

P.R.I.M.E. Finance

Panel of **R**ecognized **I**nternational **M**arket **E**xperts in **F**inance

A Prime Update



P.R.I.M.E. FINANCE
Panel of Recognised International Market Experts in Finance



Professor Dr. Gerard Meijer, P.R.I.M.E. Finance
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P.R.I.M.E. Finance Annual Conference 2018
22 & 23 January, Peace Palace, The Hague

Fundraising Activities

- Friends of PRIME: mission is to support the P.R.I.M.E. Finance Foundation as a not-for-profit Dutch foundation and its work.
- US Foundation: U.S.-based entity known as PRIME Finance Dispute Resolution and Education Foundation in order to apply for grants from U.S.-based Foundations and make it easier for our U.S.-based Friends to become Friends of P.R.I.M.E.



LexisNexis Database

A case database for P.R.I.M.E. Finance, providing access to a wide range of case reports from around the world:

- access links to cases, transcripts and available law reports on LexisLibrary®
- access to practical guidance from LexisPSL® Banking & Finance and Arbitration and host of other useful features and functionality



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P.R.I.M.E. Finance Panel of Experts

- P.R.I.M.E. Finance's strength resides in the knowledge, experience and background of its carefully-vetted international Panel of Experts.
- The Panel of Experts is diverse in its geographical representation, market and jurisdictional expertise, linguistic skills and nationalities: as of January 2018 we have 159 experts on the panel from 29 countries
- The Panel of Experts provides independent and multi-jurisdictional expertise in relation to complex financial transactions: (i) Dispute Resolution, (ii) Judicial Support, (iii) Database



P.R.I.M.E. Finance Panel of Experts

Austria, Australia, Belgium, Canada, Chile, Finland, France, Germany, Greece, Hong Kong, Hungary, Italy, Japan, Luxembourg, Malaysia, Netherlands, New Zealand, Nigeria, Pakistan, Poland, Portugal, Russia, Singapore, Spain, Sweden, Switzerland, UAE, UK, USA



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The P.R.I.M.E. Finance Expert Fora

- P.R.I.M.E. Finance Forum - Dispute Resolution Procedural Issues: look into various dispute resolution mechanisms (ADR and Litigation), particular procedural features required to suit financial disputes specifically, as well as our Rules
- P.R.I.M.E. Finance Forum - Dispute Resolution Substantive Issues: look at substantive law matters, especially lessons learned from cases and issues likely to be before courts and arbitral panels, such as contract interpretation, valuation, issues identified arising from Brexit, sovereign finance, mis-selling, etc.
- P.R.I.M.E. Finance Forum - Business Development: to look at new product developments, new areas for potential collaboration



Uptake of the Clause

The Dutch Development Bank (FMO) included P.R.I.M.E. Finance/PCA arbitration clause in its latest guarantee agreement with The Currency Exchange Fund.

“P.R.I.M.E. Finance has created a niche with its special focus on complex financial transactions and derivatives which connects very well with the local currency financing transaction of FMO. P.R.I.M.E. Finance has an extensive list of experts in this specific field and also offers the possibility to add local experts to the panel” (Matthijs Laban, Manager Legal Affairs, FMO).



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P.R.I.M.E. Finance Model Arbitration Clause

Any dispute, controversy or claim arising out of or relating to this contract, or the breach, termination or invalidity thereof, shall be resolved by arbitration administered by P.R.I.M.E. Finance in accordance with the P.R.I.M.E. Finance Arbitration Rules.

- a. The number of arbitrators shall be [**one or three**], and [**this/these**] arbitrators shall be selected from P.R.I.M.E. Finance's list of approved arbitrators.
- b. [**Where there will be three arbitrators**] Each party shall appoint one arbitrator from P.R.I.M.E. Finance's list of approved arbitrators, and the Chairman shall be selected in line with article 9(1) of the P.R.I.M.E. Finance Arbitration Rules.
- c. Where necessary, the Secretary-General of the Permanent Court of Arbitration shall act as the appointing authority, and shall appoint from P.R.I.M.E. Finance's list of approved arbitrators, to which list the parties herewith agree as the basis for the appointment of the arbitrators.
- d. The place of arbitration shall be [**town & country**];
- e. The language to be used in the arbitral proceedings shall be [...].



Thank you for your attention!

Questions?



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