



CI Arb CANDIDATE REGULATIONS

The Institute recognises a general obligation in the conduct of examinations, assignments and assessments to act fairly and transparently, employing objective criteria as the basis of testing knowledge or assessing practical skills and the application of knowledge, but preserves the right of examiners, moderators and assessors to apply their academic and professional judgment in the evaluation of candidates' work and performance.

These Regulations define the basis of the registration agreement between CI Arb and the candidate. They apply to all CI Arb examinations, assignments and assessments including those provided by CI Arb Branches and Chapters. They supersede all previous Regulations.

CI Arb may alter the Regulations at any time. The Regulations that apply to candidates are those that are in force at the time they register for a course or piece of assessment. Any change in Regulations will be published on the CI Arb website.

1. CI Arb Pathways Programme

- 1.1 The CI Arb Pathways Programme is an educational framework covering the main disciplines of mediation, arbitration, international arbitration and adjudication. It provides a progressive educational ladder starting from the level of newcomer to the field right through to advanced levels.
- 1.2 Candidates are required to successfully complete and pass all CI Arb modules and the peer interview to attain the relevant membership grades, unless an exemption has been approved.

2. Exemptions

- 2.1 Candidates who have undertaken an education programme with a CI Arb Recognised Course Provider or an education programme of equivalence to a CI Arb module may be awarded a specific level of exemption in order for candidates to progress to membership of CI Arb.
- 2.2 Candidates wishing to apply for an exemption must contact the Membership Department to seek guidance on the documentation to be submitted to support their exemption application.
- 2.3 Candidates who commenced their studies under the previous education system (parts I, II and III) will be required to follow the course and assessment structure and regulations in place for the current Pathways programme. Where appropriate exemptions will be given inline with the current exemptions policy.

3. Registration for Courses

- 3.1 Candidates must complete a registration form and submit the correct fee to register on a CI Arb course. Candidates are automatically registered onto the course and its associated elements of assessment.
- 3.2 All candidates accepted for entry onto a CI Arb course will be deemed to have accepted the CI Arb Candidate Regulations.
- 3.3 Candidates are permitted to transfer registration for a course to a later date. A maximum of 3 postponements is permitted. Postponement charges will apply.
- 3.4 Candidates are permitted to cancel their registration on a course. Cancellation charges will apply.
- 3.5 CI Arb reserves the right to cancel or change the date, venue or content of programmes and the names of speakers, lecturers and tutors. Candidates will be provided with adequate notice of any change.

4. Registration of Examinations, Assignments and Assessments

- 4.1 Upon registration on a course, candidates are automatically entered for the relevant examinations, assignments and assessments.

- 4.2 Candidates wishing to register solely for an examination, assignment or assessment only must complete a registration form and submit the correct fee to register.
- 4.3 All candidates accepted for entry onto an examination, assignment or assessment will be deemed to have accepted the CI Arb Candidate Regulations.
- 4.4 Candidates are permitted to transfer registration for an examination, assignment or assessment entry. Postponement charges will apply.
- 4.5 Unless stated otherwise, candidates will be examined on the law of England and Wales. Candidates will be expected to be aware of a change in the law which has occurred up to six months preceding the examination, but will not be examined on its detail.
- 4.6 Candidates will be permitted four attempts at each examination, assignment and assessment.
- 4.7 Non-completion of a module after four attempts will result in a candidate having to begin the course of study again from the start of the module.
- 4.8 Candidates who fail to attend an examination or assessment workshop without justifiable reason will be marked absent and it will be counted as a failed attempt. Candidates will be given the opportunity to apply and take the examination or assessment workshop at a later date. Resit charges will apply.
- 4.9 Candidates who fail to submit an assignment within the stipulated deadline will invalidate that paper and the examination or assignment will be deemed a fail. Candidates will be given the opportunity to apply and take the examination or assignment at a later date. Resit charges will apply.
- 4.10 The first assignment submission will be deemed the only submission accepted and marked by CI Arb. Any later submissions will not be accepted.
- 4.11 Candidates must adhere to the word limits provided in assignments and assessments. Marks will not be awarded for information provided beyond the stated word limit.
- 4.12 Candidates must answer the required number of questions in an examination, assignment or assessment. Marks will not be awarded to candidates for the additional answers completed.

5. Resits

- 5.1 Candidates wishing to resit an examination, assignment or assessment must complete a resit form and submit the correct fee.
- 5.2 Candidates who pass an examination, but fail to achieve an overall module pass will be permitted to resit the relevant element of assessment or have the choice to resit the whole module.
- 5.3 Candidates who fail the assessment workshop for Module 3 Arbitration, International Arbitration and Adjudication and the Accelerated Routes to Membership and Fellowship will be permitted to resit at a later date.

6. Fees

- 6.1 The relevant fee must be submitted with all registration and resit forms. Applications will not be processed until full payment is received.
- 6.2 All fees are payable to CI Arb in pounds sterling unless otherwise agreed. Bank charges will be applied where payment is made in other currencies.
- 6.3 Fees will be refunded in accordance with the regulations set in the CI Arb Fee Sheet for Candidates.

7. Examination centres

- 7.1 If a course requires a candidate to complete an examination, then candidates will be automatically registered to sit examinations at CI Arb offices, Bloomsbury Square, London. It is possible to arrange for examinations to be sat elsewhere, for example, at a CI Arb Branch or a special examination centre. Candidates must specify on the registration form where they would prefer to sit their examinations.
- 7.2 Candidates who wish to sit an examination at a CI Arb Branch or a special examination centre will be required to pay any additional local charges for invigilation and facilities.
- 7.3 CI Arb will arrange special examination centres with the equivalent standard of invigilation and facilities that exist at CI Arb offices, Bloomsbury Square, London.

8. Conduct of examination

Before the examination

- 8.1 The examination room will be open at least 30 minutes before the start of each examination.
- 8.2 Candidates should arrive at the examination centre at least 15 minutes before the examination is scheduled to commence.
- 8.3 Candidates should contact the CI Arb Education and Training Department on 020 7421 7439 if an invigilator is not present at the examination centre at least 15 minutes before the commencement of the examination.

Admission into the examination

- 8.4 Candidates must place all personal belongings such as briefcases, bags, coats, mobile phones in an area in the examination room designated by the Invigilator. Candidates are advised not to bring anything valuable to the examination centre as all items are left at your own risk. Mobile phones must be switched off at all times. Candidates must ensure their stationery (pens, pencils, erasers) are stored in a clear case or plastic bag.
- 8.5 Candidates are required to be in their places in the examination room at least ten minutes before the commencement of the examination in order to complete and sign an attendance form.
- 8.6 Candidates arriving late will not be permitted extra time.
- 8.7 Candidates must bring some form of photographic identification to the examination.
- 8.8 Candidates will not be admitted to the examination room after thirty minutes following the commencement of an examination.
- 8.9 Candidates will not be permitted to leave the examination room during the first thirty minutes of an examination.
- 8.10 Candidates leaving the examination room early will have their answers collected by an invigilator and will not be re-admitted to the examination room.
- 8.11 No candidate will be allowed to leave the examination room during the last 15 minutes of the examination.
- 8.12 A candidate wishing to leave the examination room temporarily must seek the permission of an invigilator before doing so and must be accompanied by an invigilator throughout his or her absence, this includes a break to the toilets.
- 8.13 Smoking and eating is not permitted in the examination room.
- 8.14 Candidates will be permitted to bring bottled water into the examination room.
- 8.15 Candidates will be issued with answer sheets at the start of the examination, and time will be given to complete the front sheet.

- 8.16 Candidates must ensure they clearly write their Candidate Number on the front answer sheet. Any other identification of the candidate on the answer sheet will invalidate that paper and the examination may be deemed a fail or treated as a nullity at the discretion of the Examinations Board.

During the examination

- 8.17 Candidates are not permitted to use electronic devices and laptops for examinations. Basic calculators may be taken into the examination.
- 8.18 Candidates must follow the open and closed book examination policy for the relevant course of study. Candidates should refer to the course information sheet for guidance.
- 8.19 Examinations will be conducted and supervised by invigilators in accordance with these instructions. Candidates are required to comply with any instructions or directions given by the invigilators.
- 8.20 The invigilator will make the announcements to candidates at the start of each examination.
- 8.21 Candidates must write legibly, using black or blue pen. Correction fluid should not be used in the examination.
- 8.22 Answers to each new question must be started on a fresh page.
- 8.23 Any rough work must be written on the answer sheets. Unless a candidate clearly strikes through the rough work, this may be assessed as part of your answer.
- 8.24 Candidates may not communicate with, receive assistance from, or attempt to copy from the script of any other candidate. A breach of any part of these regulations may result in failure of the current examination.
- 8.25 An invigilator suspecting any unfair practice on the part of any candidate will, after informing the candidate of the suspicion, report the same to the Education and Training Department for consideration by the Examinations Board. The invigilator will not prevent the candidate from continuing with the examination unless the candidate's conduct also constitutes an annoyance or distraction to other candidates. Any unauthorised materials being used by a candidate will be removed and may be referred to the Examinations Board if deemed appropriate.

At the end of the examination

- 8.26 Candidates must cease writing immediately after the invigilator announces the examination is over.
- 8.27 Answer sheets should be firmly attached together using treasury tags supplied for this purpose. Any paper not used should be left on the desk for the invigilators to collect after the examinations.
- 8.28 Candidates must stay seated at their desks until the invigilator collects all the examination materials and scripts.
- 8.29 For security reasons and owing to the international nature of the examinations, candidates are not permitted to take the question paper or any unused answer sheets out of the examination room.
- 8.30 Candidates will not be permitted to seek copies of their examination scripts.
- 8.31 Candidates will be contacted by the Education and Training Department with the examination results.

9. Conduct of Assessments

- 9.1 The following section applies to the conduct of assessments. Assessments normally take the form of direct observation of practical work, role-plays, oral questioning, written tests or other forms of assessment evaluation.
- 9.2 Assessments are part of the following courses:
- 9.2.1 Module 2 (Mediation)
 - 9.2.2 Module 3 (Arbitration, International Arbitration and Adjudication)

- 9.2.3 Accelerated route to Membership (Arbitration and International Arbitration)
- 9.2.4 Accelerated route to Fellowship (Arbitration, International Arbitration and Adjudication)

Detailed information regarding assessments is provided in the individual course information sheets.

- 9.3 Candidates are required to be in attendance at the time specified in instructions issued before the assessment.
- 9.4 Candidates are required to comply with instructions or directions given by the assessors.
- 9.5 Candidates causing annoyance or distraction to other candidates may be required by the assessor to leave the room. In this case the candidate's attempt at the relevant assessment will be treated as a failure.
- 9.6 Assessed role-plays may be recorded. All recordings will remain the property of the Chartered Institute of Arbitrators and will not be distributed to candidates.
- 9.7 Assessors will grade candidates according to the relevant published objective criteria.
- 9.8 The recorded assessment role-plays may be moderated. They may also, where required by the Institute's quality assurance policies, be scrutinised by the Examinations Board
- 9.9 Candidates are reminded that the examiners and/or assessor's exercise of his or her judgment in determining competency is not subject to challenge or review.
- 9.10 Candidates must attend and participate in all parts of the assessment workshop to pass the module.

10. Disciplinary Matters

- 10.1 CI Arb takes a serious view of academic misconduct in the written examinations, assignments or assessments. Cases of alleged academic misconduct will be reported to the Examinations Board. When considering a case of alleged academic misconduct, the Examinations Board will pay due regard to extenuating circumstances, evidence of intent and the severity of the alleged offence.
- 10.2 A proven case of academic misconduct or unfair practice admitted by the candidate will be treated as a disciplinary matter. The Examinations Board has the power to impose sanctions, including failure in the written examinations, assignments and/or assessments with or without permission to attempt the examination, assignment or assessment on the next occasion.
- 10.3 Candidates will be provided with an opportunity to make representations in writing.
- 10.4 Academic misconduct during the written examination will include:
 - 10.4.1 helping or receiving help from another candidate
 - 10.4.2 possession in the examination room of unauthorised materials. This includes permitted materials containing unauthorised annotation
 - 10.4.3 consulting any materials or persons outside the examination room during periods of absence while the examination is in progress
 - 10.4.4 attempting to influence a script marker or other official (for instance, by writing additional notes on the examination script)
 - 10.4.5 other misconduct includes behaviour likely to disturb or distract other candidates during the examination.
- 10.5 Academic misconduct in assignments includes plagiarism. Plagiarism is the misrepresentation of the work of others as your own (including ideas, arguments, words, diagrams, images or data). It includes the explicit claim that another's work is your own and, no less seriously, the failure to acknowledge adequately the sources used. This applies whatever the source of the material (for example, a published course, the internet, oral communication, the work of another candidate or commissioning work from another person or organisation).

11. Marking Process

- 11.1 The overall module pass mark for Introduction modules is based on a clear pass or fail.
- 11.2 The overall module pass mark for Modules 1, 2 and 3 (Arbitration, International Arbitration and Adjudication) is 55%.
- 11.3 The overall module pass mark for Module 4 (Arbitration, International Arbitration and Adjudication) is 70%.
- 11.4 The overall module pass mark for Module 2 (Mediation) is based on 'competent' or 'not yet competent'.
- 11.5 The overall module pass mark for Module 3 (Mediation) is 55%.
- 11.6 The pass mark for assessment workshops is based on a clear pass or fail.
- 11.7 In order to ensure rigorous quality and standards are maintained, examination and assignment scripts are passed through a number of quality assurance processes prior to the release of results.
 - 11.7.1 Scripts are marked by a CI Arb approved marker;
 - 11.7.2 Scripts are reviewed by a CI Arb approved moderator to ensure the general standard is acceptable and the marker has adopted a consistent approach;
- 11.8 All examination and assignment scripts are marked anonymously.

12. Notification of results

- 12.1 Results are dispatched to candidates by post and email, normally eight to twelve weeks from the date of the conclusion of the examination, assignment or assessment. Mediation accreditation assessment results are dispatched within six weeks from the date of the assessment.
- 12.2 Where appropriate, results will be distributed to the candidate's local CI Arb Branch for postage.
- 12.3 Results will not be released over the telephone.
- 12.4 All candidates who attempt an examination, assignment or assessment will receive a feedback report. Any further correspondence should form part of the appeals process.
- 12.5 Marked assignment scripts, examination scripts, workshop exercises and problems and assessment DVDs will not be released to candidates.

13. Extenuating circumstances

- 13.1 CI Arb recognises that candidates may experience circumstances which may affect their performance in the examination, assignment or assessment. Such circumstances include:
 - 13.1.1 sickness;
 - 13.1.2 bereavement;
 - 13.1.3 disruption in the examination room;
- 13.2 In the event that a candidate believes their performance in an examination, assignment or assessment has been adversely affected by extenuating circumstances, candidates must submit a request for consideration by CI Arb to the Education and Training Department. The request must be made in writing, providing an explanation of the circumstances, supported by documentary evidence and certification.
- 13.3 Any requests must be made no later than four weeks after the examination, assessment or submission of the assignment.
- 13.4 Candidates will be permitted an extension of seven days on the submission of an assignment. Extensions will only be granted to candidates who submit extenuating circumstances with medical evidence or evidence of bereavement. No other reason will be accepted.

- 13.5 Extenuating circumstances will be reviewed by the Education and Training Department and the Examinations Board. In the event of a dispute between the candidate and CI Arb, candidates may appeal. Appeal charges will apply.
- 13.6 If a candidate is prevented from undertaking an examination, assignment or assessment due to extenuating circumstances, candidates can apply to postpone their examination, assignment or assessment and be transferred onto the next available session. Postponement charges may apply.
- 13.7 Candidates wishing to apply for a postponement must complete a postponement form and submit the form with the correct fee to the Education and Training Department at least 14 days prior to the date of the examination, assessment or release of the assignment.
- 13.8 Candidates may only postpone their course, examination, assignment or assessment registration on two occasions. It is at CI Arb's discretion to extend this period.

