

Comparative Chart of International Arbitration Rules

	LCIA Rules 2014	ICC Rules 2012	SCC Rules 2010	CIETAC Rules 2014	SIAC Rules 2016	HKICAC Rules 2013	UNCITRAL Ad hoc Rules 2013
Deemed start date of arbitration	Articles 1.4, 4.4 Date of receipt by the Registrar, which is the date <i>delivered</i> (if hard copy) or <i>transmitted</i> (if soft copy)	Articles 3.3, 4.2 Day request is <i>received</i> by Secretariat,	Articles 4, 8(3) Day request is <i>received</i> by SCC	Article 11 Day request is <i>received</i> by the Arbitration Court	Rules 2.2, 3.3 Day request is <i>delivered</i> to Registrar	Articles 2.1, 2.2, 4.2, Day request is <i>delivered</i> or <i>transmitted</i> to HKIAC	Articles 2.5, 3.2 Day request is <i>delivered</i> or <i>attempted</i> to be delivered to respondent
Default deadline for response	Article 2.1 28 days from the start of arbitration	Article 5.1 30 days from receiving request from ICC Secretariat by respondent	Article 5(1) Set by Secretariat	Article 15 45 days from receipt of notice of arbitration by respondent	Rule 4.1 14 days from receipt of notice of arbitration by respondent	Article 5.1 30 days from receipt of notice of arbitration by respondent	Article 4.1 30 days from receipt of notice of arbitration by respondent
Default number of arbitrators	Article 5.8 Sole arbitrator	Article 12.2 Sole arbitrator (in deemed complex cases the default number of arbitrators is three)	Article 12 Three arbitrators (unless SCC Board considers sole arbitrator is sufficient)	Article 25 Three arbitrators	Rule 9.1 Sole arbitrator	Article 6 HKIAC decides	Article 7 Three arbitrators
Default appointment of a sole arbitrator	Article 5.6 By LCIA after receipt of response or, if no response, 35 days from the start of arbitration	Articles 12.2, 12.3 By ICC Court after 30 days from the start of the arbitration, unless sole arbitrator agreed by parties	Article 13(2) Joint appointment within 10 days, otherwise by the SCC Board	Article 27,28 Joint appointment within 15 days from respondent's receipt of notice, otherwise by Chairman of CIETAC	Rule 10 Joint appointment within 21 days from receipt of request by Registrar, otherwise by President of SIAC	Article 7 Joint appointment within 30 days from HKIAC's decision, otherwise HKIAC	Article 8.1 Joint appointment within 30 days, otherwise by appointing authority using list procedure
Default appointment of three member tribunal	Article 5.6, 5.8 By LCIA after receipt of response or, if no response, 35 days from the start of arbitration	Articles 12.2, 12.4, 12.5 Each party nominates an arbitrator, chair appointed by ICC	Article 13(3) Parties appoint equal number of arbitrators, chair appointed by SCC Board	Article 27 Within 15 days from receipt of request, parties each appoint (or entrust Chairman of CIETAC to appoint) an arbitrator, and jointly nominate (or entrust the Chairman of CIETAC to appoint) chair	Rule 11 Each party nominates an arbitrator, if within 14 days of first nomination a party fails to nominate its arbitrator, President of SIAC will appoint on its behalf, chair appointed by President of SIAC	Article 8 Claimant nominates its arbitrator within 15 days of HKIAC's decision, and respondent nominates within 15 days after that, the two arbitrators nominate the chair within 30 days of confirmation of second arbitrator, otherwise by HKIAC	Article 9 Each party appoints an arbitrator, if within 30 days of first nomination a party fails to nominate its arbitrator the appointing authority will appoint on its behalf, the two arbitrators appoint the chair within 30 days from appointment of second arbitrator
Default restrictions on arbitrators where parties with different nationalities	Article 6.1 Sole arbitrator/chair not of nationality of any party	Article 13.5 Sole arbitrator/chair not of nationality of any party	Article 13(5) Sole arbitrator/chair not of nationality of any party	None	None	Article 11.2 Sole arbitrator/chair not of nationality of any party	None
Time limit for challenging arbitrator	Article 10.3 14 days from appointment or, if later, 14 days from becoming aware of relevant circumstances	Article 14.2 30 days from appointment/confirmation or 30 days from becoming aware of relevant circumstances	Article 15(2) 15 days from becoming aware of relevant circumstances	Articles 32.1/32.3 10 days where based on information disclosed by arbitrator on appointment 15 days once the tribunal is formed and 15 days from becoming aware of relevant circumstances	Rule 15.1 14 days from appointment or 14 days from becoming aware of relevant circumstances	Article 11.7 15 days from appointment or 15 days from becoming aware of relevant circumstances	Article 13 15 days from appointment or 15 days from becoming aware of relevant circumstances
Joinder	Article 22.1(viii) Only on application by a party and consent of applicant and new party required	Article 7.1 On request by a party and only permitted prior to confirmation/appointment of any arbitrator, unless otherwise agreed	No provision	Article 18 Only on application by a party either before or after formation of tribunal; in case of objection, CIETAC decides	Rule 7 On application by a party or non-party either before or after formation of tribunal if third party is <i>prima facie</i> party to arbitration agreement or all parties consent	Article 27 On request by party or third party and only if third party is <i>prima facie</i> party to the arbitration agreement	Article 17.5 On request by party and only if third party is party to arbitration agreement; joinder cannot prejudice any party
Consolidation	Article 22.1(ix;x) Subject to approval by LCIA where: <ul style="list-style-type: none"> all parties consent; or LCIA arbitrations commenced under same/compatible arbitration agreement between same parties; and no tribunal appointed or composed of same arbitrators 	Article 10 On request by party, ICC Court can consolidate pending ICC arbitrations under ICC Rules where: <ul style="list-style-type: none"> the parties agree; or all claims made under same arbitration agreement; or same parties, in connection with same legal relationship, and ICC finds arbitration agreements compatible 	Article 11 On request by party, the SCC Board can consolidate new claims where: <ul style="list-style-type: none"> these concern same legal relationship; in respect of which there is pending SCC arbitration; between same parties 	Article 19 On request by party, CIETAC can consolidate where: <ul style="list-style-type: none"> all claims are under same arbitration agreement; identical or compatible claims under multiple arbitration agreements where either, claims involve same parties or there is a principle contract; or all the parties agree 	Rule 8 On request by party, SIAC Court or tribunal can consolidate where: <ul style="list-style-type: none"> parties agree; claims under same arbitration agreement; or compatible arbitration agreements and disputes arise out of same legal relationship, principal and ancillary contract or same transaction or series of transactions. 	Article 28.1 On request by party, tribunal can consolidate where: <ul style="list-style-type: none"> parties agree; claims under same arbitration agreement; or common question of law/fact in all arbitrations, relief from same transaction, and HKIAC finds arbitration agreements compatible 	No provision

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Tribunal's discretion to order Interim Measures	Article 25.1 On request by any party the tribunal has power to order: <ul style="list-style-type: none"> respondent to provide security for all or part of the amount in dispute preservation, storage, sale or disposal of property or thing under control of any party and relating to arbitration provisional relief subject to final award 	Article 28.1 On request by any party the tribunal has power to order any interim or conservatory measure tribunal deems appropriate	Article 32(1) On request by any party the tribunal has power to order any interim measure tribunal deems appropriate	Article 23.3 On request by any party the tribunal has power to order any interim measure tribunal deems necessary or proper	Rule 27 The tribunal has power to order or award any injunction or any other interim relief tribunal deems appropriate; tribunal may ask for security from requesting party	Article 23.2 On request by any party the tribunal has power to order any interim measures tribunal deems necessary or appropriate	Article 26.1 On request by any party the tribunal has power to order any Interim measures
Confidentiality	Article 30 Awards and any materials in proceedings are confidential; disclosure permitted in limited circumstances	Article 22.3 Any party can apply for confidentiality of proceedings, or to protect trade secrets or confidential information	Article 46 SCC and tribunal maintain confidentiality of arbitration and award, unless otherwise agreed by parties	Article 38 Private hearings, all parties have obligation not to disclose any matters relating to the case. Parties can request open hearing.	Rule 39 All matters relating to proceedings and award, disclosure permitted in limited circumstances	Article 42 Awards and any information about the arbitration, disclosure permitted in limited circumstances	Article 34.5 Award may be made public if all parties consent or other limited circumstances
Time limit for issuing award	No time limit	Article 30 Within 6 months from date of last signature of Terms of Reference	Article 37 Within 6 months from date of referral to tribunal	Article 48 Within 6 months from formation of tribunal	Rule 32.3 Tribunal to give draft award to Registrar within 45 days from close of proceedings; award to be delivered as soon as practicable afterwards following Registrar comments	No time limit	No time limit
Expedited / summary procedure	Article 9A Expedited tribunal available in exceptional urgency	Not available	Not available (See Rules for Expedited Arbitrations 2010)	Article 56 Summary procedure mandatory if amount in dispute below RMB 5,000,000 or available in limited circumstances above that amount	Rule 5 Expedited procedure available in limited circumstances if applied for prior to constitution of tribunal	Article 41 Available prior to formation of tribunal in limited circumstances	Not available
Availability of emergency arbitrator	Article 9B Emergency, unless arbitration agreed before 1 Oct 2014 and parties not 'opt-in'; or parties agreed to 'opt-out'	Article 29 and Appendix V Emergency application has to be submitted prior to arbitration file being transmitted to tribunal	Appendix II, Article 1(1) Prior to arbitration file being transmitted to tribunal	Article 23.2 and Appendix III Prior to the formation of the tribunal	Schedule 1, Paragraph 1 Prior to the constitution of the tribunal	Article 23 and Schedule 4 Prior to the constitution of the tribunal	Not available
Cost allocation	Article 28.4 Tribunal has discretion, with general principle that costs reflect parties' relative success and failures in the award	Article 37.4, 37.5 Tribunal has discretion and will consider relevant factors including conduct of parties	Articles 43(5), 44 Unless agreed by the parties, the tribunal has discretion having regard to outcome and other relevant circumstances	Article 82 In principle, costs will be borne by the unsuccessful party but tribunal has discretion	Rule 35.1 Tribunal has discretion, unless otherwise agreed by parties	Article 33.2 Tribunal has discretion	Article 42 In principle, costs will be borne by the unsuccessful party but tribunal has discretion
Mediation	LCIA Mediation Rules available. Recommended mediation clauses available	ICC Mediation Rules available. Recommended mediation clauses available	SCC Mediation Rules available. Recommended mediation clauses available	No CIETAC mediation rules. No recommended mediation clause.	SIAC-SIMC Arb-Med-Arb Protocol available. Recommended Arb-Med-Arb clause available.	HKIAC Mediation Rules available. Recommended mediation clause available.	UNCITRAL Conciliation Rules available. Recommended conciliation clause available.

Important Note: This is a simplified guide intended to provide an overview of the similarities and differences among some of the major institutional and ad hoc international arbitration rules. It is not intended as a substitute for detailed legal advice as to the procedures and laws which govern a particular dispute. Advice should be sought when agreeing to arbitration and at any early stage of any dispute. Correct as at 12 October 2016.

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