

# 2005 Procedures - Administration under UNCITRAL Rules

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View in PDF format: [English](#)

[Introduction](#)

[Suggested Clauses](#)

## Table of Contents

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### I. GENERAL PROCEDURES

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- [1. Scope and Applicability](#)
- [2. Arbitration Rules](#)
- [3. Appointing Authority](#)
- [4. Administration of Proceedings](#)
- [5. Place of Hearing](#)

### II. FUNCTIONS AS APPOINTING AUTHORITY

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- [6. Appointment of the Arbitration Tribunal](#)
- [7. Replacement of Arbitrators](#)
- [8. Consultation for the Purpose of Fixing Fees of Arbitrators](#)

### III. FUNCTIONS AS ADMINISTRATOR

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- [9. Communications](#)
- [10. Timing, Logistics, and Procedural Advice](#)
- [11. Costs](#)
- [12. Deposits](#)
- [13. Hearing Rooms](#)
- [14. Stenographic Transcripts](#)
- [15. Translation and Interpretation](#)
- [16. Registration of Awards](#)

### IV. APPENDIX A: FEE SCHEDULE

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#### Introduction

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These Procedures have been adopted by the Council of the Hong Kong International Arbitration Centre (HKIAC) for use by parties who seek the formality and convenience of an administered arbitration while maintaining the flexibility afforded by the [UNCITRAL Arbitration Rules](#) (Rules) and supersede HKIAC's previous procedures. For the avoidance

of doubt these procedures do not supersede the HKIAC Securities Arbitration Rules. These Procedures may be adopted in an arbitration agreement or by agreement in writing at any time before or after a dispute has arisen.

Nothing in these Procedures shall prevent parties to a dispute under the UNCITRAL Rules from naming the HKIAC as appointing authority, nor from requesting certain administrative services from the HKIAC without subjecting the arbitration to the provisions contained in the Procedures.

Neither the designation of the HKIAC as appointing authority under the Rules nor a request by the parties or the tribunal for specific and discrete administrative assistance from the HKIAC shall be construed as a designation of the HKIAC as administrator of the arbitration as described in these Procedures. Conversely, unless otherwise stated, a request for administration by the HKIAC will be construed as a designation of the HKIAC as appointing authority and administrator pursuant to these Procedures.

## Suggested Clauses

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1. The following model clause may be adopted by the parties to a contract who wish to have any future disputes referred to arbitration under the UNCITRAL Arbitration Rules with the HKIAC as the administrator of the arbitration in accordance with the Procedures:

“Any dispute, controversy or claim arising out of or relating to this contract, or the breach, termination or invalidity thereof, shall be settled by arbitration in Hong Kong under the UNCITRAL Arbitration Rules in accordance with the Hong Kong International Arbitration Centre Procedures for the Administration of International Arbitration in force at the date of this contract.

*\* There shall be only one arbitrator.”*

2. Parties to an existing dispute in which neither an arbitration clause nor previous agreement with respect to arbitration exists, who wish to refer such dispute to arbitration under the UNCITRAL Arbitration Rules in accordance with the Procedures for the Administration of International Arbitration of the HKIAC may agree to do so in the following terms:

“We, the undersigned, agree to refer to arbitration in Hong Kong under the UNCITRAL Arbitration Rules in accordance with the Procedures for the Administration of International Arbitration of the Hong Kong International Arbitration Centre all disputes or differences arising out of or in connection with:

(Brief description of contract under which disputes or differences have arisen or may arise.)

*\* There shall be only one arbitrator.*

Signed: \_\_\_\_\_ (Claimant)

Signed: \_\_\_\_\_ (Respondent)

Date: \_\_\_\_\_ "

\* This sentence must be deleted if a panel of three arbitrators is required.