14. Disability Policy

- 14.1 The Disability Discrimination Act 2005 (DDA) is a piece of legislation that promotes rights for disabled people and protects disabled people from discrimination. The DDA defines 'disability' and 'disabled person' as "a physical or mental impairment which has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities." CI Arb recognises that disabled people may require additional support and we are committed to providing equality of opportunity for disabled people by following the provisions set within the DDA, which are aimed fundamentally at protecting disabled people's rights.
- 14.2 Under this equal opportunities premise, CI Arb is willing to take into account individual needs and make reasonable adjustments where necessary in order to assure non-prejudiced treatment and practical solutions to all its candidates provided that these required adjustments have been submitted to CI Arb within sufficient time in advance of the course or assessment.
- 14.3 Candidates with any physical impairment or learning difficulty under the provisions of the DDA should contact the Education and Training Manager in writing providing documentation to support the application at least 4 weeks prior to the course registration or examination, assignment or assessment date.
- 14.4 Each application will be considered on an individual basis. All applications for adjustments to assessments will be considered by the Examinations Board. In the event of a dispute arising, the Education and Membership Committee will make the final decision.

15. Administrative Check and Appeals

- 15.1 CI Arb has stringent quality assurance procedures in place to ensure all candidates are treated in a fair and equitable manner. Should a candidate feel they have been unfairly treated after receiving their results, they are permitted to apply for an administrative check or an appeal.
- 15.2 Any requests must be made in writing to the Education and Training Department within four weeks of the date of notification of the results.

Administrative Check

- 15.3 A candidate may request an administrative check if they feel they have been unsuccessful in an examination or assignment and there is reason to believe that there may have been a clerical or administrative error in computing or notifying the correct result.
- 15.4 Candidates must submit a request in writing, supported by an explanation of the request.
- 15.5 The candidate's result and corresponding reports will be checked as an administrative procedure and the result will be notified to the candidate within 4 weeks of receipt of the request.
- 15.6 In the event of an administrative check revealing a clerical or administrative error, the candidate's amended

result will be referred to the Examinations Board for approval.

Appeal

- 15.7 A candidate may submit an appeal if they feel they have been unfairly treated through one of the following means:
- 15.7.1 unfair consideration of the extenuating circumstances;
 - 15.7.2 unfair practice in the conduct of the examination, assignment or assessment process;
 - 15.7.3 unfair conduct by an assessor or in application of the assessment process.
- 15.8 The fact that candidates expected to pass an examination, assignment or assessment, or considered that the preparation they had carried out should have warranted a pass is not sufficient grounds for an appeal.
- 15.9 Candidates are reminded that the examiner's exercise of his or her judgment in determining a mark and/or result is not subject to challenge or review.
- 15.10 Candidates must submit an appeal to the Education and Training Department for consideration by the Examinations Board within 6 weeks of the release of the results. The appeal must be made in writing, providing an explanation, supported by documentary evidence and be accompanied by the correct fee.
- 15.11 The Examinations Board will consider the appeal and determine its validity based on the supporting documentation. The result will be notified to the candidate within 12 weeks of the submission.
- 15.12 In the event the appeal is upheld, the Examinations Board will determine the level of the appeal fees to be refunded to the candidate.
- 15.13 For the purpose of these regulations, English law, will govern any dispute arising between CI Arb and the candidate, irrespective of where the examination, assignment or assessment was undertaken.
- 15.14 In the event of a dispute arising from the application of these regulations, which is not resolved by the provisions of the regulations or direct negotiation between the Institute and the complainant, then CI Arb will offer to participate in a mediation process with the complainant, the service to be provided by an independent mediator nomination body such as the ADR Group.
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