# CAA Construction DAB Member Statement

1. I hereby declare that I shall act as a DAB member in this construction dispute independently, impartially and without any conflict of interests with any party to this dispute, and I shall keep any confidential information obtained during the course of my appointment.
2. I have nothing to disclose with respect to the following matters relating to the parties of this construction dispute adjudication:
3. Any of the grounds for disqualification of judges stipulated in Article 32 of the Code of Civil Procedure of Taiwan.
4. Within the past five years of the date of award of the contract, I have or had employment (including acting as a manager), financial (including but not limited to providing consultation services for reward) or agency relationship with a party.
5. Within the past five years of the date of award of the contract, I have or had employment relationship with a party’s agent or important witness.
6. I am currently acting or acted as a party’s legal representative, counsel, assistant or agent in arbitration or mediation cases.
7. I am currently a party’s shareholder.
8. I am currently acting, or acted, as an expert witness appointed by a party.
9. Any other circumstances that may give rise to the parties’ justifiable doubts as to my impartiality and independence.
10. If, after my appointment, I become aware of any matters specified in Article 2 or any circumstances that may give rise to the parties’ justifiable doubts as to my independence and impartiality, I shall promptly disclose such matters to the parties in writing.
11. I disclose the following present or past financial, professional, business and family relationships with any party that may give rise to justifiable doubts as to my impartiality, neutrality and independence:

|  |  |
| --- | --- |
| **Relationships with the parties** | |
| *Category* | *Disclosure* |
| Financial Relationship |  |
| Professional Relationship |  |
| Business Relationship |  |
| Family Relationship |  |

1. I agree on the provision of copies of this Statement by CAA to the parties.
2. I agree that I will not resign during the course of the Board’s operation unless any ground for challenge or other justifiable reason arises after my appointment, otherwise I will be willing to accept CAA’s decision for my removal from CAA Register of Construction DAB Members.
3. I agree to comply with CAA’s code of ethics for construction dispute adjudication, and to conduct the proceedings in accordance with CAA’s rules relating to construction dispute adjudication, unless otherwise agreed by the parties.

Signature:

Address:

Telephone Number:

Date:

**Appendix: Article 32 of the Code of Civil Procedure of Taiwan** (Grounds for Disqualification of Judges)

Any judge shall voluntarily disqualify himself/herself in the following circumstances:

1. When the judge, or the judge’s spouse, former spouse, or fiancé is a party to the proceeding;
2. When the judge is or was either a blood relative within the eighth degree or is or was a relative by marriage within the fifth degree, to a party to the proceeding;
3. When the judge, or the judge's spouse, former spouse, or fiancé is a co-obligee, co-obligor with, or an indemnitor to, a party to the proceeding;
4. When the judge is or was the legal representative of a party to the proceeding, or the head or member of the party's household;
5. When the judge is acting or did act as the advocate or assistant of a party to the proceeding;
6. When the judge was a witness or expert witness in the proceeding;
7. When the judge participated in making either the prior court decision or the arbitration award regarding the same dispute in the proceeding.