

SCHEDULE 3



RESPONDENT’S ANSWER TO THE REQUEST FOR ARBITRATION

The Secretariat
AFSA International
First floor, Grindrod Tower
8A Protea Place
Sandton
email: julia@arbitration.co.za

PO Box 653007 Benmore 2010
Docex 143 Randburg

Dear Madam,

On behalf of the undermentioned respondent, for whom I have authority to act, I request the Secretariat of AFSA International to accept this Answer to the Request for Arbitration under its Rules.

Herewith the necessary information:

1. **PARTIES**

Insofar as the Request for Arbitration contains any error, or omission regarding its description of the Respondent, the following corrections should be made.

.....
.....

2. **ARBITRATION AGREEMENT**

The Respondent -

- (i) agrees with what is stated in paragraph 3 of the Request for Arbitration; or
- (ii) disagrees with what is stated in paragraph 3 of the Request for Arbitration for the following reasons:

.....
.....
.....

[Delete which is inapplicable]

3. **OBJECTION IN REGARD TO JURISDICTION**

- (i) If the Respondent makes any objection to the existence, validity or applicability of the Arbitration Agreement, then it must furnish the grounds of its objection as follows:

.....
.....

- (ii) If the Respondent disputes that an arbitration Tribunal constituted under the Rules will have jurisdiction in relation to the dispute, then it must set out the grounds for so disputing as follows:

.....
.....

4. **STATEMENT OF DEFENCE**

I attach hereto a statement marked "A" setting out the material facts and contentions of the Respondent/s' defence; the relief sought and a copy of any agreement or document on which the defence is based, or is important in establishing the Respondent/s case and is intended to be put in evidence at the hearing.

5. **LANGUAGE REQUIREMENTS**

- (i) Home language of Respondent

.....

- (ii) Other languages in which Respondent is proficient

.....

(iii) Preferred language for the arbitration proceedings
.....

(iv) Is it envisaged that a translation service will be required?

6. **VENUE AND SEAT**

(i) Does the Respondent agree with the particulars furnished by the Claimant regarding a venue and/or seat?

(ii) If not, or if the Arbitration Agreement does not so provide, then does the Respondent have any preferences as to venue and/or seat.

7. **PROPER LAW**

(i) Does the Respondent agree with the particulars furnished by the Claimant in regard to the proper law?

(i) If not, does the Respondent have any proposals regarding the choice of the proper law.

8. **CHOICE OF TRIBUNAL**

(a) (i) Does the arbitration agreement identify the number of arbitrators who must constitute the Panel?

(ii) If so, what is the required number?

(iii) If not, what recommendation does the Respondent make regarding the number of members of the tribunal

.....
.....

(b) (i) Does the arbitration agreement name the arbitrator/s who are to be members of the tribunal?

(ii) If so, please provide the name, address, telephone number, facsimile number and email address of each named arbitrator?

.....
.....
.....

- (c) If the Arbitration Agreement does not identify the arbitrators and if the Secretariat directs, after consultation with the parties, that the tribunal should consist of three persons, one nominated by the Claimant or Claimants jointly, one nominated by the Respondent, or the Respondents jointly, and a Chairman selected by the Secretariat, then:
 - (i) Please provide the name of the Respondent's nomination of an arbitrator with full details of such nominee, including the nominee's full name, address, professional qualifications, telephone number, facsimile number, email address and nationality;
 - (ii) If the Respondent wishes to suggest any particular qualifications that the Secretariat should consider in appointing a Chairman of the tribunal, then list such qualifications.
- (d) In the event that the Panel is to consist of one arbitrator only, please indicate any particular qualifications and requirements which the Secretariat should consider in making such appointment.

9. **MISCELLANEOUS**

Are there any other matters to which the Respondent would wish the Secretariat to take into consideration in administering the matter? If so, please state:

.....

- 10. I attach payment of the first fee in the sum of R..... for preliminary processing of matter and which will be credited against the administration fee payable. **This fee is non-refundable.**

Signature of Respondent's representative

DATE: