

MODEL CLAUSE - ENGLISH

Arbitration Rules

Any dispute, controversy or claim arising out of or in connection with this contract, or the breach, termination or invalidity thereof, shall be finally settled by arbitration in accordance with the Arbitration Rules of the Arbitration Institute of the Stockholm Chamber of Commerce.

Recommended additions:

The arbitral tribunal shall be composed of three arbitrators/a sole arbitrator.

The seat of arbitration shall be [...].

The language to be used in the arbitral proceedings shall be [...].

This contract shall be governed by the substantive law of [...].

Rules for Expedited Arbitrations

Any dispute, controversy or claim arising out of or in connection with this contract, or the breach, termination or invalidity thereof, shall be finally settled by arbitration in accordance with the Rules for Expedited Arbitrations of the Arbitration Institute of the Stockholm Chamber of Commerce.

Recommended additions:

The seat of arbitration shall be [...].

The language to be used in the arbitral proceedings shall be [...].

This contract shall be governed by the substantive law of [...].

Combined clause – Rules for Expedited Arbitrations as first choice

Any dispute, controversy or claim arising out of or in connection with this contract, or the breach, termination or invalidity thereof, shall be finally settled by arbitration administered by the Arbitration Institute of the Stockholm Chamber of Commerce (the “SCC”).

The Rules for Expedited Arbitrations shall apply, unless the SCC in its discretion determines, taking into account the complexity of the case, the amount in dispute and other circumstances, that the Arbitration Rules shall apply. In the latter case, the SCC shall also decide whether the Arbitral Tribunal shall be composed of one or three arbitrators.

Recommended additions:

The seat of arbitration shall be [...].

The language to be used in the arbitral proceedings shall be [...].

This contract shall be governed by the substantive law of [...].

Combined clause – Value based

Any dispute, controversy or claim arising out of or in connection with this contract, or the breach, termination or invalidity thereof, shall be finally settled by arbitration administered by the Arbitration Institute of the Stockholm Chamber of Commerce (the "SCC").

The Rules for Expedited Arbitrations shall apply where the amount in dispute does not exceed EUR 100,000. Where the amount in dispute exceeds EUR 100,000 the Arbitration Rules shall apply. The Arbitral Tribunal shall be composed of a sole arbitrator where the amount in dispute exceeds EUR 100,000 but not EUR 1,000,000. Where the amount in dispute exceeds EUR 1,000,000, the Arbitral Tribunal shall be composed of three arbitrators. The amount in dispute includes the claims made in the Request for Arbitration and any counterclaims made in the Answer to the Request for Arbitration.

Recommended additions:

The seat of arbitration shall be [...].

The language to be used in the arbitral proceedings shall be [...].

This contract shall be governed by the substantive law of [...].

Model Mediation Clause

Any dispute, controversy or claim arising out of or in connection with this contract, or the breach, termination or invalidity thereof, shall be referred to Mediation in accordance with the Mediation Rules of the Arbitration Institute of the Stockholm Chamber of Commerce, unless one of the parties objects.

Model Mediation Clause – Combined Clause

Any dispute, controversy or claim arising out of or in connection with this contract, or the breach, termination or invalidity thereof, shall first be referred to Mediation in accordance with the Mediation Rules of the Arbitration Institute of the Stockholm Chamber of Commerce, unless one of the parties objects.

If one of the parties objects to Mediation or if the Mediation is terminated, the dispute shall be finally resolved...

IMPORTANT:

When using the model clause, one of the options below should be inserted.

Option 1

... by arbitration in accordance with the Arbitration Rules of the Arbitration Institute of the Stockholm Chamber of Commerce.

Option 2

... by arbitration in accordance with the Rules for Expedited Arbitrations of the Arbitration Institute of the Stockholm Chamber of Commerce.

Option 3

.....by arbitration at the Arbitration Institute of the Stockholm Chamber of Commerce (the SCC).

The Rules for Expedited Arbitrations shall apply, unless the SCC, taking into account the complexity of the case, the amount in dispute and other circumstances, determines that the Arbitration Rules of the Arbitration Institute of the Stockholm Chamber of Commerce shall apply. In the latter case, the SCC shall also decide whether the tribunal shall be composed of one or three arbitrators.

Option 4

...in any court of competent jurisdiction.

Model Agreements for Submission of an Existing Dispute to SCC

Model Agreement for Submission of an Existing Dispute to Arbitration under the SCC Arbitration Rules

The undersigned parties hereby agree to submit their dispute arising out of [name/date of the Contract] and relating to [description of the dispute] to final determination by arbitration in accordance with the Arbitration Rules of the Arbitration Institute of the Stockholm Chamber of Commerce.

The arbitral tribunal shall consist of [a sole arbitrator][three arbitrators].

The seat of arbitration shall be in []

The language to be used in the arbitral proceedings shall be [specify language].

The dispute shall be decided in accordance with [] law.

Signatures

Party 1:

Date:

Name:

Position:

Party 2:

Date:

Name:

Position:

Model Agreement for Submission of an Existing Dispute to Arbitration under the SCC Rules for Expedited Arbitrations

The undersigned parties hereby agree to submit their dispute arising out of [name/date of the Contract] and relating to [description of the dispute] to final determination by arbitration in accordance with the Rules for Expedited Arbitrations of the Arbitration Institute of the Stockholm Chamber of Commerce.

The seat of arbitration shall be in []

The language to be used in the arbitral proceedings shall be [specify language].

The dispute shall be decided in accordance with [] law.

Signatures

Party 1:

Date:

Name:

Position:

Party 2:

Date:

Name:

Position: