**Request for Arbitration**

To begin an ICC Arbitration, you need to submit a “Request for Arbitration” with the Secretariat of the ICC International Court of Arbitration® at any of the offices specified below.

After acknowledging receipt of a “Request,” the Secretariat will notify the respondent party or parties. It will also inform the Claimant(s) that it has done so and indicate the date of receipt of the “Request.”

In order to maintain flexibility, ICC does not require “Requests” to be in any particular form. The ICC Rules of Arbitration do, however, contain certain requirements for “Requests” as set out in Article 4. It is important to note that the “Request” must be accompanied by a non-refundable advance payment of US$5,000. This will cover the necessary administrative costs and the required number of copies of the “Request.”

Although “Requests” must be filed in Paris, Hong Kong, New York, Sao Paulo, Singapore and Abu Dhabi, ICC Arbitration can be held in any country or language.

ICC is bound to operate in conformity with applicable sanctions regulations, such as those imposed by the United Nation, European Union and Office of Foreign Assets Control. If parties have reasonable doubt that a sanctions regime is applicable to their request, they must inform ICC in advance prior to submitting any such request and prior to paying the respective filing fee. In such case, please contact compliance@iccwbo.org.

The International Court of Arbitration® and the International Centre for ADR compliance policies and procedures are put forward here.

List of offices where to submit a Request for Arbitration

A “Request,” may be submitted by post, courier or hand delivery. It may alternatively be submitted by email or facsimile, provided that the requisite number of hard copies follows by post, courier or hand delivery. “Requests” are accepted at any of the below offices. Please note that it is not possible to file a “Request” with an ICC national committee.

Headquarters in Paris The Secretariat of the International Court of Arbitration® International Chamber of Commerce 33-43 avenue du President Wilson 75116 Paris, France Email: arb@iccwbo.org

Hong Kong Office International Chamber of Commerce International Court of Arbitration®

Suite 2, 12/F, Fairmont House 8 Cotton Tree Drive Central, Hong Kong Email: ica8@iccwbo.org

Singapore Office – Secretariat of the International Court of Arbitration Singapore (SICAS) SICAS

International Chamber of Commerce International Court of Arbitration®

28 Maxwell Road #02-01, Maxwell Chambers Suites Singapore 069120

**Number of Copies**

The “Request” and attached documents must be supplied in as many copies as there are other respondents. This is in addition to one for each of the three protential arbitrators and one for the Secretariat (Article 3 (1) of the Rules of Arbitration). For example, if there is one respondent and the arbitration agreement provides for three arbitrators, five copies should be sent.

A hard copy of the “Request” should be sent to any one of the above offices. An electronic version should also be sent to the Secretariat of the Court by email, if possible.

Content

There is no required or model form that a “Request” must take. A Claimant party is free to determine the form of its “Request,” provided that Article 4 of the Rules is respected. In practice, “Requests” come in numerous styles and formats.

However, Article 4 (3) of the Rules provides that:

1.the name in full, description, address and other contact details of each of the parties;

2.the name in full, address and other contact details of any person(s) representing the Claimant in the arbitration;

3.a description of the nature and circumstances of the dispute giving rise to the claims and of the basis upon which the claims are made;

4.a statement of the relief sought, together with the amounts of any quantified claims and, to the extent possible, an estimate of the monetary value of any other claims;

5.any relevant agreements and, in particular, the arbitration agreement(s);

6.where claims are made under more than one arbitration agreement, an indication of the arbitration agreement under which each claim is made;

7.all relevant particulars and any observations or proposals concerning the number of arbitrators and their choice in accordance with the provisions of Articles 12 and 13, and any nomination of an arbitrator required thereby; and

8.all relevant particulars and any observations or proposals as to the place of the arbitration, the applicable rules of law and the language of the arbitration. The Claimant may submit such other documents or information with the “Request” as it considers appropriate or as may contribute to the efficient resolution of the dispute.

Under sub-paragraph “g,” three possibilities should be anticipated:

1.Where the arbitration agreement provides for a sole arbitrator: The parties may, by agreement, jointly nominate an arbitrator for confirmation by the Court or Secretary General. In any case, the Claimant should submit in the “Request” any particulars concerning the choice of the arbitrator.

2.Where the agreement provides for three arbitrators: The Claimant should nominate an arbitrator in the “Request” for confirmation by the Court or Secretary General (unless the agreement provides for a different procedure).

3.Where the agreement provides for one or more arbitrators, or is silent or unclear as to the number of arbitrators: The Claimant should indicate a preference for either one or three arbitrators. If it opts for three, then the Claimant is encouraged at to nominate an arbitrator for confirmation together with its “Request”. The financial consequences of three arbitrators should be borne in mind. Unless agreed upon by the parties, the Court will appoint a sole arbitrator save where it appears to the Court that the dispute is such as to warrant the appointment of three arbitrators (Article 12 (2)). Where there are multiple Claimants or multiple respondents, and where the dispute is to be referred to three arbitrators, the multiple Claimants, jointly, and the multiple respondents, jointly, shall nominate an arbitrator (Article 12 (6)).

Under sub-paragraph “h,” parties should be aware that:

1.The place of arbitration is fixed by the Court unless agreed upon by the parties (Article 18(1));

2.The applicable rules of law are those which the Arbitral Tribunal determines to be appropriate, unless otherwise agreed by the parties (Article 21(1));

3.The language of arbitration is determined by the Arbitral Tribunal in the absence of an agreement by the parties (Article 20);

4.The parties’ positions and views regarding any of those issues should be included in the “Request” and the “Answer to the Request” respectively. The parties’ comments will be considered by the Court or the Arbitral Tribunal when such issues are decided.

Filing Fee

Each “Request” must be accompanied by the non-refundable filing fee on the administrative expenses of US$5,000 (see Appendix III, Article 1 (1)).

The payment must originate from the party to the case. ICC is bound to operate in conformity with applicable sanctions regulations, such as those imposed by the United Nations, European Union and Office of Foreign Assets Control. If parties have reasonable doubt that a sanctions regime is applicable to their request, they must inform ICC in advance prior to submitting any such request and prior to paying the respective filing fee.

For information

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