



INTERNATIONAL
CHAMBER
OF ARBITRATION

ARBITRATION RULES



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PREAMBLE

1. CHAMBER OF ARBITRATION

The International Chamber of Arbitration performs the following functions:

- a) administers its procedures according to the Rules;
- b) at the request of the parties, it appoints the arbitrators and appoints the adjudicators, technical experts and consultants in procedures that are not administered according to the Rules;
- c) At the request of a party it will arrange for all the parties to enter into an arbitration agreement, if one has not already been made;
- d) it appoints the arbitrators and offers the services provided for in the process applicable to arbitration proceedings conducted according to the arbitration rules of the UN Commission for International Trade Law (Uncitral).

The Chamber of Arbitration performs the functions provided for in the Rules, through the Arbitration Council and the Secretariat.

2. ARBITRATION COUNCIL

The Council has general responsibility for applying the arbitration rules and for deciding on all matters relevant to the administration of an arbitration procedure, by taking all the necessary actions.

The Arbitration Council is formed of three members who are appointed for a five-year period by the ICA's executive body: the chairman and vice-chairman are appointed from among those members.

The sessions of the Arbitration Council are valid if they are attended by the majority of the members, including the Chairman: the Arbitration Council can pass valid resolutions if at least two members are present. Decisions are passed with the majority. Without affecting the provisions of article 15, the council members will not make decisions on procedures in which Arbitrators have been appointed. In the event of a tie, the chairman of the meeting will have the casting vote.

A council member, chairman and vice chairman may be appointed for an indefinite series of successive mandates. They forfeit their office either through resignation, proven physical incapacity or for acts which are incompatible with the ICA's aims.

The Arbitration Council:

- a. appoints the arbitrators and the adjudicators, technical experts;
- b. sets the Rules of Arbitration;
- c. amends, supplements or replaces these Rules, stipulating the date by which the new rules will come into force;
- d. sets the professional code of conduct for the Arbitrators;
- e. makes final decisions on formal objections against Arbitrators;
- f. interprets the arbitration clauses, compromises or arbitration agreements on non-contractual matters, which are submitted to the Secretariat by traders or by other parties;
- g. Decides on the fees payable to the ICA and to the Arbitrators, even if the case is settled;
- h. decides on whether a request for arbitration is invalid, in those cases provided for in these Rules.

3. SECRETARIAT

Performs the functions attributed to it by the Arbitration Rules or delegated to it by the Arbitration Council, taking all the relevant measures.

In particular:

- a. the Secretariat acts on behalf of the Arbitration Council, taking the minutes of its meetings and signing its decisions;
- b. reports to the Arbitration Council on the progress of the arbitration procedures;
- c. informs the Arbitration Tribunal and all parties concerned, of the decisions and measures taken by the Arbitration Council;
- d. receives all the papers and documents from the parties and from the Tribunal;
- e. keeps the files of the arbitration procedures;
- f. issues the communications as requested by the Arbitration Council and by the Arbitration Tribunal;
- g. at the request of the parties, the Secretariat provides certified copies of the original submissions and documents, as well as certifications and attestations relating to the arbitration procedure;
- h. where necessary, the Secretariat determines the deadlines which are relevant for the application of the Rules;
- i. may suspend the procedure at the request of all the parties, for the period determined by the Secretariat, and in those cases provided for in these Rules.

The Secretariat performs its functions through the Secretary and other officers.

4. ARBITRATION TRIBUNAL

The Arbitration Tribunal is the body that announces the decision, or arbitration award, which ends the dispute. It may comprise a sole arbitrator, or a panel, with an odd number of arbitrators.

5. RULES OF ARBITRATION

this is the body of rules which are designed to administer arbitration procedures commenced in order to resolve disputes which have been referred to the Chamber of Arbitration, by agreement of the parties, through the arbitration agreement

6. ARBITRATION AGREEMENT

This is the contract, compromise or clause contained in a contract – the arbitration clause or convention on non-contractual matters, through which they agree on how to settle a past or current dispute according to arbitration rules.

7. ABSENCE OF ARBITRATION AGREEMENT AND APPLICATION TO SIGN A COMPROMISE

When a dispute arises, if one of the parties intends to request an arbitration procedure administered by the International Chamber of Arbitration in accordance with the rules of

arbitration rules, but the parties have not entered into an arbitration agreement, the requesting party may submit an application for the other party to join the arbitration and for the arbitration rules of the ICA to be applied.

When the request for arbitration is filed, the costs of starting the procedure as indicated in the Tariffs, must be paid. Once the Arbitration Council has examined the request, the dispute and the matters pertaining to it, it will then obtain the necessary consent of all parties to the arbitration agreement, which must be formalised by all the parties within an appropriate period.

The Secretariat of the Chamber of Arbitration will inform the requesting party of the result of the application.

8. INCOMPETENCE OF ARBITRATION TRIBUNAL

Objections as to the existence, validity or efficacy of an arbitration agreement, or those that relate to the competence of the Arbitration Tribunal must, on penalty of invalidity, be raised in the first submission or at the first hearing after the question to which the objection relates.

9. DISPUTES ABOUT WHETHER THE RULES OF ARBITRATION APPLY

If one of the parties who signed the arbitration agreement or is otherwise affected by it, makes an objection on the applicability of the Arbitration Rules before the Arbitration Tribunal is set up, the Arbitration Council must declare whether or not the arbitration procedure can go ahead.

If the Arbitration Council declares that the arbitration procedure can go ahead, this does not affect any decision made by the Arbitration Tribunal in this regard.

If the claim is made or re-submitted to the Arbitration Tribunal after it has been formed, it is the tribunal which is responsible for the decision in this regard.

TITLE I - GENERAL PROVISIONS

ART. 1 - APPLICATION OF RULES OF ARBITRATION

1. The rules of arbitration will be applied if the arbitration agreement or other convention between the parties requires their application. By making a referral to the International Chamber of Arbitration, this will be interpreted as a provision for the application of these Rules.
2. The rules also apply if a provision in this sense is made in the agreement between the Chamber of Arbitration and the entity to which the arbitration agreement, or subsequent accord between the parties, makes reference.
3. The rules of arbitration also apply if the request referred to in paragraph 7 of this Preamble is successful.

ART. 2 - RULES APPLICABLE TO THE PROCEDURE

1. The arbitration procedure is administered by the Arbitration Rules, or alternatively by the rules determined jointly by the parties, or, as a further alternative, by the rules set by the Arbitration Tribunal, which may or may not refer to the procedural rules of one of the national legal systems applicable to the arbitration procedure.
2. In any case, the mandatory rules that apply to an arbitration procedure will apply.
3. The principles of a fair hearing of both parties, equal treatment of the parties and the right to defence of all the participants, must be respected in any event.

ART. 3 - RULES APPLICABLE TO THE MERITS OF THE DISPUTE

1. The Arbitration Tribunal will decide in law, on the merits of the dispute, unless the parties have expressly requested the Tribunal to rule in equity.
2. The Tribunal will decide in accordance with the rules selected by the parties in the arbitration agreement or after that, up until the Arbitration Tribunal is formed.
3. If there is no common agreement as provided for in paragraph 2, the Arbitration Tribunal will opt for the rules that have the closest connection to the legal relationship in question.
4. In any case, the Arbitration Tribunal will take commercial practices into account.

ART. 4 - SEAT OF ARBITRATION

1. The seat of the arbitration procedure may be in Italy or overseas. It will be determined by the parties in the arbitration agreement.
2. Failing that, the seat of the arbitration procedure will be Rome.
3. Notwithstanding the provisions of paragraph 2, the Arbitration Council may determine that the arbitration will take place in another location, having considered the parties' requests and all the other circumstances.
4. The tribunal may require that the hearings or other parts of the procedure be conducted elsewhere than at the agreed venue or online, using instruments identified for that purpose by the tribunal.
5. The Arbitration Council may, if requested, intervene in order to resolve specific queries relating to the seat of the arbitration procedure.

ART. 5 - LANGUAGE OF THE PROCEDURE

1. 1. The language of the arbitration procedure will be decided by the parties in the arbitration agreement, or after that up until the Arbitration Tribunal is formed.
2. 2. If the parties cannot agree, the language will be determined by the Arbitration Tribunal.
3. 3. The Arbitration Tribunal may authorise the production of documents in a language other than the language of the procedure, and it may require the documents to be accompanied by a translation into the language of the arbitration procedure.

ART. 6 - FILING AND SUBMITTING PAPERS

1. 1. The parties must deposit the submissions with the Secretariat, with one set of originals for the chamber of arbitration, one set of originals for each of the other parties, and as many copies as there are Arbitrators.
2. 2. The documents must be photocopied, in the same number as the submissions. If there are disputes as to whether the copies correspond to the originals, the party to whom the complaint was made may have the Secretariat issue a certified copy of the document, by producing the original version. A party may always request the original document to be produced at any time.
3. 3. If the parties do not deposit the required number of submissions and documents, the Secretariat will produce the required number, at the expense of the party that did not do so.
4. 4. Unless agreed otherwise, the Secretariat will send all the submissions and communications intended for the parties, the Arbitrators, the technical experts and the other parties involved, using any appropriate means.
5. 5. The Secretariat may send submissions and documents if permitted by the Arbitration Tribunal, instead of them being collected by the interested party from the offices, or instead of them being exchanged directly between the parties online. This will be decided by the Arbitration Tribunal when it is formed.
6. 6. The submissions and documents may be sent in the form of certified copies, by the Secretariat.
7. 7. A submission will be considered to have been made on the date and in the place where it was delivered to the recipient in the forms provided for in paragraph 4.

ART. 7 - DEADLINES

1. 1. The deadlines stipulated in these Rules or set by the Arbitration Council, by the Secretariat or by the Arbitration Tribunal are not “under penalty of invalidity”, unless that was expressly provided for in the Rules or stipulated in the order that set the rules.
2. 2. The Arbitration Council, the Secretariat and the Arbitration Tribunal may extend the deadlines they have set, before they have expired. Deadlines which are “under penalty of invalidity” may only be extended with good cause, or with the consent of all the parties.
3. 1. The first day of any period is not included, when calculating a deadline. If the period expires on a Saturday or a non-working day it will be extended until the next working day.
4. 2. Terms for submissions are suspended during the holiday period, from 1 August until 31 August.

ART. 8 - CONFIDENTIALITY

1. The Arbitration Council, the Secretariat, the Arbitration Tribunal and the Technical Experts are all required to treat all information and data relevant to the procedure as confidential, except where they are required to use information to protect their own rights, or where there is a legal requirement.
2. The chamber of arbitration may publish the awards or allow their publication, in an anonymous form, unless one of the parties declares an objection within 30 days from the award being deposited.

ART. 9 - FORMAL AND INFORMAL CORPORATE ARBITRATION PROCEDURES

1. Unless the arbitration procedure is expressly classified by the parties as being informal, in the arbitration agreement, it will be a formal procedure.
2. If the arbitration clause included in the bylaws or memorandum of incorporation of an Italian-law company does not give the power to appoint all the arbitrators to a person outside of the company, the Arbitration Council will appoint the Arbitration Tribunal.

ART. 10 - CUSTODY OF ARBITRATION FILE AND RETURN OF PAPERS

1. The Secretariat will keep the arbitration file for up to 3 years after the award has been deposited. Either party may request the return of the papers, in writing, before the end of the period set in article 8 to its code of civil procedure, by which the award can be appealed.

ART. 11 - FINAL PROVISION

1. The Arbitration Council and the Arbitrators will decide on all matters not expressly provided for in these rules, by basing themselves on the general provisions contained in the Rules. They will always assure the correct, transparent and swift conduct of the procedure for all parties and will guarantee compliance with the adversarial process and the right of defence.

TITLE II - THE ARBITRATION TRIBUNAL

ART. 12- NUMBER OF ARBITRATORS

1. The Arbitration Tribunal consists of a Sole Arbitrator, or of a panel with an odd number of Arbitrators. The number of arbitrators is decided by the parties.
3. If there is no agreement between the parties on the number of arbitrators, the tribunal will be comprised of a single arbitrator. However, the Arbitration Tribunal may refer the matter to a panel of three members, where it considers that this is appropriate due to the complexity of the issues involved, or the value of the dispute.
2. If the arbitration agreement makes provision for an arbitration panel without indicating the number of arbitrators, the tribunal will be comprised of three members.
4. If the arbitration agreement provides for an equal number of arbitrators, a further arbitrator will be appointed by the Arbitration Council, unless the parties have agreed otherwise.

ART. 13 – APPOINTMENT OF ARBITRATORS

1. The arbitrators will be appointed in accordance with the rules set by the parties in the arbitration agreement and in the Rules.
2. Unless stipulated otherwise in the arbitration agreement, the sole arbitrator will be appointed by the Arbitration Council.
3. If the parties decided to appoint a sole arbitrator by joint agreement, without indicating a period within which to do so, the period will be set by the Arbitration Council. If the parties cannot agree, the sole arbitrator will be appointed by the Arbitration Council.
4. Unless stipulated otherwise in the arbitration agreement, the arbitration panel will be appointed as follows:
 - a. in the request for arbitration and in the reply to the request, each party will appoint an arbitrator; if one party fails to do so, that arbitrator will be appointed by the Arbitration Council;
 - b. the Chair of the Arbitration Tribunal will be appointed by the Arbitration Council, unless the parties have agreed that the Chair is to be appointed by agreement between by the arbitrators they have already appointed. If the Arbitrators do not appoint the third arbitrator by the date indicated by the parties, or failing that, by the date set by the Secretariat, the appointment of the chairman will be referred to the Arbitration Council.

ART. 14 – APPOINTMENT OF ARBITRATORS IN MULTI-PARTY PROCEDURES

1. Where a claim has been made by multiple parties, or against multiple parties, if the arbitration clause provides for an arbitration panel without delegating the appointment of all its members to other parties, and if, when the introductory submissions are deposited the parties are grouped into just two sides, paragraph 4 of the foregoing article will apply.
2. Notwithstanding the provisions of the arbitration agreement, if the parties are not grouped into two sides when the introductory submissions are deposited, the Arbitration Council will appoint the Arbitration Tribunal, without taking into account any of the nominations made by the parties.

ART. 15 – INCOMPATIBILITY

1. The following persons may not be appointed as Arbitrators:

- a. the Chair of the Arbitration Council;
- b. the Secretary;
- c. the Secretariat officials.

