency Arbitrator shall not act as an arbitrator in any arbitration relating to the dispute which gave rise to the request.

Article 70. (EMERGENCY ARBITRATOR SEAT)

The seat of the Emergency Arbitrator will be the same agreed to the arbitration.

Article 71. (RESOLUTION).

I. The Emergency Arbitrator shall issue a decision granting or denying the request, in the period of the five (5) days following the date of receipt of the records.

II. The decision of the Emergency Arbitrator will be processed by the Conciliation and Arbitration Center or Arbitration Center, according to the following procedures as appropriate:

• Submit to the public or private authority for compliance within three (3) days, if it comes to measures that do not require legal assistance, pursuant to subsection 1 of Section I of Article 67 of this Law.
• It shall submit the request to the competent judge, who must decide and manage its implementation to the appropriate authority, without further ado within three (3) days.

The judicial authority is limited to execute the request without ruling on its origin, or admit an objection or appeal. Unless the measure is contrary to public policy, pursuant to subsections 2 and 3 of Section I of Article 67 of this Law.

III. The resolution shall be inoperative to the parties, if:
• The Sole Arbitrator or the Arbitral Tribunal determines so.
• The arbitration is concluded in an extraordinary way.
• The request for arbitration is not submitted by the deadline set by this Law.

Article 72 (CONTROL).

The Conciliation and Arbitration Center or Arbitration Center, shall exercise a disciplinary control over the Arbitrators about their performances in the arbitration proceedings, in accordance with its regulations.

Article 73. (ARBITRATION FEES AND EXPENSES).
I. The Conciliation and Arbitration Center or Arbitration Center will establish a fee that includes administrative and operating expenses of the arbitral process, as well as the fees of the arbitrators, experts and administrative support staff.

II. Unless otherwise agreed, each party shall bear its own costs; common expenses will be paid by both parties in equal amounts.

III. Unless otherwise agreed, the acceptance of the position confers on arbitrators and the Conciliation and Arbitration Center or Arbitration Center, the right to require the parties an advance of funds, to cover the fees of the arbitrators, and the expenses of the administration of the arbitration.

IV. The arbitrator that refuses to sign the arbitration award will not receive the payment of their fees. The same penalty applies to the dissident arbitrator if it doesn’t substantiate in writing the reasons for his dissent.

SECTION III

Excusing and disqualification of arbitrators and experts
Article 74. (GROUNDS FOR EXCUSE AND DISQUALIFICATION).

I. The grounds for excuse or disqualification of arbitrators, are the following:
   - Have a relative of the fourth degree of consanguinity or second degree relationship, with any of the parties, their representatives or counsel.
   - Have a direct or indirect interest in the dispute.
   - Maintain a profit relationship with either party.
   - Having a compadre, godfather or godson relationship, with either party.
   - Being creditor, debtor or guarantor of any of the parties.
   - Having a pending judicial or extrajudicial process with either party.
   - Having advanced a prejudice to the controversy.

II. Only Subsections 1, 2 and 6 of Section I of this Article are applied to Experts.

Article 75. (OBLIGATION TO EXCUSE).

I. The person appointed as Arbitrator, which has the grounds of the preceding Article of this Law, is obliged to excuse himself within three (3) days of the notification.

II. In case of excuse of the person designated as Sole Arbitrator or to constitute the Arbitral Tribunal, the Appointing Authority shall replace it, and without further delay, will continue the arbitration.

Article 76 (DISQUALIFICATION PROCEDURE).

I. The parties are free to agree on a procedure for challenging an arbitrator or refer to the rules of the Conciliation and Arbitration Center or Arbitration Center.

II. Failing agreement, the challenging party may appeal to the Appointing Authority, according to the following:
   - The challenging party will present its duly substantiated request, accompanied by the relevant evidence within five (5) days to take knowledge of the acceptance of the arbitrator.
   - Any challenge will be notified to the parties and to the challenged arbitrator and the other members of the Arbitral Tribunal, so that within a period of five (5) days of notification, a hearing will be held to solve the challenge.
III. Being the case of a Sole Arbitrator or if the challenge involves most of the Arbitral Tribunal, the challenge will not suspend the jurisdiction of the Arbitrators as it is not declared as proven.

SECTION IV
JUDICIAL AUTHORITY

Article 77. (JUDICIAL ASSISTANCE).

It is jurisdiction of the judicial authority hear and decide the matters that the Emergency Arbitrator or the parties, or the Sole arbitrator or the Arbitral Tribunal, requested in accordance with the provisions of this Law.

Article 78 (POWERS OF THE JUDICIAL AUTHORITY).

In order to give judicial assistance, the judicial authority will have jurisdiction determined by law, in the following order:

- Where the arbitration should be conducted.
- Where the arbitration clause or arbitration agreement was celebrated.
- The domicile, habitual or principal place of any of the respondents on claimant choice.

Article 79 (JUDICIAL ASSISTANCE IN THE DISQUALIFICATION).

I. The lack of agreement between the parties, of appointing authority or regulation in the regulations of the Center for Conciliation and Arbitration or Arbitration Center, the challenging party may request judicial assistance, in which case the challenge formalized before the competent judicial authority, within five (5) days of having knowledge of the designation or the Sole Arbitrator or the constitution of the Arbitration Tribunal.

