



New Hong Kong International Arbitration Centre Rules Take Effect

The updated rules should make the arbitration process in Hong Kong more time-efficient and cost-effective.

The Hong Kong International Arbitration Centre ("HKIAC") has launched a new version of its administered arbitration rules ("2018 Rules"). The 2018 Rules came into effect on November 1, 2018, and apply to domestic and international arbitrations commenced under contract or treaty from that date. The new provisions build on HKIAC's last update to its rules in 2013 and are expected to increase the efficiency and help manage the costs of HKIAC-administered arbitration.

The 2018 Rules reflect a growing recognition of how technology can be used to achieve cost savings and efficiency gains. The Rules specifically mandate that tribunals consider technology in determining suitable procedures for the conduct of arbitrations to avoid unnecessary delay or expense. In the same vein, parties can also agree to use secured online repositories for written communications.

The 2018 Rules refine existing procedures relating to multiple contracts and multiple arbitrations. HKIAC has broadened the scope for consolidating arbitrations under multiple contracts by allowing parties to commence a single arbitration even if the parties to the different arbitration agreements are not all parties to the agreement giving rise to the arbitration. The 2018 Rules also provide specific guidance on how multiple arbitrations can be conducted concurrently. These refinements are targeted to appeal to parties involved in large infrastructure projects, such as those being undertaken as part of China's "Belt & Road" initiative.

Innovations in relation to awards may also produce cost and time savings. The new early determination procedure allows tribunals to make awards in summary form in certain situations—including where submissions are manifestly without merit. The Rules also now require tribunals to provide the parties and HKIAC with an estimated date by which an award will be delivered after proceedings are closed. The Rules further provide that tribunals are to render awards, subject to extensions by agreement of the parties or HKIAC, within three months from the date on which they declare the proceedings closed.

Read the [full text of the 2018 Rules](#).



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