ART. 16 – ACCEPTANCE OF ARBITRATORS

1. The chamber of arbitration will inform the Arbitrators of their appointment. Within 10 days of receiving this notification the Arbitrators must return their acceptance, and the declaration referred to in the following article, to the Chamber of arbitration.

ART. 17 - DECLARATION OF ARBITRATORS' INDEPENDENCE AND CONFIRMATION OF APPOINTMENT

1. Together with their declaration of acceptance the arbitrators must submit the declaration of independence.
2. In the declaration of Independence each Arbitrator must indicate, with details of the period and duration:
 - a. Any relations with the parties or their defence counsel which are relevant in terms of their impartiality or independence;
 - b. Any direct or indirect personal or financial interests relating to the object of the dispute;
 - c. Any prejudice or reservations in respect of the matter of dispute.
3. A copy of the declaration of independence will be sent to the parties. Each party can raise observations in writing, within 10 days of receiving the declaration.
4. Once the period referred to in paragraph 3 has expired the Arbitrator will be confirmed in their appointment if they have sent a declaration of independence without reservations, and if the parties have submitted any observations. In all other cases, the Arbitration Council will decide on the confirmation.
5. The declaration of Independence must be repeated during the arbitration procedure until it has concluded, if this becomes necessary due to supervening circumstances, or at the request of the chamber of arbitration.

ART. 18 – FORMAL OBJECTION AGAINST THE ARBITRATORS

1. Either party may deposit a justified request for the removal of the Arbitrators, based on any reason that casts doubt on their independence or impartiality.
3. Such a request must be deposited with the Secretariat within 10 days of receiving the declaration of the Arbitrators' independence, or from knowledge of the reason for the objection.
2. The request will be sent to the Arbitrators and the parties by the Secretariat, who will set them a date by which to send any observations.
4. The Arbitration Council will decide on the objection.

TITLE II - THE ARBITRATION TRIBUNAL

ART. 19 – REPLACEMENT OF ARBITRATORS

1. An arbitrator can be replaced, with the appointment of a new arbitrator, in the following cases:
 - a. The arbitrator does not accept the assignment, or rejects it after having accepted;
 - b. the arbitrator's appointment is not confirmed;
 - c. the Arbitration Council accepts the objection made against the Arbitrator;
 - d. the Arbitration Council will remove an Arbitrator due to breach of the duties of an Arbitration Tribunal as imposed in the Arbitration Rules and in the code of conduct, or for other serious reasons;
 - e. The arbitrator dies or is no longer able to fulfil his or her duties, due to illness or for other serious reasons.
2. The Secretariat may suspend the procedure in each of the cases provided for in paragraph 1. In any case, once the suspension has been revoked, the residual period for the depositing of the award, if shorter, is extended to 90 days.
3. The new arbitrator will be appointed by the same party that appointed the arbitrator to be replaced. If the substitute arbitrator also has to be replaced, the new arbitrator will be appointed by the Arbitration Council.
4. The Arbitration Council will determine any fees payable to the outgoing Arbitrator, taking into account the work he or she has done, the reasons for the substitution and any other relevant circumstances.
5. If an Arbitrator is replaced, the new Arbitration Tribunal may order the review of all or part of the procedure conducted up until that time.

ART. 20 – IRREGULAR FORMATION OF ARBITRATION TRIBUNAL

1. If the Arbitration Tribunal finds that the appointment of its members constitutes a breach of a mandatory rule applicable to the procedure, or a breach of the provisions of these Rules, it will deposit a justified order with the Secretariat, requiring the return of the submissions to the Arbitration Council. This equates to a rejection of the appointment, by all the members of the Arbitration Tribunal. In such cases the replacement arbitrators will be appointed in accordance with the provisions of the Rules.

TITLE III- STARTING AN ARBITRATION PROCEDURE

ART. 21 – REQUEST FOR ARBITRATION

1. A party who intends to commence arbitration must submit a request for arbitration to the chamber of arbitration, signed by the party itself or by its duly authorised attorney. The request must contain, or be accompanied by:
 - a. The name, address of the parties and elected domicile if applicable;
 - b. The document that contains the arbitration agreement;
 - c. clarification as to whether the dispute is formal or informal;
 - d. A description of the dispute and claims with an indication of their value;
 - e. Indications of the rules applicable to the procedure, the rules applicable to the merits of the dispute, whether the ruling is to be made according to equity, the place and language of the arbitration procedure;
 - f. An indication of the evidence required in support of the claim and any other document the Party considers useful, as well as a list of items of evidence;
 - g. The appointment of the arbitrator or the information necessary for their selection, and identify the number of arbitrators;
 - h. The notice of appointment of defence counsel, if appointed.
2. If the arbitration agreement indicated in point b) is not produced, the request for arbitration will immediately be rejected, as it is not possible for the chamber of arbitration to verify its own powers.
3. Within 10 days, the Secretariat will send the other party the request for arbitration, by any appropriate means.