II. Filed the challenge, and prior notice to the parties, the competent authority will resolve the incident in a hearing held within a maximum period of five (5) days of the request for judicial assistance.

SECTION V
ARBITRATION JURISDICTION AND POWERS
Article 80. (SOLE ARBITRATOR AND THE ARBITRAL TRIBUNAL JURISDICTION).
I. In disputes to be resolved subject to this Law, shall only have jurisdiction the Sole Arbitrator or the corresponding Arbitral Tribunal. No other court or body may intervene unless it is to accomplish tasks for judicial assistance.

II. The Sole Arbitrator or the Arbitral Tribunal may rule on its own jurisdiction, including any objections with respect to the existence or validity of the arbitration clause or arbitration agreement.

III. Accepted the appointment by the Sole Arbitrator or signed the minutes of the constitution of the Arbitral Tribunal, it opens its jurisdiction.

IV. The jurisdiction of the Sole Arbitrator or the Arbitral Tribunal, cease with the arbitration proceedings, including actions relating to amendment, supplementation, clarification, enforcement declaration of the Arbitration Award, without prejudice to the case provided for appeal to the judicial authority established in the present Law.

Article 81. (JURISDICTION OBJECTION)
I. The jurisdiction objection of the Sole Arbitrator or the Arbitral Tribunal, may be based on:
   - The Matter is not subject of arbitration.
   - The nonexistence, nullity, or revocation of the arbitration clause or arbitration agreement.

II. The objection on jurisdiction may be invoked until the time of filing the Defense to the claim, although the objection party has appointed an arbitrator or participated in the appointment.

III. The objection referred to a possible excess of the mandate of the Sole Arbitrator or the Arbitral Tribunal, shall be submitted within five (5) days of the knowledge of the event and during the arbitration proceedings, specifying the alleged excess of that mandate.

IV. The Sole Arbitrator or the Arbitral Tribunal should decide on the jurisdiction objection as a preliminary question and special pronouncement.

V. When the Sole Arbitrator or the Arbitral Tribunal, declares as a preliminary question that it lacks jurisdiction, this will conclude the arbitration proceedings and the documentation must be returned to the parties.
Article 82 (POWERS AND DUTIES OF THE SOLE ARBITRATOR OR ARBITRAL TRIBUNAL).

I. The powers of the Sole Arbitrator or the Arbitral Tribunal are:
   - To conduct the proceedings, disposing ex officio the measures necessary for this purpose.
   - Dispose at any stage of the proceedings, the necessary and appropriate means to determine the veracity of the facts, with the purpose of seeking clarification, additional information and explanations deemed necessary, respecting the right of defense of the parties.
   - Urge the parties to conciliate at any stage of the process even before the issuance of the Arbitration Award.

II. The duties of the Sole Arbitrator or the Arbitral Tribunal are:
   - To inform the other party all acts performed by the other party, to enable it to exercise its right to defense.
   - Appoint a Secretary who shall have no power of deliberation or decision during the arbitration process or in the Arbitration Award. The Secretary shall have the background information under its responsibility and will contribute to the Sole Arbitrator or the Arbitral Tribunal, in the course of the procedure.
   - Resolve any accessory matters arising in the course of the procedure.

Article 83. (Decisions issued during the arbitration).

I. During the arbitration, the Sole Arbitrator or the Arbitral Tribunal will issue:
   - Decisions which rule on accessory matters arising in the course of the procedure.
   - Arbitral Award, which resolves the merits of the claim, ending the controversy, having the Sole Arbitrator or the Arbitral Tribunal declare proven or unproven the Claim.

II. The decisions and the Arbitral Award of the Arbitral Tribunal shall be settled by a majority vote of all its members; except on merely procedural issues, the decisions shall be taken by the President of the Arbitral Tribunal.

Article 84 (INTERIM MEASURES).

I. The Sole Arbitrator or the Arbitral Tribunal, at the request of a party, may:
Order the interim measures it deems necessary regarding the subject of the dispute, unless the parties have agreed to the exclusion of these measures.

Maintain, amend or rescind, in whole or in part, emergency interim measures that the Emergency Arbitrator had ordered.

Require the party seeking the interim measures, an appropriate caution, to ensure the compensation of damages in favor of the opposing party in the case that the claim is declared unfounded.

II. The request for interim measures, and any measures taken by the judicial authority in the absence of the Emergency Arbitrator must be notified immediately to the designated Conciliation and Arbitration Center or Arbitration Center.

Article 85 (JUDICIAL ASSISTANCE FOR ENFORCEMENT OF INTERIM MEASURES).

I. In case that the interim measures taken by the Sole Arbitrator or the Arbitral Tribunal are not enforced, the party may request to the competent judicial authority, the judicial assistance for the implementation of the measures.

II. The judicial authority shall accept the request for judicial assistance without further ado, within a period of five (5) days.

III. Unless the requested measure would be contrary to public order, the judicial authority is limited to fulfill the request, without commenting on their origin or admit an opposition or appeal.

CHAPTER II
ARBITRATION
SECTION I
REQUEST FOR ARBITRATION

Article 86. (MINIMUM REQUIREMENTS).

I. The minimum requirements that must contain the request for arbitration, are:

• The name and contact details of the parties.
- Reference to the arbitration clause or arbitration agreement under which the process is requested.
- Background information of the facts on which the request is based.
- The points constituting the reason for the dispute.
- Identify if the dispute was the subject of a prior conciliation.
- Petition.
- The proposal on the number of arbitrators, if not agreed previously.

II. The request shall be accompanied by the arbitration agreement or arbitration clause.

III. The Conciliation and Arbitration Center or Arbitration Center after verifying the compliance with the requirements of the request for arbitration and the arbitration clause shall notify the other party.

Article 87. (DEFENSE TO REQUEST FOR ARBITRATION).

I. Within fifteen (15) days, the other party shall send its Defense to the Conciliation and Arbitration Center or Arbitration Center, and if there are, objections brought forth under Article 81 of this Law.

II. Upon expiration of the deadline established in the previous paragraph, the Conciliation and Arbitration Center or Arbitration Center, with or without the defense, will proceed in accordance with Articles 61 to 65 of this Law.

III. Once appointed the Sole Arbitrator or established the Arbitral Tribunal the Conciliation and Arbitration Center or Arbitration Center will forward the request for arbitration and the defense to it.

Article 88. (REPRESENTATION AND LEGAL SUPPORT)

The parties may be represented or legally supported by people they deem appropriate, and must inform the Sole Arbitrator or the Arbitral Tribunal, the names and addresses of the representatives or counsel, stating whether the appointment of these people are indeed representative or counsel. The representation must be legally credited.

SECTION II
STARTING THE ARBITRATION
Article 89. (CLAIM AND DEFENSE).

I. The claim and the Defense must meet the following requirements:
   - The name and contact details of the parties.
   - List of facts on which the claim or the Defense are based on.
   - Matter or object of the claim or defense.
   - Legal grounds or arguments to substantiate the claim or defense.

II. Unless otherwise agreed by the parties, the respondent within thirty (30) days of notification with the Claim must answer the same or Counterclaim.

III. The Claimant may amend or supplement his claim to be notified before the Defense, in which case the deadline for replying the Claim will restart.

IV. When filing a counterclaim or defense, the Respondent may submit all evidence that considers relevant.

Article 90. (OBJECTION TO THE CLAIM)

The respondent may file the objections it deems pertinent, along with the Defense to the Claim.

Article 91 (DEFAULT).

I. The Sole Arbitrator or the Arbitral Tribunal shall declare the default of the Respondent when there is no Defense to the Claim or a Counterclaim, without implying acceptance of the Claimant allegations.

II. The declaration of default may not prevent the continuation of the arbitration, the Respondent can take defense in the state the proceedings are at the time of its personal appearance.

III. The Sole Arbitrator or the Arbitral Tribunal may issue the Arbitral Award based on the evidence available, even if a party fails to appear at the hearing or fails to produce evidence.

Article 92 (NOTIFICATIONS).

I. It is considered as validly received any written notification regarding the Claim and the Arbitral Award to be delivered personally to the recipient or by ballot, in his real residence in the place where it carries out its principal business or habitual residence.
II. When it fails to establish any of the places mentioned in the previous section, all written notice that has been sent by registered, notarized letter or any other means which provides a record of fact, to the last known address will be deemed as received. In previous cases, the notification shall be deemed as received, the date which the delivery has been made.

III. Any other action that is not indicated in Section I of this Article shall be notified to the Secretariat of the Sole Arbitrator or the Arbitral Tribunal, or by mail, or electronic mail, telex, fax or other means of communication that leaves a written document.

IV. In case of default, the arbitration award will be notified under the provisions of Section I of this Article.

Article 93. (HEARINGS).

I. In case of holding a hearing, the Sole arbitrator or the Arbitral Tribunal shall notify the parties with at least three (3) days in advance of its date, stating the date, time and place of the hearing.

II. Hearings will be held in private, unless the parties agree otherwise. The Sole Arbitrator or the Arbitral Tribunal may require the witness or expert his retirement, during the testimony of another witness or expert.

III. In hearing, witnesses and experts may be examined under the conditions stipulated by the Sole Arbitrator or the Arbitral Tribunal.

In cases where the physical presence of witnesses or experts at the hearing is not required, they can be interrogated through any media.

IV. The Sole Arbitrator or the arbitral Tribunal may ex oficio or at the request of parties, hold the hearings for the presentation of evidence, oral arguments or other effects or if the proceedings shall be conducted on the basis of documents and other evidence.

Article 94. (EVIDENCE).

I. They will be means of evidence documentary, witness, expert and all those permitted by Law.

II. Each party shall have the burden of proving the facts on which it relies to support his Claim or Defense.

III. The Sole Arbitrator or the Arbitral Tribunal shall determine the admissibility, relevance and importance of the evidence presented.
IV. Unless the Sole Arbitrator or the Arbitral Tribunal decides otherwise, the statements of witnesses and experts may be submitted in writing, in which case they must be signed by them.

Article 95. (OFFERING AND TAKING OF EVIDENCE).
I. The offer and taking of any evidence must be notified to the parties or their representatives for the purposes of validity.

   Particularly, it should be made available to both parties any expert report or evidentiary document, that the Sole Arbitrator or the Arbitral Tribunal, may base its decision.

II. The evidence should be produced within a maximum of thirty (30) days counting from the date of notification of the Defense or Counterclaim.

III. Previous justification, the Sole Arbitrator or the Arbitral Tribunal may require, the evidence he deems relevant.

IV. Evidence production can only be done with the presence of all the arbitrators.

Article 96. (EXPERTS).
I. It may act as an expert, any person designated by a Party to report to the Sole Arbitrator or the Arbitral Tribunal on matters requiring specialized knowledge.

II. If the Sole Arbitrator or the Arbitral Tribunal requires clarity on the facts of the dispute, after notifying the parties it may appoint one or more independent experts.

III. The expert will submit to the Sole Arbitrator or the Arbitral Tribunal and the parties, before accepting its appointment, a description of their qualifications and a statement of acceptance, availability, impartiality and independence.

IV. Within the term issued by the Sole Arbitrator or the Arbitral Tribunal, the parties may object on qualifications, impartiality or independence of the Expert.

   The Sole Arbitrator or the Arbitral Tribunal will decide the objection within five (5) days from the submitted date. If it is appropriate, it will appoint another expert.

V. The parties shall give to the expert any information requested to the purpose of its valuation.
VI. Once received the expert's report, the Sole Arbitrator or the Arbitral Tribunal will transmit a copy to the parties, who will have the opportunity to express in writing their opinions on the Report. The parties shall be entitled to examine any document on which the expert has relied on the report.

Article 97 (WITNESSES).
I. Can act as a witness, any person designated by a party, to testify on any factual matter concerning the dispute.
II. Witnesses may be cross out according to current legislation in force.

Article 98 (ASSESSMENT OF THE EVIDENCE)
The Sole Arbitrator or the Arbitral Tribunal, in time to pronounce the Arbitral Award will have the obligation to consider any and all of the evidence produced, identifying the ones that helped him to form an opinion and which were dismissed, according to the rules of sound critic or cautious approach.

I. The Sole Arbitrator or the Arbitral Tribunal may consult the parties if they have any other evidence to offer, witnesses to be heard or submissions to make, if there were any, it may declare the hearings closed.
II. The Sole Arbitrator or the Arbitral Tribunal may, if it considers it necessary due to exceptional circumstances, decide on its own initiative, the reopening of hearings at any time before the issuance of the Arbitration Award.

SECTION III
SUSPENSION AND EXTRAORDINARY CONCLUSION OF THE ARBITRATION

Article 100 (SUSPENSION OF THE ARBITRATION).
I. The parties by agreement or by written communication to the Arbitrators, they may suspend the arbitration proceedings even before the arbitral award is rendered by the agreed deadline, the deadline accordingly in Article 50 of this Law shall be suspended.
II. Upon expiration of the deadline and if the parties do not restart the process, it will be deemed as a waiver from the arbitration agreement and it will be an extraordinary conclusion of the proceedings.
Article 101 (EXTRAORDINARY CONCLUSION OF THE ARBITRATION).

Before the arbitration award is issued, and in an extraordinary way the Sole Arbitrator or the Arbitral Tribunal, may conclude the arbitration in the following cases:

- The withdrawal of the Claim before its Defense, taking as not presented.
- The withdrawal of the Claim, except opposition of the Respondent based on a legitimate interest in obtaining a final settlement of the dispute, recognized by the Sole Arbitrator or the Arbitral Tribunal.
- The withdrawal of the arbitration agreement.
- The inability or lack of need for further actions, checked by the Sole Arbitrator or the Arbitral Tribunal.
- Abandonment of the arbitration proceedings by both parties for more than sixty (60) calendar days, counted from the last performance.
- Conciliation, settlement, mediation, negotiation or amicable settlement.
- As set out in Section II of Article 100 of this Law.

Article 102. (CONCILIATION, TRANSACTION, MEDIATION, NEGOTIATION OR AMICABLE SETTLEMENT).

I. If before the Arbitration Award is issued the parties agree a conciliation, transaction, mediation, negotiation or amicable settlement to solve the dispute, or the Sole Arbitrator and the Arbitral Tribunal will record the agreement in the form of an Arbitral Award and in the terms agreed by the parties.

II. When the conciliation, transaction, mediation, negotiation or amicable settlement is partial, the arbitration proceedings will continue regarding the other matters unresolved.

CHAPTER III
ARBITRATION AWARD
SECTION I
OVERVIEW

Article 103. (FORM).
I. The Arbitration Award must be reasoned and signed by the Sole Arbitrator or by the majority of the Arbitral Tribunal, even though there is a dissent.

II. The dissenting arbitrator shall substantiate the reasons for its decision, at the foot of the arbitration award.

Article 104. (DEADLINE AND NOTIFICATION).

I. The deadline for the issuance of the Arbitration Award shall be thirty (30) calendar days computable from the last procedural act, as required under Article 51 of this Law.

II. The arbitration award shall be notified to the parties by a copy duly signed by the arbitrators.

Article 105 (CONTENT OF THE AWARD).

The arbitral award shall contain minimally:

- Name, nationality, address and generals of the parties and the arbitrators.
- Seat, place and date on which the arbitral award is pronounced.
- Background of the dispute submitted to arbitration.
- Identification and evaluation of the evidence and its relation to the dispute.
- Grounds of the arbitration decision at law or in equity.
- Manner, time and place of performance of the obligations or enforceable rights.
- Penalties for non-compliance.
- Signatures of the Sole Arbitrator or of the majority of the Arbitral Tribunal, including the dissidents.

Article 106. (PENALTIES).

