

INTERNATIONAL ARBITRATION RULES

ASIA PACIFIC GUIDE

EMERGENCY ARBITRATOR PROVISIONS

2017-18



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	ACICA	HKIAC	SIAC	KLRCA	CIETAC	ICC
Institution	Australian Centre for International Commercial Arbitration	Hong Kong International Arbitration Centre	Singapore International Arbitration Centre	Kuala Lumpur Regional Centre for Arbitration	China International Economic and Trade Arbitration Commission	International Chamber of Commerce, International Court of Arbitration
Current Rules	2016	2013	2016	2017	2015	2017
Deadline for appointment of emergency arbitrator	Schedule 1, Article 2.1 'within 1 business day from the receipt of the application'	Schedule 4, Paragraph 5 'within two days after receipt of both the Application and the Application Deposit'	Schedule 1, Paragraph 3 'within one day of receipt by the Registrar of such application and payment of the administration fee and deposits'	Part III, Schedule 3, Paragraph 4 'within 2 days after the KLRCA has received the completed set of application documents'	Appendix III, Article 2.1 'within one (1) day from his/her receipt of both the Application and the advance payment of the costs for the Emergency Arbitrator Procedures'	Appendix V, Article 2.1 'within as short a time as possible, normally within two days from the Secretariat's receipt of the Application'
Default seat	N/A	Schedule 4, Paragraph 10 Hong Kong	Schedule 1, Paragraph 4 Singapore	Part III, Schedule 3, Paragraph 9 Kuala Lumpur, Malaysia	Appendix III, Article 4 Refer to Article 7 of the Arbitration Rules. Article 7.2: 'the domicile of CIETAC or its sub-commission/arbitration center administering the case'	Appendix V, Article 4.1 To be determined by the President
Deadline for emergency arbitrator to establish a schedule/timetable	N/A	N/A	Schedule 1, Paragraph 7 'as soon as possible, but in any event, within two days of his appointment'	Part III, Schedule 3, Paragraph 10 'as soon as possible but in any event within 2 days of appointment'	Appendix III, Article 5.1 'within a time as short as possible, best within two (2) days from his/her acceptance of the appointment'	Appendix V, Article 5.1 'within as short a time as possible, normally within two days from the transmission of the file to the emergency arbitrator'
Are reasons for the order, award, or decision to be in writing?	Schedule 1, Articles 3.2(a); 3.2(c) Yes	Schedule 4, Paragraphs 14(a); 14(b) Yes (summary reasons)	Schedule 1, Paragraph 8 Yes (summary reasons)	Part III, Schedule 3, Paragraph 11 Yes	Appendix III, Article 6.3 Yes	Appendix V, Article 6.3 Yes
Deadline for interim order, award, or decision	Schedule 1, Article 3.1 'not later than 5 business days, from the date upon which the application was referred to the Emergency Arbitrator'	Schedule 4, Paragraph 12 'within 15 days from the date on which HKIAC transmitted the file to the Emergency Arbitrator'	Schedule 1, Paragraph 9 'within 14 days from the date of his appointment'	Part III, Schedule 3, Paragraph 12 'within 15 days from the date of notification of the appointment to the parties'	Appendix III, Article 6.2 'within fifteen (15) days from the date of that arbitrator's acceptance of the appointment'	Appendix V, Article 6.4 'No later than 15 days from the date on which the file was transmitted to the emergency arbitrator'
Deadline for Tribunal to be established before an order, award or decision is rendered non-binding	Schedule 1, Article 4.3(d) 'within 90 days of the Emergency Interim Measure being made'	Schedule 4, Paragraph 19(d) 'within 90 days from the date of the Emergency Decision'	Schedule 1, Paragraph 10 'within 90 days of such order or Award'	Part III, Schedule 3, Paragraph 16(a) 'within 90 days of such order or award'	Appendix III, Article 6.6(e) 'within ninety (90) days from the date of the decision of the emergency arbitrator'	N/A
Application Fee	Appendix A, Article 5.1 Refer to Schedule of Fees on ACICA's website on the date that application is filed	Schedule 1, Paragraph 1.1 Refer to HKIAC website on the date the Notice of Arbitration is submitted	Schedule 1, Schedule of Fees Singapore Parties: S\$5,350 Overseas Parties: S\$5,000	Part III, Schedule 2, Paragraph 5 International Arbitration: USD\$2,120 Domestic Arbitration: RM\$5,300	Appendix III, Article 7.1 RMB\$30,000	Appendix V, Article 7.1 US\$40,000 – of which US\$10,000 covers ICC administrative expenses and US\$30,000 covers the Emergency Arbitrator's fees and expenses

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