

Chart of Arbitral Institutions

	ICC RULES 2012	KLRCA Rules (Malaysia)	VIAC (Vietnam)	BANI (Indonesia)	SIAC RULES 2013 (Singapore)	UNCITRAL Ad Hoc RULES 2013	PDRCI Rules 2015
Deemed start date of arbitration	Art 4.2, 3.3 Day request is received by Secretariat.	Rule 2(2) Day written request is received by the Director of KLRCA with all accompanying documentation and registration fee.	Articles 5, 6.2 Day on which the Centre receives the Request for Arbitration.	Art. 6.1 Day petition is received by Secretariat.	Rules 3.3, 2.2 Day request is delivered to Registrar.	Art 3.2, 2.5 Day notice of arbitration is received by respondent.	Art 4 Date when PDRCI receives the Notice of Arbitration and the payment of Filing Fee, whichever is later.
Default deadline for response	Art 5.1 Within 30 days from receiving the request from the Secretariat.	Art 4 Within 30 days of the receipt of the notice of arbitration by the respondent.	Article 8.1 30 days from the date of receipt by the respondent.	Art. 8.2, 8.3 Within 30 days after receipt of petition from Secretariat by respondent.	Rule 4.1 Within 14 days from receipt of notice by respondent.	Art 4.1 Within 30 days from receipt of notice by respondent.	Art 5 Within thirty (30) days from receipt of PDRCI's notice to submit the response to the Notice of Arbitration.
Default number of arbitrators	Art 12.2 Sole arbitrator.	Rule 4(4) 3 arbitrators for international arbitration; Sole arbitrator for domestic arbitration.	Article 10.2 3 arbitrators.	Art. 10.4 Agreed by parties, otherwise decided by Chairman of BANI.	Rule 6.1 Sole arbitrator.	Art 7 3 arbitrators.	Art 11 PDRCI to determine if no previous agreement.
Default appointment of a sole arbitrator	Art 12.2, 12.3 By ICC, unless sole arbitrator agreed by parties.	Rule 4(5) Joint appointment within 30 days from receipt of Notice of Arbitration, otherwise by Director of the KLRCA upon request of either party.	Articles 10.2, 12 Agreed upon by the parties, otherwise by appointment from the Centre's President.	Art. 6.2 Each party nominates arbitrator, otherwise appointed by Chairman of BANI.	Rule 7 Joint appointment within 21 days from receipt of request by Registrar, otherwise by President of SIAC.	Art 8.1 Joint appointment within 30 days otherwise by appointing authority.	Art 13 Either party to propose, failing agreement, appointment shall be made by PDRCI.
Default appointment of three member tribunal	Art 12.2, 12.4, 12.5 Each party nominates an arbitrator, 3rd arbitrator (president of tribunal) appointed by ICC.	Art 4(6) Each party appoints 1 arbitrator, the 2 arbitrators choose the 3rd arbitrator. If either party fails to appoint, the Director of the KLRCA shall appoint.	Article 11 Each party appoints 1 arbitrator, and the 2 arbitrators choose the 3rd. If the 2 arbitrators fail to select the 3rd arbitrator within 15 days, the Centre's President shall appoint.	Art 10.2 Each party nominates one arbitrator within 14 days after notice or request, otherwise appointed by Chairman of BANI, third arbitrator will be appointed by Chairman of BANI.	Rule 8 Each party appoints 1 arbitrator, if party fails to nominate within 14 days, President of Court of SIAC ("President") shall appoint. 3rd arbitrator to be agreed by parties or appointed by President.	Art 9 Each party appoints 1 arbitrator, the 2 arbitrators appoint the 3rd. If either party fails to appoint, appointing authority will appoint.	Art 14. Each party to propose 1 arbitrator, both of whom to appoint the chair. If either party or the 2 arbitrators fail to nominate, PDRCI shall appoint.
Default restrictions on arbitrators where parties with different nationalities	Art 13.5 Sole arbitrator/chair not of nationality of either party.	Not available.	Not available.	Not available.	Not available.	Not available.	Art. 13 PDRCI to ensure the appointment of a qualified and independent arbitrator. Where appropriate, to appoint an arbitrator of a nationality different from the parties.
Time limit for challenging arbitrator	Art 14.2 Within 30 days from receipt of arbitrator's appointment, or within 30 days from becoming aware of the relevant circumstances.	Rule 5 Within 15 days from receipt of arbitrator's appointment or becoming aware of relevant circumstances	Articles 14.3, 15 Within 15 days of receipt of the notice of selection or appointment of the arbitrator.	Art. 11.1 Within 14 days after disclosure of arbitrator's identity or becoming aware of relevant circumstances.	Rule 12.1 Within 14 days from appointment or becoming aware of relevant circumstances.	Art 13 Within 15 days from appointment or becoming aware of relevant circumstances.	Art 19 15 days after notice of appointment or 15 days after becoming aware of circumstances warranting challenge.
Joinder	Art 7.1 On request by a party and only permitted prior to confirmation/ appointment of any arbitrator.	Art 17(5) At the request of any party provided that the 3rd party is a party to the arbitration agreement.	Not available.	Not available.	Rule 24(b) Upon application by a party and only if 3rd party is party to arbitration agreement and provides written consent to joinder.	Art 17.5 On request of any party, provided the 3rd party is a party to the arbitration agreement.	Art. 7 On request by a party and subject to the tribunal's determination that a valid arbitration agreement exists.

