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Arbitration Rules 2008. Where any agreement, submission or reference provides in writing and in whatsoever manner for arbitration under the rules of the DIFC-LCIA Arbitration Centre, the parties shall be taken to have agreed in writing that the arbitration shall be conducted in accordance with the following rules (the Rules) or such amended rules as the DIFC-LCIA Arbitration Centre and the Court of the LCIA (the LCIA Court) may have adopted hereafter to take effect before the commencement of ...

Arbitration Rules 2008 - DIFC-LCIA

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“ international arbitration ” means any arbitration where – (a) the parties to the arbitration agreement have, at the time of the conclusion of that agreement, their place of business in different States;

INTERNATIONAL ARBITRATION ACT 2008 - MARC

The 2008 International Arbitration Study continues to explore the attitudes and practices of corporations, this time on recognition and enforcement of arbitral awards and settlement in the context of arbitration. The 2008 Study summarises data from 129 major corporations with long time experience in international arbitration, from Europe (40% ...

2008 Corporate Attitudes: Recognition and Enforcement of ...

(1) This Act shall not apply to arbitration proceedings initiated before its commencement. (2) This Act shall apply to arbitration proceedings initiated on or after its commencement under an arbitration agreement, irrespective of the date on which the arbitration agreement was entered into. Added by [Act No. 8 of 2013] 3A. Material application

International Arbitration Act 2008 - gloverchambers.com

through the arbitration proceedings. Settlement before an arbitral award Settlements most frequently occur before the first hearing • 43% of the settlements involving the participating corporations were reached before the first (usually procedural) hearing in the arbitration proceedings • settlement before the first hearing is more

International Arbitration: Corporate attitudes and ...

"Any dispute, controversy or claim arising out of or relating to this contract, including the validity, invalidity, breach or termination thereof, shall be settled by arbitration in Hong Kong under the Hong Kong International Arbitration Centre Administered Arbitration Rules in force when the Notice of Arbitration is submitted in accordance with these Rules.

2008 Administered Arbitration Rules | HKIAC

an bille eadra ´ na 2008 arbitration bill 2008 ————— bill entitled 5 an act to further and better facilitate resolution of disputes by arbitration; to give the force of law to the uncitral model law on international commercial arbitration (as amended by the united nations commission 10 on international trade law on 7 july 2006) in

AN BILLE EADRA ´ NA 2008 ARBITRATION BILL 2008

This Practice Note considers the law governing the procedural law of arbitration proceedings (the curial law or lex arbitri) and how it is determined under the law of England and Wales (England and English are used as convenient shorthand).. The procedural law of the arbitral proceedings. The procedural law of an international arbitration is often referred to as the lex arbitri, or, to use the ...

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Law of the arbitration proceedings—curial law or lex ...

Issue 92 - February 2008 (Click to download PDF) By choosing London as the seat of the arbitration, were the parties to be taken to have agreed that any proceedings to challenge the award should only be those permitted by English law?

Dispatch - Arbitration and litigation - 2008 archive

1.4 These Rules shall come into force on 1st September 2008 and, unless the parties have agreed otherwise, shall apply to all arbitrations falling within Article 1.1 in which the Notice of Arbitration is submitted on or after that date. Article 2 - Notices and Calculation of Periods of Time

2008 HKIAC Administered Arbitration Rules | HKIAC

Do arbitration proceedings constitute legal proceedings? Section 133 of the Companies Act 71 of 2008 provides for a general moratorium on legal proceedings against a company in business rescue. The section states that, during business rescue proceedings, no legal proceeding against the company, or in relation to any property belonging to the company, or lawfully in its possession, may be commenced or proceeded with except with the written consent of the business rescue practitioner (BRP) or ...

Do arbitration proceedings constitute legal proceedings?

Arbitration Agreement is null and void, inoperative or incapable of being performed. (2) Where an action referred to in paragraph (1) of this Article has been brought, arbitral proceedings may nevertheless be commenced or continued, and an award may be made, while the issue is pending before the DIFC Court. 14. Confidentiality

ARBITRATION LAW DIFC LAW No. 1 of 2008

The arbitration shall be treated for all purposes as an arbitration conducted at the place of arbitration. Article 13 – HKIAC 's Assistance on Procedural Matters HKIAC will assist the arbitral tribunal and the parties in fixing the time limits for the arbitration, as well as establishing the date, time and place of meetings, hearings, or otherwise, as required.

Procedures for the Administration of International Arbitration

Delta participated in pre-arbitration hearing meetings to "protect their interests" but shortly after, applied for a stay of the arbitration proceedings, pending the outcome of the court case in ...

Should I Stay or Should I Go to Arbitration Proceedings ...

Commencement of proceedings Unless otherwise agreed by the parties, the arbitral proceedings in respect of a particular dispute commence on the date on which a request by one party for that dispute to be referred to arbitration is received by the other party. 6.

INTERNATIONAL ARBITRATION ACT 2008

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proceedings started after the entry into force of the procedure (July 1, 2020) in which the value resulting from the request for arbitration does not exceed EUR250,000, unless only one of the parties expresses its opposition to the use of the simplified rite in the introductory act of the proceedings (i.e. in the request for arbitration or memorandum of constitution); and

Milan Chamber of Arbitration Simplified Arbitration ...

On 24 August 2007, the Secretariat of CIETAC (hereinafter, the "Secretariat") sent the Notice of Arbitration, the Arbitration Rules, and the Panel of Arbitrators to both parties via express mail (EMS). Meanwhile, the Secretariat sent the Request for Arbitration to the [Seller].

China 18 April 2008 CIETAC Arbitration proceeding (PTA ...

Enka began proceedings in England contending that the dispute was subject to an arbitration agreement in the contract under which it had performed the works, and seeking an order that Chubb discontinue the Russian Proceedings (an anti-suit injunction). Enka ' s application was dismissed at first instance by Justice Andrew Baker.

The Yearbook Commercial Arbitration continues its longstanding commitment to serving as a primary resource for the international arbitration community with reporting on arbitral awards and court decisions applying the leading arbitration conventions, as well as arbitration legislation and rules. Volume XXXIII includes excerpts of arbitral awards made under the auspices of, inter alia, the International Chamber of Commerce (ICC); a biennial update of the Digest of Investment Treaty Decisions and Awards first published in 2006; notes on new and amended arbitration rules, including references to their online publication; notes on recent developments in arbitration law and practice in the Dubai International Financial Centre, Rwanda, Slovenia, Syria and Ukraine, as well as on the opinion of the Advocate General of the European Court of Justice in the West Tankers case; excerpts of 109 court decisions applying the 1958 New York Convention from 23 countries - including an update of Russian and Greek jurisprudence and, for the first time, decisions from Argentina, Belize, the British Virgin Islands, Chile and Peru - all indexed by subject matter and linked to the General Editor's published commentaries on the New York Convention; an extensive Bibliography of recent books and journals on arbitration. The Yearbook is edited by the International Council for Commercial Arbitration (ICCA), the world's leading organization representing practitioners and academics in the field, with the assistance of the Permanent Court of Arbitration, The Hague. It is an essential tool for lawyers, business people and scholars involved in the practice and study of international arbitration.

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Comparison of Gulf International Arbitration Rules has been inspired by its sister publications, Comparison of Asian International Arbitration Rules and Comparison of International Arbitration Rules, which were prepared by Simpson Thacher & Bartlett LLP and published by Juris Publishing in 2003 and 2008 respectively. This volume sets forth the main arbitration rules and regulations available in the Middle East region and provides a basis of comparison on their efficiency and cost-effectiveness. Due to the great number of arbitration institutions that have been forming across the Middle East over the past couple of decades the present overview is confined to the most commonly-used sets of rules in the Gulf region: the Arbitration Rules of the 2007 Dubai International Arbitration Centre (the “ DIAC Arbitration Rules ”), the 2008 Arbitration Rules of the Dubai International Financial Centre-London Court of International Arbitration (the “ DIFC-LCIA Arbitration Rules ”), the 1993 Arbitration Regulations of the Abu Dhabi Commercial Conciliation and Arbitration Centre (the “ ADDCAC Rules ”), the 2006 Arbitration Rules of the Qatar International Centre for Commercial Arbitration (the “ QICCA Arbitration Rules ”), the 1994 Arbitration Rules of the Gulf Cooperation Council (GCC) Commercial Arbitration Centre (the “ GCC Arbitration Rules ”) and the 2009 Arbitration Rules of the American Arbitration Association/Bahrain Chamber for Dispute Resolution (the “ AAA/BCDR Arbitration Rules ”). Due to their increasing prominence for ad hoc arbitration in the region, the 2005 Arbitration Rules of the Qatar Financial Centre (the “ QFC Arbitration Rules ”) and the 1976 Arbitration Rules of the United Nations Commission on International Trade Law (UNCITRAL) (the “ UNCITRAL Rules ”) including recent 2010 revisions are included. Full sets of these rules are appended to the comparative chart that makes up the core of this publication. There is also a comparative table on costs and fees to give the reader a clear idea of filing, administrative and arbitrators ' costs under the various arbitration rules. The comparative entries in the chart on parallel provisions of the various sets of arbitration rules follows a logical self-explanatory sequence, mapping the course of an arbitration from the commencement of the proceedings to the issuance of the final award. The first two headline entries on the “ arbitration clause ” and the “ arbitral institution ” are meant to provide relevant framework information and to assist the client in swiftly identifying the standard wording of an arbitration clause under the relevant rules (to avoid any debilitating pathologies in the famous midnight drafting process of commercial contracts) as well as the main services and functions provided by the arbitration institution concerned. The arrangement of the

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information and data provided in the various entries is meant to facilitate consultation of the rules on particular comparative aspects, which we hope is further assisted by the detailed table of contents contained at the very beginning of the volume.

Arbitration of International Business Disputes 2nd edition is a fully revised and updated anthology of essays by Rusty Park, a leading scholar in international arbitration and a sought-after arbitrator for both commercial and investment treaty cases. This collection focuses on controversial questions in arbitration of trade, financial, and investment disputes. The essays address some of the most interesting topics in cross-border business dispute resolution, many of which have endured over several decades and remain subject to radically different views. Examples include the proper role of judicial review, the allocation of jurisdictional tasks, evolution of arbitration's statutory and treaty framework, free trade and bilateral investment agreements, and the balance between fixed rules and arbitral discretion. The book is structured around three themes: arbitration's legal framework; the conduct of arbitral proceedings; and a comparison of arbitration in specific fields such as finance, intellectual property, and taxation. In each of these areas, analysis includes the tensions between fairness and efficiency, and the accurate application of substantive law as well as the implications of mandatory procedural norms. Augmented by more than a dozen new contributions and a revised introduction, this 2nd edition retains all of its earlier practical and scholarly relevance, and includes a Foreword by V. V. (Johnny) Veeder QC.

This title provides the reader with immediate access to understanding the world of international arbitration. Arbitration has become the dispute resolution method of choice in international transactions. This book explains how and why arbitration works. It provides the legal and regulatory framework for international arbitration, as well as practical strategies to follow and pitfalls to avoid. It is short and readable, but comprehensive in its coverage of the basic requirements, including changes in arbitration laws, rules, and guidelines. In the book, the author includes insights from numerous international arbitrators and counsel, who tell firsthand about their own experiences of arbitration and their views of the best arbitration practices. Throughout the book, the principles of arbitration are supported and explained by the practice, providing a concrete approach to an important means of resolving disputes.

The 15 sovereign states that emerged from the dissolution of the Union of Soviet Socialist Republics (USSR) in 1991, having all adopted the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, today are drawing increasing attention from international law firms and global arbitral institutions. This book, compiled under the editorship of the Secretary General of the Russian Arbitration Association, is the first full-scale commentary in English on the application of the New York Convention in Russia and the other 14 former USSR states, with attention also to the various relevant national laws and procedures. A total of 71 contributors, all leading experts on arbitration and litigation in the covered jurisdictions, provide in-depth research encompassing the following approaches: article-by-article commentary on the New York Convention with emphasis on the practice of Russian state commercial (arbitrazh) courts; commentary on the relevant provisions of the Russian International Commercial Arbitration Law and the Code of Commercial Procedure; analysis of law and practice on setting aside, recognition, and enforcement of arbitral awards in all non-Russian former USSR states, state by state, written by experts in each jurisdiction; and a unique statistical study of all international commercial arbitration cases under the New York Convention conducted in Russia between 2008 and 2019, showing which grounds of the New York Convention are widely used by the

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Russian courts in different instances. With this detailed information, practitioners will be able to understand how judicial developments in the covered jurisdictions have impacted the enforceability of arbitral awards, and how parties can take steps to ensure that they secure enforceable awards. In addition, they will clearly discern the enforcement track record for arbitral awards in Russia and former USSR states and how each jurisdiction treats enforcement applications, greatly clarifying decisions on choices by parties and determination of seat of arbitration. Because this book makes arbitration law and procedure in Russia and the former USSR states accessible for the first time in English – thus assisting evaluation of prospects of enforcing foreign arbitral awards in that part of the world – it will be warmly welcomed by in-house counsel, arbitrators, arbitral institutes, judges, researchers, and academics focused on international arbitration.

This book contains the contributions to the Vienna Arbitration Forum on "Investment and Commercial Arbitration - Similarities and Divergences" which took place at the University of Vienna Law School in November 2008. The conference focused on topical issues in international investment arbitration and in commercial arbitration. Featuring speakers from academia, as well as legal practices, the Vienna Arbitration Forum addressed controversial topics and explored similarities and divergences. Table of Contents include: Consolidation of Proceedings in International Investment Arbitration * Consolidation of Proceedings in International Commercial Arbitration * The Limits of Party Autonomy in Investment Arbitration * Limits of Party Autonomy in International Commercial Arbitration * The Annulment of ICSID (International Centre for Settlement of Investment Disputes) Awards * Annulment of Arbitral Awards in International Commercial Arbitration * Independence, Impartiality and Duty of Disclosure in Investment Arbitration * Judicial Approaches to Arbitrator Independence and Impartiality in International Commercial Arbitration.

This is the first of a regular compilation of arbitration awards in cases administered by the International Centre for Dispute Resolution (ICDR) of the American Arbitration Association. The book features articles and commentaries by many leading figures in international arbitration and summaries of important court decisions concerning ICDR arbitration cases in the United States and enforcement of ICDR awards outside the United States. Featuring over a dozen ICDR awards with commentaries, the ICDR Awards & Commentaries also includes articles and casenotes from a prestigious group of authors.

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