I. In case the Arbitral Award establishes the fulfillment of a monetary obligation, the operative part will specify the corresponding and enforceable amount, and the deadline for its compliance. In the case of obligations to do or not to do, the arbitration award shall fix a reasonable period for the compliance.

II. Notwithstanding the above, whatever is the nature of the obligation that the Arbitral Award dispose to comply, the Sole Arbitrator or the Arbitral Tribunal may establish fines in benefit of the creditor, for the possible delay in fulfilling that obligation. The
fines will be progressive and will graduate under the conditions of economic and personal responsibility.

Article 107. (AMENDMENT, SUPPLEMENTATION AND CLARIFICATION).

I. Within three (3) days following the notification with the arbitral award, the parties may request that the Sole Arbitrator or the Arbitral Tribunal amend any miscalculation, transcription, printing or similar nature, provided not to alter the substance of the decision. The mere error may be corrected ex officio by Resolution, even in the enforcement of the Arbitration Award.

II. In the same way and similar term, the parties may request to the Sole Arbitrator or the Arbitral Tribunal to pronounce on any omitted point or dubious interpretation, to supplement or clarify the Arbitration Award.

The amendment, supplementation or clarification shall be resolved by the Sole Arbitrator or the Arbitral Tribunal within three (3) days after the request. If necessary, this period may be extended by a maximum term of three (3) days, agreed by the parties.

Article 108. (PUBLICITY OF AWARD).

The Arbitration Award may be made public with the consent of the parties or when one party has a legal obligation to make it public to protect or exercise a right and in the extent as so, or in connection with legal proceedings before a Tribunal or other competent authority.

Article 109. (ENFORCEMENT AND EFFECTS).

I. The arbitration Award shall be enforceable when the parties have not submitted an application for annulment within the period prescribed in this Law, or if it has been submitted is declared as inadmissible.

II. The enforceable arbitral award will tantamount as a judgment of res judicata and shall be binding and inexcusable of compliance after the notification to the parties with the resolution declaring so.

Article 110 (TERMINATION OF FUNCTIONS).

The Sole Arbitrator or Arbitral Tribunal terminates its functions with the enforcement of the Arbitration Award, subject to the provisions of Article 116 of this Law.
SECTION II
MEANS

Article 111 (APPLICATION FOR ANNULMENT OF THE ARBITRATION AWARD).

Against the Arbitral Award, you can only appeal for annulment of the Arbitration Award. This mean is the only way to challenge the Arbitration Award.

Article 112 (GROUNDS FOR ANNULMENT OF THE ARBITRATION AWARD).

I. The competent judicial authority shall declare the nullity of the Arbitration Award on the following grounds:
   - Subject matter is not arbitral.
   - The Award is contrary to public policy.
   - When the appellant proofs any of the following grounds:
     - There is nullity of the arbitration clause or arbitration agreement, under the Civil Law.
     - That the rights of defense of one of the parties during the arbitration would have affected.
     - That the Arbitral Tribunal manifestly exceeded its powers in the Arbitral Award with reference to a dispute not contemplated in the Arbitration clause or an Arbitration agreement.
     - That the Arbitral Tribunal has been irregularly appointed.

II. The parties may invoke one or more grounds for annulment of the Arbitration Award, provided they had made due protest of such grounds during the arbitration proceedings.

Article 113. (FILING, SUBSTANTIATION AND TERMS).

I. The annulment of the Arbitration Award shall be submitted before the Sole Arbitrator or the Arbitral Tribunal that issued the Arbitral Award, basing the injury suffered, within ten (10) days computable from the date of notification of the Award or, where applicable, the date of notification of the resolution of amendment, supplementation or clarification.

II. This annulment shall be transferred to the other party, who must respond within the same term. Once ended the Sole Arbitrator or the Arbitral Tribunal, with or no response served, will grant the annulment ordering the transfer of the background to
the competent judicial authority of the jurisdiction where the arbitration took place. The referral of the case shall be made within three (3) days of the granting of the annulment.

III. The Sole Arbitrator or the Arbitration Tribunal shall reject any application for annulment of the Arbitration Award to be presented after the deadline established by this Article or may not refer to any of the grounds mentioned in Article 112 of this Law without further ado.

Article 114 (PROCEEDINGS OF THE APPEAL).  
I. Upon receipt of the background, the judicial authority shall know the case. The procedural domicile of the parties will be the Secretariat of the Court.  
II. The judicial authority when requested the annulment of the arbitration Award, stay enforcement of the Arbitration Award, where appropriate and so requested by a party, for the period he deems appropriate, in order to give the Sole Arbitrator or the Arbitral Tribunal an opportunity to resume the arbitral proceedings or take any other action which it considers eliminate the causes that led to the action for annulment of the Arbitration Award.  
III. The judicial authority shall issue a resolution without further ado, within thirty (30) days counting from the date of entry of the file to office.  
IV. The judicial authority according to his sound judgment, can open a probationary period of eight (8) days, observing the rules of civil procedural rule in force.

Article 115 (INADMISSIBILITY OF OBJECTIONS).  
The decision that decides the annulment of the arbitration Award is final.

Article 116. (APPEAL TO THE JUDICIAL AUTHORITY)  
I. In the case of refusal to grant the annulment of the Arbitration Award by the Sole Arbitrator or the Arbitral Tribunal, the party or parties concerned may appeal to the judicial authority in civil and commercial matters, of the place where the arbitral award was issued within three (3) days.

The judicial authority will order the Sole Arbitrator or the Arbitral Tribunal, the referral of the backgrounds within a period of three (3) days, computable from the receipt of the notification. The judicial authority will resolve the appeal to the judicial authority within three (3) days of receipt of the background.
II. If the appeal to the judicial authority is declared legal, every act from the nullity shall be null and void, and will apply the specific procedure in civil procedural rule in force.

III. If the appeal to the judicial authority is declared illegal, the same resolution will calculate the costs payable by the applicant.

SECTION III

ENFORCEMENT OF THE AWARD

Article 117 (JUDICIAL EXECUTION)
Enforceable the Arbitration award and upon the expiration of the deadline for compliance, the party may apply for enforcement to the competent judicial authority.

Article 118. (REQUEST FOR ENFORCEMENT)
The party seeking the enforcement of an arbitration award shall accompany the request with certified copies of the following documents:

- The contract containing the arbitration clause or arbitration agreement between the parties.
- The Arbitration Award and amendments, clarifications and complementation.
- Proof or written records of the notification to the parties of the Arbitration Award.

Article 119. (PROCEDURE OF ENFORCEMENT).
I. Once the application is filed, the competent judicial authority will transfer it to the other party, to answer it within five (5) days from the notification.

II. The judicial authority shall accept the objection to enforcement of the arbitration award when the compliance of documentary evidence of the arbitration award itself or the existence of an pending annulment to the arbitration award. In the latter case the judicial authority shall suspend the enforcement of the arbitration award, until the annulment is resolved.

III. The judicial authority shall reject, without further action, the objections based on different arguments to those set forth in the preceding paragraph or any objection that seeks to hinder the requested enforcement.
The resolutions issued in this matter, will not admit any challenge or appeal. The Judge is prohibited to admit objections that hinder the enforcement of the Arbitration Award; the respective decision will be void.

IV. The judicial authority shall refuse ex officio the enforcement, when the arbitral award is immersed in one of the grounds set out in Section I of Article 112 of this Law.

V. For purposes of coercive enforcement of money, shall apply the provisions of civil procedural rule in force.

SECTION IV
FOREIGN ARBITRAL AWARD

Article 120 (NATURE).
For the purposes of this Law, every Foreign Arbitral Award will be every Arbitral Award rendered in a different seat from the territory of the Plurinational State of Bolivia.

Article 121 (APPLICABLE RULES).
I. The foreign arbitral awards are recognized and enforced in the Plurinational State of Bolivia, in accordance with the rules on international judicial cooperation within the existing civil procedural law, and treaties on recognition and enforcement of foreign arbitration awards or judgments around which does not contradict the procedure established by this Law.

II. Unless otherwise agreed by the parties and if there is more than one applicable international instrument, the treaty or most favorable to the party requesting the recognition and enforcement of arbitral award convention will be chosen.

III. In the absence of any treaty or convention, foreign arbitral awards shall be recognized and enforced in the Plurinational State of Bolivia, pursuant to the provisions of this Law.

Article 122 (GROUNDS FOR INADMISSIBILITY).
The recognition and enforcement of a Foreign Arbitral Award shall be denied and declared inadmissible, for the following reasons:

- The existence of any of the grounds for annulment set out in Article 112 of this Law, proven by the party against whom the Recognition and Enforcement of Foreign Arbitral Award was invoked.
- The Absence of obligation for lack of enforcement, revocation or suspension of the Foreign Arbitral Award by a competent judicial authority of the State where it was made, proved by the party against whom the Recognition and Enforcement of Foreign Arbitral Award was invoked.
- Existence of grounds for nullity or invalidity established by existing international agreements or conventions.
- Breach of the rules contained in the current civil procedures regarding international judicial cooperation.

Article 123. (APPLICATION AND JURISDICTION).

I. The application for recognition and enforcement of a Foreign Arbitral Award in Bolivia, will be presented to the Supreme Court.

II. The party seeking the recognition and enforcement of a Foreign Arbitral Award must submit copies of the agreement and corresponding Foreign Arbitral Award, duly authenticated.

III. When the agreement and the Foreign Arbitral Award are not in Spanish, the applicant must submit a translation of these documents, signed by an authorized translator.

Article 124. (PROCEDURE)

I. Following the application for enforcement of a Foreign Arbitral Award, the Supreme Court shall transfer it to the other party to answer within ten (10) days from notification, and submit and provide evidence that it considers necessary.

II. The evidence should be produced within a maximum of eight (8) days from the last notification to the parties with the opening decree of the term of relevant evidence. Within five (5) days of the evidence term expiration, the Supreme Court will issue a decision.

III. Declared the admissibility of the application, the enforcement of Foreign Arbitral Award will be conducted by the competent judicial authority designated by the
Supreme Court, which will be the domicile of the party against whom they invoke or request the recognition of the foreign arbitral award or, failing that, by that which has jurisdiction in the place where they are.

Article 125 (REFUSAL TO ENFORCEMENT)
Can be submitted to the Supreme Court, as oppositions, the ones established in Section II of Article 119 of this Law. In this case, the Supreme Court will suspend the Recognition and Enforcement of the Foreign Arbitral Award.

TITLE IV
SPECIAL REGIMES
CHAPTER I
GENERAL PROVISIONS

Article 126. (APPLICABLE PROVISIONS).

The provisions of Titles I, II and III of this Law shall apply to this Title, unless explicit provision otherwise determined in this Title.

CHAPTER II
DISPUTES WITH STATE INVESTMENTS

SECTION I
COMMON PROVISIONS

Article 127. (CHARACTER).

I. The investment disputes shall be subject to the jurisdiction, laws and Bolivian authorities.

II. The rules of this Chapter shall apply to disputes of a legal or contractual relationship, when the State is part of such disputes and they arise or are related to an investment established in the Law No. 516 of April 4, 2014, Investment Promotion Law.
III. The parties in dispute, before resorting to arbitration, should resort to Conciliation.

IV. Disputes of public enterprises, under the Paragraph II of this Article, will be solved:
   - Applying Section II of this Chapter:
     - When they arise, as a result of the interpretation, application and enforcement of decisions, activities and standards among members of the Intergovernmental state enterprise.
     - When they arise, within and between state enterprises and intergovernmental state enterprises.
   - Applying Section III of this Chapter:
     - When they arise, as a result of the interpretation, application and enforcement of decisions, activities and standards among members of the joint state enterprise and joint venture.
     - When they arise within and between joint state enterprises and joint ventures.

Article 128 (PRINCIPLES).

In addition to the principles set out in Article 3 of this Law, the resolution of investment disputes will be governed by the following principles:

   - **Equity.** Is the distribution and redistribution of conditions to ensure that everyone, both individual and collective, the possibility of access to the exercise of their rights.
   - **Veracity.** The Conciliator or Arbitrator shall fully verify the facts behind their decisions, which shall take the necessary and appropriate authorized means by law, respecting the right of defense of the parties.
   - **Neutrality.** The conciliator or arbitrator have full freedom and autonomy for the exercise of their functions and must remain impartial during the procedure, without maintaining personal, professional or commercial business with any party or interested, or have an interest in the dispute.
   - **Mutual acceptability.** Whereby the parties voluntarily are submit to the effects of Conciliation or Arbitration.
   - **Reasonableness.** The Arbitral decisions should aim to protect legal certainty, the values of the State Constitution and also prudence and proportionality.

Article 129. (CHARACTERISTICS).

The Arbitration and Conciliation on Investments, has the following characteristics:
• The Conciliation or Arbitration will be national.
• The Conciliation or Arbitration, will be seated in the territory of the Plurinational State of Bolivia. However it may hold hearings, produce evidence and perform other stages outside the Plurinational State of Bolivia.
• The existence of an arbitration clause or an arbitration agreement, or the will to conciliate the dispute, do not limit or restrict the powers of control and supervision of the relevant regulatory bodies and competent authorities, which the parties shall be subject at all times under the applicable rules.

SECTION II
INVESTMENT DISPUTES IN BOLIVIA

Article 130 (COMMON RULES FOR CONCILIATION AND ARBITRATION)

Conciliation and Arbitration set out in this Section shall apply to disputes relating to Bolivian investments made by Bolivian natural or legal persons, public or private, in accordance with the following rules:

• The Conciliation and Arbitration shall be administered by a national Center.
• The Conciliation or Arbitration Rules will be the one of the Center chosen by the parties.
• The Appointing Authority shall be the person designated by the Center chosen by the parties.

Article 131 (PARTICULARS).
I. For conciliation under this section, the Conciliator shall be appointed by the parties based on the list of conciliators of the Center chosen by the parties. Failing agreement, the parties may request that the appointment of the Conciliator be made by the Appointing Authority.

II. For arbitration under this Section, the following rules shall apply:
• The Dispute will be solved by a Sole Arbitrator or an Arbitral Tribunal of three (3) arbitrators, each part in the latter case, will appoint an arbitrator from the list of Arbitrators of the Center chosen by the parties.
The third arbitrator shall act as President of the Arbitral Tribunal and shall be appointed by the two (2) arbitrators appointed by the parties, from the Center list chosen by the parties.

Failing agreement on the appointment of a Sole arbitrator or the Chairman of the Arbitral Tribunal, this shall be done by the Appointing Authority.

The Sole Arbitrator or the Arbitral Tribunal shall apply the State Constitution, laws and regulations of the Plurinational State of Bolivia, to decide on the merits of the dispute.

The arbitration shall be in right.

SECTION III
MIXED AND FOREIGN INVESTMENT DISPUTES

Article 132. (PARTICULARS IN THE CONCILIATION)
To the conciliation under this section, the following rules shall apply:

- The Conciliator shall be appointed by the parties, failing agreement, they may request the appointment shall be performed by the Appointing Authority, which will be the person designated by the Conciliation Center or the Secretary General or similar authority of the dispute settlement on investment of an agency part of the Plurinational State of Bolivia, within the framework of integration processes.

- Rules or conciliation procedure applicable, will be chosen by the parties; failing agreement, the rules or conciliation procedure will be the dispute settlement on investment center of an agency part of the Plurinational State of Bolivia, within the framework of integration processes.

Article 133. (PARTICULARS IN ARBITRATION).

For arbitrations under this Section, the following rules shall apply:

- The Arbitral Tribunal shall consist of three (3) arbitrators; each party may appoint an arbitrator. The third arbitrator shall act as President of the Arbitral Tribunal and shall be appointed by the two (2) arbitrators nominated by the parties. Failing agreement, the Appointing Authority will do it on request of the parties.
The Appointing Authority shall be chosen by agreement of the parties; failing agreement, the appointing authority shall be the General Secretary of the Center or similar authority on the dispute settlement on investment Center of an agency part of the Plurinational State of Bolivia, within the framework of integration processes. In the absence of the latter, the Appointing Authority shall be the General Secretary of the Permanent Court of Arbitration at The Hague.

The Arbitral Tribunal shall apply the State Constitution, laws and regulations of the Plurinational State of Bolivia, to decide on the merits of the dispute.

Rules or applicable arbitration procedure shall be chosen by the parties; failing agreement, the rules or Arbitration procedure will be the dispute settlement on investment Center of an agency part of the Plurinational State of Bolivia, within the framework of integration processes.

The duration of arbitration may extend to additional six hundred (600) calendar days.

The Arbitral Tribunal shall decide on the jurisdiction objection as a preliminary question and of a special pronouncement.

The arbitration award shall be final and conclusive and shall be issued within ninety (90) calendar days, counting from the last procedural act, the same may be extended for a similar period only once, unless the Rules of Arbitration or procedure chosen by the parties provides otherwise.

The arbitration shall be in right.

CHAPTER III
TESTAMENTARY ARBITRATION

Article 134. (SCOPE).

I. Saving the limitations set by public order on successions, arbitration instituted by the sole will of the testator shall be valid for purposes of resolving disputes that may arise among the heirs and legatees, with reference to the following aspects:

- Interpretation of the last will of the testator.
- Participation of the assets of the testator.
- Institution of successors and conditions of participation.
• Distribution and administration of the heritage.

II. When the testamentary disposition does not provide for the appointment of the Arbitral Tribunal or the institution responsible for arbitration, it will proceed to the appointment of the Arbitral Tribunal with judicial assistance pursuant to the provisions of this Law.

III. In the absence of express provisions in the will, shall apply to this type of arbitration, the provisions of this Law.

CHAPTER IV
FRIENDLY SOLUTIONS

Article 135. (FRIENDLY SOLUTIONS UNDER THE AMERICAN SYSTEM OF HUMAN RIGHTS).


TRANSITIONAL PROVISIONS

FIRST.

I. To obtain authorization, according to this Law, Conciliation and Arbitration Centers that are authorized to operate legally under Law No. 1770 of March 10, 1997, on Arbitration and Conciliation, and Supreme Decree No. 28471 of November 29, 2005, must adapt its regulations within a period of sixty (60) calendar days from the publication of this Law. The Ministry of Justice will have a term of one hundred twenty (120) calendar days from the submission for the approval of the rules of conciliation and arbitration.

II. The authorization of the Conciliation and Arbitration Centers will expire if there is a breach of the provisions of the preceding paragraph. Except for the case of pending proceedings under his administration, in which case the authorization will expire on time completion of these.
SECOND. Conciliation and arbitration proceedings initiated prior to the publication of this Law, continue to be processed to completion according to the Law No. 1770 of March 10, 1997, and related regulations.

THIRD. Disputes subject to arbitration based on arbitration clauses and signed without arbitration proceedings have been initiated prior to the publication of this Law shall be processed as agreed in the respective contracts.

FOURTH.
I. Public Enterprises while migration occurs to the legal regime of Law No. 466 of December 26, 2013, Public enterprise may incorporate into their administrative contracts, dispute resolution clauses through conciliation and arbitration which will be held in the Plurinational State of Bolivia and subject to Bolivian law. The arbitration shall be in right.

II. The provisions of Titles I, II and III of this Act shall apply to disputes of public enterprises, as long as they do not contradict the provisions of Paragraph I of this transitional provision.

FINAL PROVISIONS

FIRST. The Arbitral Tribunal may additionally apply the procedural rules in civil matters, when the parties, the institutional regulations adopted or the tribunal itself not referred to specific treatment of this subject.

SECOND. The procedural rules set out in Titles II and III of this Law may be supplementary applied in the regulations of those entities applying the Conciliation and Arbitration, in everything that is not regulated.

THIRD. The competent authorities of the regulated sector that perform reconciliation processes for resolving disputes between users or consumers and regulated entities in the scope of its powers, they will do it according to its rules and procedures.

FOURTH. The implementation of this Law will not represent additional resources to the General Treasury of the Nation - TGN.

ABROGATING AND REPEAL PROVISION

UNIQUE
I. Law No. 1770 of March 10, 1997, on Arbitration and Conciliation is abrogated.

II. Are abrogated and repealed all provisions contrary to this Law.

Refer to the Executive Branch for constitutional purposes.

It is given in the Conference Room of the Plurinational Legislative Assembly, on the tenth day of June in the year two thousand and fifteen.

Signed José Alberto Gonzales Samaniego, Lilly Viaña Gabriela Montaño, Medinaceli Ruben Ortiz, Maria Cuellar Simoni Argene, Nelly Lenz Roso, Claudia A. Torrez Ten.

Therefore, It is enacted and must be enforced as a Law of the Plurinational State of Bolivia.

Government Palace in the city of La Paz on the twenty-fifth of June of two thousand and fifteen

SIGNED. Evo Morales, Juan Ramon Quintana Taborga, Luis Alberto Arce, Virginia Velasco Condori, Marianela Paco Duran.