

TeCSA

APPLICATION FOR THE NOMINATION OF AN ADJUDICATOR
To be sent by email to tecsa@burges-salmon.com and by post to:

William Gard
Chairman
Technology and Construction Solicitors Association
c/o Burges Salmon LLP
One Glass Wharf
Bristol
BS2 0ZX

Date:

Referring Party:

1. The dispute/difference described in the attached notice of adjudication dated has arisen and an Adjudicator has not been agreed between the Parties.
2. I/we hereby apply to you to nominate an Adjudicator.
3. We think it desirable that the Adjudicator should have experience in the following fields or professions:[.....]
4. I/we agree to meet all the reasonable costs incurred by the person nominated by you if I/we am/are not entitled to make this application in accordance with the agreement between the parties.
5. I/we enclose a cheque for ~~£300~~ £350 payable to TeCSA in respect of the nomination fee for the administrative cost in connection with this application.
6. I/we understand that the Adjudicator's fees shall not exceed the rate of ~~£1,750~~ £2,500 per day, plus expenses and VAT.
7. We confirm that a copy of this completed application form and any accompanying or preceding communications with TeCSA have been sent by email to the responding party and copying in TeCSA (or, if no email address is known for the responding party, by first class post) at the same time as the submission of this form to TeCSA.

Signed for and on behalf of Referring Party:..... (Signature)

Referring Party		Responding Party
Name:.....		Name:.....
Address:.....		Address:.....
.....	
Tel:.....		Tel:.....
Fax:.....		Fax:.....
Email:		Email:

NOTES

1. TeCSA will make a nomination upon the application of any person using this form. ~~The validity~~ TeCSA is under no obligation to provide a copy of this application form or any other document to the responding party. Nevertheless, TeCSA reserves the right to provide a copy of the application will not be investigated form or any other document or communication received from one party to the other party in its absolute discretion.
2. TeCSA retains absolute discretion to nominate the adjudicator and has no duty to take into account any preferences expressed by either party.
3. TeCSA has no obligation to disclose its reasoning or any deliberations made when nominating an adjudicator.
4. The validity of the application will not be investigated. If the validity of the application is challenged then the person appointed and the parties involved must resolve the challenge.
5. ~~2.~~In making this application the Applicant-referring party undertakes to meet the reasonable charges of the person nominated by TeCSA pursuant to this application should the adjudication not proceed.
3. ~~If the validity of the application is challenged then the person appointed and the parties involved must resolve the challenge.~~
4. ~~Save in the case of a genuine legal conflict, in making its nomination TeCSA will not take into account any preferences expressed by either party as to the names of adjudicators to be excluded from the nomination process~~
6. ~~5.~~Neither TeCSA nor its servants or agents nor its members. Neither TeCSA, nor its Chairman, nor its deputies or members, nor its servants, nor any employee or agent of any of them shall be liable to any party for anything done or not done in the discharge or purported discharge of their functions, nor shall they be liable to any party for an act omission or misconduct in connection with any nomination or appointment made or any adjudication conducted in consequence of this application whether in negligence or otherwise, unless the act or omission is in bad faith.

NOTICE OF ADJUDICATION AND FEE MUST ACCOMPANY THIS FORM