Timelines under ICC Rules

This note deals with various timelines provided under the International Chambers of Commerce Rules, 2012 (for short "ICC Rules") for commencing the arbitration. They have been depicted in the follows flow chart:

Request for Arbitration ¹
Ļ
Answer to Request & Counterclaims ²
30 days from receipt of Request by the Secretariat
(An extension of time may be granted by the Secretariat)
\downarrow
Reply to Counterclaim ³
30 days from receipt of counterclaim
(An extension of time may be granted by the Secretariat)
Ļ
Joinder of Additional Party ⁴
Before confirmation or appointment of any arbitrator unless parties otherwise agree
(A time limit may be fixed by the Secretariat)
↓
Constitution of the Arbitral Tribunal ⁵
) If Court decides to appoint a sole arbitrator
Claimant: 15 days from the receipt of the notification of the decision of the Court
Respondent: 15 days from the receipt of the notification of the nomination by the Claimant
i) If parties agree to appoint a sole arbitrator

- ³ Article 5, Pg 12 of the ICC Rules
- ⁴ Article 7, Pg 17 of the ICC Rules ⁵ Article 12, Pg 21 of the ICC Rules



¹ Article 4, Pg 11 of the ICC Rules

² Article 5, Pg 12 of the ICC Rules

Within 30 days from the date of Claimant's Request for Arbitration or within such additional time as allowed by the Secretariat

iii) Three Arbitrators

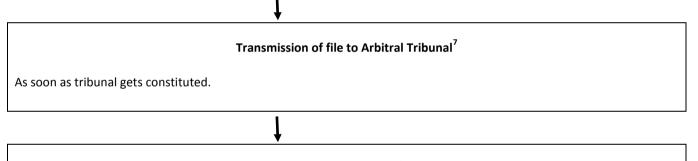
Within a period of 30 days from the confirmation or appointment of the co-arbitrators or any other time limit agreed by the parties or fixed by the Court.

Challenge of Arbitrators⁶

Within 30 days from receipt of notification of the appointment or confirmation of the arbitrator,

Or

If such date is subsequent to the receipt of such notification then within 30 days from the date when the party making the challenge was informed of the facts and circumstances on which the challenge is based.



Terms of Reference⁸

As soon as file received by Tribunal and should be signed and further transmitted to Court within 2 months from the date of transmission of the file to the Tribunal.

Case Management Conference⁹

When drawing up Terms of Reference or as soon as thereafter.

Note: The conference may be conducted through a meeting in person, by video conference, telephone or similar means of communication.

- ⁶ Article 14, Pg 24 of the ICC Rules
- ⁷ Article 16, Pg 26 of the ICC Rules
- ⁸ Article 23, Pg 28 of the ICC Rules
- ⁹ Article 24, Pg 29 of the ICC Rules



Establishing facts of the case¹⁰ As soon as possible.

As soon as possible after the last hearing concerning matters to be decided in an award or the filing of the last authorized submissions concerning such matters, whichever is later.

Conservatory and Interim Measures¹²

As soon as the file has been transmitted to the tribunal unless agreed otherwise.

Final Award¹³

Within six (6) months from the date of the last signature by the arbitral tribunal or by the parties of the Terms of Reference or, in the case of application of Article 23(3), the date of the notification to the arbitral tribunal by the Secretariat of the approval of the Terms of Reference by the Court.

(May be extended by the Court)

Correction & Interpretation of Award¹⁴

Within 30 days of the receipt of the award.

Comments thereto to be submitted within 30 days from receipt of the application.

Tribunal to submit its decision on the application to the Court within 30 days or such other period as the Court may decide.

Advance to cover the costs of Arbitration¹⁵

- ¹⁰ Article 25, Pg 30 of the ICC Rules
- ¹¹ Article27, Pg 32 of the ICC Rules
- ¹² Article28, Pg 32 of the ICC Rules
- ¹³ Article30, Pg 35 of the ICC Rules
- ¹⁴ Article35, Pg 37 of the ICC Rules



As soon as practicable.

If request isn't complied with the Secretary General may fix a time limit of minimum 15 days after consultation with the arbitral tribunal.

Note: <u>Modified Time Limits</u> - Parties may agree to shorten the various limits set out in these Rules. Court may on its own initiative extend any time limit which has been modified above.¹⁶

