



## **DRBF Code of Ethical Conduct**

Revised October 2024

### **Canon 1 – Conflict of Interest and Disclosure**

Board members must avoid the appearance of, or any actual or perceived conflict of interest during the term of the Dispute Board. Board members must disclose, before their appointment, any interest, past or present relationship, or association that could reasonably be considered by a contracting party as likely to affect that member's independence or impartiality. If, during the term of a Dispute Board, a Board member becomes aware of any fact or circumstance (or any proposed appointment) that might reasonably be considered by a contracting party as likely to affect that Board member's independence or impartiality, the Board member must inform the other Board members and disclose the matter to the contracting parties, and, where appropriate, obtain the contracting parties' written consent before accepting any such appointment.

### **Canon 2 – Confidentiality**

Board members must ensure that information acquired during the term of the Dispute Board remains confidential and must not be disclosed, unless such information is already in the public domain. Any such confidential information may only be disclosed if approved by the contracting parties or if compelled by law. Board members must not use such confidential information for any purpose beyond the activities of the Dispute Board.

### **Canon 3 – Board Conduct and Communications**

Board members must conduct all Board activities in an expeditious, diligent, orderly, and impartial manner. Board members must act honestly, with integrity and without bias. There must be no unilateral communications between a Board member(s) and a contracting party, unless the contracting parties have mutually agreed. If the contracting parties have mutually agreed, Board members may hold private meetings (or discussions) with the contracting parties separately in pursuit of dispute avoidance.

### **Canon 4 – Board Procedures**

All Board meetings and hearings must be conducted in accordance with the applicable Dispute Board agreement, contract provisions and operating procedures, in a manner that provides procedural fairness to the contracting parties. Dispute Board recommendations, determinations and decisions must be made expeditiously and personally by the members of the Board itself based on the provisions of the contract, the applicable law and the information, facts and circumstances submitted by the contracting parties.