



President's Appointments Scheme

Guidance Notes

Introduction

The President of the Institute of Chartered Accountants in England and Wales (ICAEW) can appoint (or nominate) an independent expert to deal with a dispute when given authority to do so. Appointments can be of arbitrators, experts, valuers or mediators.

Advantages of a President's appointment

The appointment of an independent expert is usually quicker, cheaper and more private than litigation. In some cases an agreement (such as a shareholders agreement) or contract provides for an independent authority or appointing body such as the President to make an appointment if the parties cannot reach agreement. Alternatively, those in dispute could jointly approach such a body to make an appointment.

Making an application

You will need to complete an application form and send it to the ICAEW together with an administration fee, an indemnity letter and copy of any agreement or other document that gives the President jurisdiction to make an appointment.

The administration fee varies depending on the amount in dispute. Where the amount in dispute is less than £1million, the fee is £500.00 (plus VAT). Where the amount in dispute exceeds £1million, the fee is £1,000.00 (plus VAT). Payments should be made by cheque payable to "The Institute of Chartered Accountants".

What happens next?

Once the application form, accompanying documentation and administration fee have been received you will be sent an acknowledgement. If the application has been made by a single party we will then contact the other party (or parties) to the dispute to see if they have any additional comments to make and if they have any preferences as to the selection of the expert. (The first party having provided this information in the application form.)

We will then look for a suitable expert from our panel and ask them to consider the appointment and to carry out checks to identify any potential conflict of interest. The President will then be asked to approve the appointment and all parties will be notified in writing that the appointment has been made.

At this stage the appointee will normally write outlining their terms and conditions of trade including details of their fees for agreement and setting out how they intend to progress the appointment.

Who will be appointed?

The President will appoint an appropriately qualified and experienced person from the panel or experts, which includes chartered accountants, solicitors and barristers. Conflict checks are always undertaken before an appointment is accepted to ensure independence.

Although the appointing body usually has complete discretion over whom is appointed, we try to accommodate any preferences as to geographical area etc.

Does the Institute have any further involvement?

Once an appointment has been made, the Institute will take no further action in the matter. Any challenge to the appointee's authority or to the way the appointment is conducted should be raised with the appointee. Neither the President nor the Institute will become involved in such matters.

Further Information

If you wish to discuss the process, or need any further information, please call us on

+44 (0)1908 248 037 or e-mail presidents.appointments@icaew.com. Please note that we may contact you by telephone during the course of this application and that all calls may be recorded for training and quality control purposes.