(ii) Each of the competent authorities of the Contracting States shall appoint one arbitrator, whether he is a national of either Contracting State or not. The two arbitrators appointed by the competent authorities of the Contracting States shall appoint the third arbitrator who serves as the chair of the arbitration panel in accordance with the procedures agreed by the competent authorities of the Contracting States.

(iii) No arbitrator shall be an employee of the tax authority of either Contracting State, nor have dealt with the case in respect of which the request for arbitration has been made in any capacity. The third arbitrator shall not be a national of either Contracting State, nor have his habitual abode in either Contracting State, nor have been employed by either Contracting State.

(iv) The competent authorities of the Contracting States shall ensure that all arbitrators agree, in statements sent to each of the competent authorities of the Contracting States, prior to their acting in an arbitration proceeding, to abide by and be subject to the same confidentiality and non-disclosure obligations as those provided for in paragraph 2 of Article 26 of the Convention and the laws of the Contracting States.

(v) Each of the competent authorities of the Contracting States shall bear the costs of its appointed arbitrator and its own expenses. The costs of the third arbitrator and other expenses associated with the conduct of the arbitration proceedings shall be borne by the competent authorities of the Contracting States in equal shares.

(c) The competent authorities of the Contracting States shall provide any information that may be necessary for the arbitration decision to all arbitrators without undue delay.

(d) An arbitration decision shall be treated as follows:

(i) An arbitration decision has no precedential value.

(ii) An arbitration decision shall be final, unless a final decision of the courts of one of the Contracting States holds that the arbitration decision is invalid. In such a case, the request for arbitration under paragraph 5 of Article 25 of the Convention shall be considered not to have been made, and the arbitration proceedings shall be considered not to have taken place (except for purposes of clauses (iv) and (v) of subparagraph (b)). In such a case, a new request for arbitration may be made unless the competent authorities of the Contracting States agree that such a new request should not be permitted.

(e) Where at any time before the arbitration panel has delivered a decision on a case to the competent authorities of the Contracting States and to the person who made the request for arbitration in respect of the case:

(i) the competent authorities of the Contracting States reach a mutual agreement to resolve the case pursuant to paragraph 2 of Article 25 of the Convention; or

(ii) that person withdraws the request for arbitration; or

(iii) a decision concerning the case is rendered by a court or administrative tribunal of either Contracting State during the arbitration proceedings;

the procedures under Article 25 of the Convention in respect of the case shall terminate.