

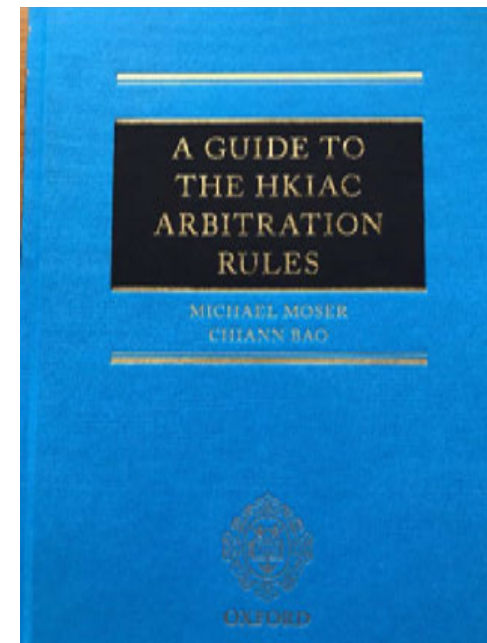
The HKIAC Administered Arbitration Rules – The Present and A Look to the Future



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2013 HKIAC Rules - Overview

- ☑ Drafting process
- ☑ Key features
- ☑ General feedback
- ☑ HKIAC's decision-making process
- ☑ Finality of HKIAC decisions
- ☑ A Guide to the HKIAC Arbitration Rules



- ☑ Scope of application
 - General approach
 - *The case shall be finally settled by the HKIAC at the Hong Kong Chamber of Commerce and Industry in accordance with its arbitration rules*
 - *Arbitration shall be referred to the HKIAC for arbitration in Hong Kong in accordance with its arbitration rules*
 - *Arbitration administered by the HKIAC under the ICC Rules*
 - *Arbitration in Hong Kong in accordance with the Arbitration Rules of the Hong Kong International Arbitration Centre (“SIAC Rules”). The sole arbitrator shall be appointed by the SIAC.*

- ☑ Submission and completion of a Notice of Arbitration

- ☑ Service of documents

Costs of Arbitration

- Registration fee
- HKIAC administrative fee
- Arbitral tribunal's fees and expenses
- Arbitral tribunal's power to determine and allocate costs

Average Costs and Duration

All proceedings

	Mean	Median
Duration	12.25 months	11.60 months
Costs	US\$65,721.26	US\$31,704.04

Expedited procedure proceedings

	Mean	Median
Duration	6.46 months	6.52 months
Costs	US\$39,256.61	US\$23,722.16

Emergency arbitrator proceedings

	Mean	Median
Duration	14 days	14 days
Costs	US\$41,024.48	US\$41,024.48

As of December 2016

Appointment of Arbitrators

- Appointment a sole arbitrator
- Appointment of three arbitrators
- Appointment of an emergency arbitrator
- Multi-party appointment
- Confirmation of arbitrators

- ☑ Overview and statistics

- ☑ Institutional decisions on the number of arbitrators
 - HKIAC's approach
 - SIAC's approach
 - ICC's approach

- ☑ Enforcement of expedited awards in China: *Noble Resources v. Good Credit*

- Overview and statistics
- Joinder of additional parties
- Consolidation of multiple arbitrations
- Single arbitration under multiple contracts

- ☑ Major proposed amendments
 - Online document depository
 - Alternative means of dispute settlement
 - Multilingual procedures
 - New grounds for joinder
 - Expanded provisions for single arbitration under multiple contracts
 - Concurrent proceedings
 - Third party funding
 - Early determination procedure
 - Investment treaty arbitration

- ☑ Public consultation process

Questions?



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