

# Updates to the LCIA Arbitration Rules and the LCIA Mediation Rules (2020)

[lcia.org/lcia-rules-update-2020.aspx](https://lcia.org/lcia-rules-update-2020.aspx)



The LCIA is pleased to release an update to the LCIA Arbitration Rules and LCIA Mediation Rules to take effect on 1 October 2020. This update was initiated by immediate past President Judith Gill QC, and finalised by President Paula Hodges QC, supported by input from a large number of users, and with the invaluable support of a working group including both LCIA staff and external users.

The updates adopted by the LCIA Court and the LCIA Board of Directors aim to make the arbitral and mediation processes even more streamlined and clear for arbitrators, mediators and parties alike.

The Rules updates were being finalised as the Covid-19 pandemic took hold. While the pandemic did not necessitate any change of direction or focus, it allowed the LCIA to address explicitly some changes in recent good practice, notably the increased use of virtual hearings and the primacy of electronic communication across the board. Similarly, although the Mediation Rules were going to be updated imminently, the timing of the update caters to the increased interest of users in mediation in the present environment.

Notable amendments in the Rules include:

- Additional tools allowing arbitrators to expedite proceedings, including by introducing an explicit reference to the possibility of early dismissal determination;
- refinement and expansion of the provisions accommodating the use of virtual hearings, also supporting arbitrations taking place in the new normal;
- confirming the primacy of electronic communication with the LCIA and in the arbitration, as well as confirming the facilitation of electronically signed awards;
- inclusion of explicit provisions addressing the role of tribunal secretaries;
- broadening of LCIA Court and Tribunal power to order consolidation and concurrent conduct of arbitrations;
- explicit consideration of data protection and regulatory issues.

In addition, this Rules update provides an opportunity for re-evaluating the maximum hourly rate for arbitrators and mediators as well as the hourly rates for the LCIA Secretariat. The £450 maximum hourly rate will be increased to £500, better to reflect the demands of users in certain cases involving complex and significant disputes.

***Judith Gill QC, Immediate Past President of the LCIA***

*“It is a pleasure to see the update to the Rules implemented and thanks are due to the many practitioners, arbitrators, academics and other interested parties who have given so generously of their time and wisdom in helping refine the Rules. Although the Rules have operated successfully over many years, the changes reflect both practical insights gained from extensive experience of their application and a forward-looking anticipation of the needs of users in years to come. Given the extraordinary times in which we are living, it is hoped that the update will provide reassurance regarding the fundamental principles upon which LCIA arbitration is based, but with an unmistakably modern and progressive approach.”*



***Paula Hodges QC, President of the LCIA***

*“The update to the LCIA Rules has enabled us to clarify a number of procedural issues, to emphasise the broad discretion for Tribunals to conduct arbitrations expeditiously and to reflect the ever evolving nature of arbitration including the use of electronic means of communication and virtual hearings. We have endeavoured to do this with a light touch and hope that parties will view the updated rules as a modern, user-friendly means to resolve their international disputes.”*



***Jacomijn van Haersolte-van Hof, LCIA Director General***

*“Updating rules requires careful balancing — a stable rules framework is important for users, while equally periodic review ensures that rules continue to reflect best practice. In this case, the timing of the Rules update allowed us to incorporate a number of topical and important issues, such as an explicit reference to data protection and enhancing the references to electronic communication and virtual hearings. These changes strengthen the effectiveness of the LCIA Rules, and help to support sustainable procedures.*



*The increase in the maximum hourly rate accommodates demands of users in complex cases, while the supervision of the LCIA Court ensures that in each individual case, the rate will be set commensurate with the particular circumstances of the case and not*

*lead to an automatic increase in all cases.”*

A series of events will be organised to launch the LCIA Arbitration Rules Update (2020) to the international legal community, which will be announced on the [LCIA website](#), as well as via [LinkedIn](#) and [Twitter](#).

Updates to the guidance notes, translations of the Rules, and other related resources will be available from the LCIA website in due course.

**The updated Rules and Schedules are available to view via the following links:**

[The LCIA Arbitration Rules Update \(2020\)](#)

[The LCIA Arbitration Rules - Schedule of Costs \(2020\)](#)

[The LCIA Mediation Rules Update \(2020\)](#)

[The LCIA Mediation Rules – Schedule of Mediation Costs \(2020\)](#)

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