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Consolidation	Art 10 On request by a party, tribunal can consolidate pending ICC arbitrations: <ul style="list-style-type: none"> where parties agree; or claims made under same arbitration agreement; or same parties in connection with same legal relationship, and ICC finds arbitration agreements compatible. 	Rule 8 Parties may agree to consolidate with other arbitration proceedings or concurrent hearings be held.	Not available.	Not available.	Not available.	Not available.	Art 10 On request by a party, after consulting tribunal and parties, PDRCI may consolidate arbitrations if: <ul style="list-style-type: none"> parties agree; claims made under the same arbitration agreement; or there is a common question of law/fact, the rights to relief claimed are in relation to the same transaction/s, and arbitration agreements are compatible.
Tribunal's discretion to order Interim Measures	Art 28.1 Any interim or conservatory measure tribunal deems appropriate.	Rule 7 & Art 26 At the request of a party, the Tribunal may grant interim measures including emergency interim reliefs prior to the constitution of the tribunal.	Article 19 At the request of a party, the Arbitral Tribunal may order certain interim measures.	Art. 26. Provisional, interlocutory, or partial award.	Rule 26(1) Order or award granting injunction or any other interim relief tribunal deems appropriate.	Art 26 At the request of parties, tribunal may grant interim measures including measures to maintain or restore the status quo pending determination of the dispute and measures to preserve assets or evidence.	Art 33 At the request of a party and, for most instances, after satisfying the tribunal that: (a) harm not adequately reparable by damages will likely result and it outweighs harm against whom measure is directed; and (b) it is reasonably possible that the requesting party will succeed on the merits of the claim.
Confidentiality	Art 22.3 Parties can apply for confidentiality of proceedings.	Rule 15 Tribunal, parties, experts, witnesses and KLRCA to keep all matters relating to the arbitral proceedings including award (except where disclosure is needed for implementation or enforcement).	Not available.	Art. 13.2 All matters relating to proceedings and award, unless set otherwise by certain regulations or agreed by parties.	Rule 35 All matters relating to proceedings and award, disclosure permitted in limited circumstances.	Art 28 Hearing in camera unless parties agree otherwise.	Art 25 Information relating to the subject of arbitration and expressly intended, or reasonably expected, by the source not to be disclosed.
Time limit for issuing award	Art 30 Within 6 months from date of last signature of Terms of Reference.	Rule 11 Within 3 months from the date of the closing of final oral or written submissions.	Article 30.3 Within 30 days from the date on which the final hearing ends.	Art. 25 Within 30 days of close of proceedings, unless tribunal needs extensions.	Rule 28.2 Draft award to Registrar within 45 days from close of proceedings.	Not available.	Not available.
Expedited / summary procedure	Not available.	Available under the KLRCA Fast Track Arbitration Rules (different set of rules apply).	Not available.	Not available.	Rule 5 Expedited procedure available in limited circumstances.	Not available.	Art 52 Applies where (a) disputed amount not more than PhP 25m; (b) parties agree; or (c) in cases of exceptional urgency.
Availability of emergency arbitrator	Art 29, Appendix V Prior to arbitration file being transmitted to tribunal.	Schedule 2, Part III Appointment by Director of KLRCA within 2 business days of receipt of application.	Not available.	Not available.	Schedule 1, Para 1 Prior to constitution of tribunal.	Not available.	Art. 53 Concurrent with or following filing of notice of arbitration, but prior to constituting tribunal.
Cost allocation	Art 37.4 Tribunal has discretion.	Art 42 Costs usually borne by unsuccessful party although Tribunal has discretion to apportion.	Article 34.1 Tribunal has discretion, unless otherwise agreed by parties.	Art. 37 Tribunal has discretion.	Rule 31.1 Tribunal has discretion, unless otherwise agreed by parties.	Art 42 Costs will be borne by the unsuccessful party.	Art 50 In principle borne by the unsuccessful party but the tribunal may apportion between the parties as may be appropriate.

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 26 January 2015.

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