ART. 22– REPLY TO REQUEST FOR ARBITRATION

1. The respondent must submit the reply to the Secretariat within 30 days of receiving the other party's request for arbitration, forwarded by the Secretariat. This period may be extended for good cause.
2. The reply must be signed by the party or by their duly-appointed defence counsel and must contain or be accompanied by:
 - a. The name and address of the respondent and elected domicile if applicable;
 - b. a statement of the defence arguments;
 - c. Counterclaims, if any, and their value;
 - d. The appointment of the arbitrator or the information necessary for their selection, and identify the number of arbitrators;
 - e. An indication of the evidence required in support of the claim and any other document the Party considers useful, as well as a list of items of evidence;
 - f. Indications of the rules applicable to the procedure, the rules applicable to the merits of the dispute, whether the ruling is to be made according to equity, the place and language of the arbitration procedure;

- g. clarification as to whether the dispute is formal or informal;
 - h. The notice of appointment of defence counsel, if appointed.
3. The Secretariat will send the reply to the applicant within 10 days from the date of deposit. The Secretariat will send the transmission by any appropriate means.
 4. If the respondent does not deposit a reply or does not participate in any phase of the procedure, the arbitration will continue in their absence.

ART. 23 - COUNTERCLAIMS

1. In the reply, the respondent may raise a counterclaim, indicating its value.
2. If the respondent does make a counterclaim, the applicant may submit a reply to the Secretariat within 30 days, This period may be extended by the Secretariat for good cause.
3. The Secretariat will send the applicant's reply to the respondent within 5 working days from the date of deposit, by any appropriate means.
4. If, following the respondent's counterclaim, the applicant extends or amend their claim, the respondent is allowed to reply to the applicant's amended claim in accordance with the terms indicated above.

TITLE IV - THE ARBITRATION PROCEDURE

ART. 24 – FORMATION OF THE ARBITRATION TRIBUNAL

1. The Secretariat will send the Arbitrators the introductory submissions together with the supporting documents, after the initial deposit has been paid.
2. The arbitrators will form the Arbitration Tribunal within 30 days from the date on which the submissions and documents are received from the Secretariat. This period may be extended by the Secretariat for good cause.
3. An Arbitration Tribunal is formed when a notice of formation is dated and signed by the arbitrators. The notice will indicate the seat of the arbitration procedure and will determine the methods and terms by which the procedure will be conducted. The period for depositing the final award will start from that date.
4. If the arbitrators are replaced after the Arbitration Tribunal has been formed, the Secretariat will send the replacement arbitrators a copy of the submissions and documents of the procedure. The formation of the new Arbitration Tribunal will take place in accordance with paragraphs 2, 3 and 4.

ART. 25 – POWERS OF THE ARBITRATION TRIBUNAL

1. The Arbitration Tribunal may ask the parties' representatives to prove their powers of representation at any time after the arbitration procedure has started.
2. At any time during the procedure, the Arbitration Tribunal may attempt to settle the dispute by inviting the parties to attempt mediation through the mediation body Primavera Forense.
3. The Arbitration Tribunal may order the procedures to be combined, if it finds that there is an objective connection between multiple pending arbitration procedures.
4. If there are multiple disputes in the same procedure, the Arbitration Tribunal may order them to be separated.
5. The Arbitration Tribunal may take any measure it considers appropriate in order to regulate or supplement the parties' representation or legal assistance.
6. If a third party asks to participate in an arbitration procedure, or if a party requests the involvement of a third party, the Arbitration Tribunal will consult the parties and will then make a decision, taking into account all the relevant circumstances.

ART. 26 – URGENT OR PROVISIONAL MEASURES

1. The Arbitration Tribunal may, at the request of a party, issue precautionary or urgent rulings, which may have anticipatory content, if they are not limited by the mandatory rules applicable to the procedure.
2. In any case, unless agreed otherwise by the parties, the Arbitration Tribunal, at the request of a party, has the power to make provisional decisions, which are binding on the parties on a contractual level.
3. The Arbitration Tribunal may make the granting of these orders subject to an appropriate guarantee by the requesting party.

4. If interim proceedings are pending before the competent courts, this will not result in the forfeiture of the effect of the arbitration agreement, nor of the forfeiture of any request for arbitration that may have been made.

ART. 27 – ORDINANCES OF THE ARBITRATION TRIBUNAL

1. Subject to the provisions applicable to the award, the Arbitration Tribunal will decide in the form of an ordinance.
2. Ordinances are passed with the majority. A face-to-face conference of the Arbitrators is not necessary.
3. The ordinances must be drawn up in writing. They may be signed only by the chairman of the Arbitration Tribunal.
4. Ordinances of the Arbitration Tribunal may be revoked.
5. Ordinances issued outside of the hearing will be communicated to the parties and the other interested persons by the Secretariat, by any appropriate means.

ART. 28 – HEARINGS

1. Hearings are set by the Arbitration Tribunal together with the Secretariat, and will be announced to the parties with sufficient advance notice.
2. The parties may attend hearings in person or through representatives, with the necessary powers and they may be assisted or represented by duly authorised attorneys.
3. If one party is absent from the hearing without good reason, the Arbitration Tribunal may continue in their absence, after checking that the party was duly notified of the hearing. If the notification of hearing was irregular, the Arbitration Tribunal will agree a new hearing date.
4. Hearings of an Arbitration Tribunal will be transcribed into minutes. The Arbitration Tribunal may order the minutes to be replaced entirely or partially by a recording.
5. Unless agreed otherwise by the parties, the hearings are private.

ART. 29 - EVIDENCE

1. The Arbitration Tribunal may question the parties and, using the method it considers most appropriate, it may require the submission of all the evidence it considers relevant and admissible, and which is not excluded by mandatory rules applicable to the procedure or to the merits of the dispute.
2. The Arbitration Tribunal may require witness evidence to be collected in the form of written statements issued by the witnesses, who may subsequently be heard by the tribunal.
3. The Arbitration Tribunal will consider all evidence except any which has the effect of sworn evidence according to the mandatory rules applicable to the procedure or to the merits of the dispute.
4. The Arbitration Tribunal may delegate one of its members to take the admitted evidence.
5. The interested parties are responsible for ensuring that the witnesses are present on the day and at the place of the hearing.
6. If a witness who has been called to attend is absent without good reason, the Arbitration Tribunal may, at its question, decide to call them at a subsequent hearing.

ART. 30 - TECHNICAL EXPERTS

1. The Arbitration Tribunal may, either directly or at the request of a party, appoint one or more technical experts or delegate their appointment to the Chamber of Arbitration. If experts are appointed, the parties may designate Party Experts.
2. The technical experts appointed by the tribunal must fulfil the duties imposed on them by these rules and by the arbitrators. They are subject to the rules on formal objections that apply to the Arbitrators.
3. The tribunal-appointed expert must allow the parties and their party experts to attend the technical investigations in person, also through their defence lawyers.
4. The technical investigations attended by the Party Experts will be considered to have been carried out if the Party Experts are present.

ART. 31 – NEW APPLICATIONS

1. The Arbitration Tribunal will decide on the merits of any new claims made by the parties during the procedure, if one of the following conditions is met:
 - a. the party against whom the claim has been made declares that they accept the adversarial process, or do not raise any pleas of non-admissibility prior to any statement of defence on the merits;
 - b. The new claim is objectively linked to one of the claims pending in the procedure.
2. In any case, the Arbitration Tribunal will allow written replies to the new claims.

ART. 32 – STATEMENT OF FINAL ARGUMENTS

1. When the Arbitration Tribunal considers the procedure to be ready for the final award, it will declare the investigations closed, and may ask the parties to submit their final arguments.
2. If considered necessary, or at the request of one of the parties, the Arbitration Tribunal will set a date by which the final submissions are to be deposited. The Arbitration Tribunal may also set a further date by which replies are to be submitted, and a hearing for the final debate.
3. After the parties have been invited by the Arbitration Tribunal to state their final arguments, they may not make any new claims or new allegations, submit new documents or further evidence.
4. The previous paragraphs also apply if the Arbitration Tribunal decides to issue a partial award limited only to the part of the dispute covered by such an award.

ART. 33 – SETTLEMENT OF THE DISPUTE AND DISCONTINUATION OF THE ARBITRATION PROCEDURE

1. The parties, or their defence lawyers, must inform the Secretariat that they are discontinuing the procedure after having reached a settlement or for other reasons, thus exempting the Arbitration Tribunal – if already formed – from its obligation of making an award.
2. The Arbitration Council will declare the procedure closed; this will be done by the Secretariat if the procedure ends before the Arbitration Tribunal has been formed.

3. If only some of the points of dispute are being discontinued the arbitration procedure will continue, with the award to be given only on the remaining issues.
4. If the party who filed the request for arbitration withdraws before the initial deposit has been paid, the Chamber will still be due the costs of the services rendered, in the amount determined by the Secretariat.

ART. 34 - EXPEDITED PROCEDURE

1. By referring themselves to an expedited procedure the parties waive all means of appeal or objection against the award unless they have expressly agreed that the award may be appealed.
2. The rules on the expedited procedure contained in Appendix 1 apply when:
 - a. the parties agree, and the value of the dispute does not exceed the amount provided for in Article 1 of Appendix 1.
3. If the value of the dispute is higher or cannot be determined the chamber may apply the ordinary rules and related tariffs, to the procedure.
4. The rules on the expedited procedure do not apply when:
 - a. the arbitration agreement that referred to the Rules was entered into before the date on which the Provisions on the expedited procedure came into force;
 - b. the Arbitration Council, either directly or at the request of a party made before the Arbitration Tribunal was formed, or by the Tribunal itself, considers that it is not appropriate to apply the Rules on the expedited procedure to the particular case.

TITLE V- THE ARBITRATION AWARD

ART. 35 – DELIBERATION OF THE AWARD

1. The award will be decided by the Arbitration Tribunal with the majority of votes. The arbitrators are only required to meet at a face-to-face conference if this is required or imposed by the rules applicable to the procedure.

ART. 36 – FORM AND CONTENT OF THE AWARD

1. The award will be issued in writing, and will contain:
 - a. details of the arbitrators, the parties and their defence lawyers;
 - b. details of the arbitration agreement;
 - c. clarification as to whether the award is issued on a formal or informal basis;
 - d. an indication of the seat of the arbitration procedure;
 - e. an indication of the parties' final arguments;
 - f. a statement of the reasons for the decision;
 - g. the executive part of the award;
 - h. the decision on the costs of the procedure, including the settlement made by the Arbitration Council, and on the defence costs incurred by the parties;
 - i. the date, place and method of the deliberation.
2. The award will be signed by all the members of the Arbitration Tribunal, or by the majority of them. In this last case, the award must indicate whether the Arbitrators who did not sign it were unable to sign or whether they refused to sign.
3. The place and date of each signature must also be indicated. The signatures must be made in different places at different times.
4. The Secretariat will inform the Arbitration Tribunal, if it asks to examine the draft of the award before it is signed, as to whether any of the formal requirements stipulated in this article, have not been met.

ART. 37 - DEPOSITING AND ANNOUNCEMENT OF THE AWARD

1. The Arbitration Tribunal will deposit the award with the Secretariat. Each party to the procedure will be given a copy, and an extra copy will also be deposited.
2. The Secretariat will send each party an original copy of the award within 10 days from the date of deposit.

ART. 38 – DEADLINE FOR DEPOSITING THE FINAL AWARD

1. The Arbitration Tribunal must deposit the final award with the Secretariat within six months from the date of its formation, thus ending the procedure.
2. The period provided for in paragraph 1 may be extended, also automatically, by the Secretariat, unless the Secretariat decides to make the Arbitration Council responsible for doing so.
3. The period provided for in paragraph 1 will be suspended by the Secretariat if there is another good reason, as well as in those cases expressly provided for in the rules of arbitration.

ART. 39 – PARTIAL AND INTERIM AWARDS

1. The Arbitration Tribunal may issue one or more partial awards, if it is only deciding on one or some of the disputes covered by the procedure.
2. The Arbitration Tribunal may issue one or more interim awards in order to settle one or more points of dispute, whether they be procedural or on the merits, or in any other case permitted by the rules applicable to the procedure.
3. In the cases referred to in paragraph 1 and 2, the Arbitration Tribunal will order the procedure to continue.
4. A partial and interim award will not alter the deadline for depositing the final award, subject to the right to request an extension from the chamber of arbitration.
5. The applicable provisions of the Rules of arbitration will apply to partial and interim awards. The interim award will not contain a decision on the cost of the procedure or the costs of defence.

ART. 40 – AMENDMENT OF THE AWARD

1. An application to correct any material errors or errors in calculation must be deposited with the Secretariat within 30 days from receipt of the award.
2. Having consulted the parties, the Arbitration Tribunal will then make its decision within 60 days from receiving the application.
3. The decision by the Arbitration Tribunal, if accepted, will form an integral part of the award.
4. In any case, no additional costs will be borne by the parties, unless decided otherwise by the chamber of arbitration.

TITLE VI - COSTS

ART. 41 - VALUE OF THE DISPUTE

1. The value of the dispute for the purposes of defining the cost of the procedure is the sum of all the claims submitted by all the parties.
2. The Secretariat will determine the value of the dispute based on the introductory submissions and on any further indications made by the parties and by the Arbitration Tribunal. The criteria used to determine the value of the dispute indicated in Annex A to the Rules.
3. At any phase of the procedure, the Secretariat may divide the value of the dispute in relation to the claims made by each party and may require each party to pay the amounts of such claims.

ART. 42 – COSTS OF THE PROCEDURE

1. The final settlement of the costs of the procedure will be ordered by the Arbitration Council before the award is deposited.
2. The payment order made by the Arbitration Council will be communicated to the Arbitration Tribunal, which will include this in the decision on costs, contained in the award. The payment ordered by the Arbitration Council will not affect the Arbitration Tribunal's decision about the apportionment of costs between the parties. The obligation to pay the costs arising from and/or dependent on the postponement of hearings at the request of a party is borne entirely by the party that requested the postponement.
3. If the procedure ends before the Arbitration Tribunal is formed, the Secretariat will decide on the payment of the procedural costs.
4. The procedural costs consist of the following items:
 - a. administration costs;
 - b. Arbitrators' fees;
 - c. Fees of the tribunal-appointed experts;
 - d. Reimbursement of the arbitrators' expenses;
 - e. Reimbursement of the costs of the tribunal-appointed experts.
5. The administration costs will be determined on the basis of the value of the dispute in accordance with the tariffs annexed to these rules. Lower tariffs may be determined, in cases where the procedure is completed early. The activities which are included or excluded from the administration costs are indicated in Annex B to the Rules.
6. The costs of the Arbitration Tribunal will be determined on the basis of the value of the dispute, in accordance with the tariffs annexed to these rules. In determining the fees of the Arbitration Tribunal, the Arbitration Council will take into account the work performed, the complexity of the dispute, the speed of the procedure and any other circumstances. Differentiated fees may be determined for individual members of the Arbitration Tribunal. Lower tariffs may be determined, in cases where the procedure is completed early, or higher tariffs, in extraordinary circumstances.
7. The fees of the tribunal-appointed experts will be determined fairly, considering the professional tariff, the court tariff and other relevant circumstances.

8. The reimbursement of the arbitrators' and tribunal-appointed experts' expenses must be proven by supporting documents. If receipts are not produced, these expenses will be considered to be covered by the arbitrators' fees.
9. The parties are jointly and severally responsible for paying the costs of the procedure.

ART. 43 – PAYMENT OF ADVANCES AND FINAL BALANCE

1. After the deadline for submission of the reply has passed, the Secretariat will require the parties to pay an initial deposit and will set the dates for the related payments.
2. The Secretariat may then ask the parties to top up the initial deposit, depending on the work performed, or where there are changes in the value of the dispute. It will then set the date for subsequent payments.
3. The Secretariat will request the balance of the cost of the procedure after the final payment order has been made by the Arbitration Council, and before the award is deposited, also setting the deadline for payment.
4. The amounts indicated in paragraphs 1, 2 and 3 will be requested from all parties in equal measure if the Secretariat decides on a single value of the dispute, which is calculated by adding together the claims of all the parties, or each party will be asked to pay different amounts based on the value of their respective claims.
5. When requesting payment the Secretariat may consider multiple parties as only a single party, taking into account the composition of the Arbitration Tribunal or the uniformity of the parties' interests.
6. Following a justified request by a party, the Secretariat may allow a bank or insurance guarantee to be provided for the amounts indicated in paragraphs 1, 2 and 3, and will determine the conditions of such a guarantee.

ART. 44 – NON-PAYMENT

1. If a party does not pay the requested amount, the Secretariat may ask the other party to pay it and will set a date for payment or, unless it has already established this previously, it may divide the value of the dispute and require each party to pay an amount correlated to the value of their respective claims, and will set a date for payment.
2. In any case of failure to pay the amount by the agreed date, the Secretariat may suspend the procedure. The suspension will be revoked by the Secretariat, when payment has been made.
3. After one month has elapsed from the notification of the suspension order referred to above, and the deposit has not been paid by the parties the Secretariat may declare the procedure closed, and may consult the Arbitration Tribunal, if already formed. The closure of the procedure may be limited to the claim for which the payment was not made.

ART. 45 – FUNDING BY THIRD PARTIES

1. Any party who receives third-party funding for an arbitration procedure must declare this to the Chamber as well as the identity of the third party, when the procedure is started.

TITLE VII- URGENT ARBITRATION

ART. 46 - URGENT ARBITRATION

1. Unless provided for otherwise in the arbitration agreement, until the arbitrators have confirmed their appointment either party may request the urgent appointment of an arbitrator so that the decisions and measures referred to in article 26 can be taken. The application must contain the details of the parties and the arbitration agreement, the facts and points of law underlying the request, and confirmation of payment based on the attached tariffs.
2. The chamber of arbitration will make the urgent appointment and will obtain the declaration of Independence from the arbitrator. The Secretariat will send the Arbitrator the requests and the supporting documents, within 5 days.
3. Within 15 days from receiving the papers, the arbitrator will make an order on the provisional, urgent or precautionary measures, in the presence of both parties, and after taking the necessary measures, if he considers the application to be well-founded.
4. At the request of the applicant the arbitrator may, within five days of receiving the papers, make the order without hearing the other party, if calling the other party to a hearing could seriously undermine the applicant's claims. In such cases the arbitrator will issue an order accepting the request and will, within the following 10 days, set a date for a hearing of the parties as well as any conditions for the depositing of submissions. At the hearing or within five days thereafter, in the presence of both parties the Arbitrator will make an order confirming, amending or revoking the already-granted measure.
5. Without affecting the decision of the Arbitration Tribunal in the arbitration award, an order made by an Arbitrator following an urgent application may contain an order for the provisional apportionment of the cost of the procedure determined by the Chamber of Arbitration and the costs of defence incurred by the parties
6. Either party may submit deposit a justified request for the removal of an arbitrator within 3 days of receiving the declaration of the arbitrators' independence or of receiving knowledge of the cause of the request. The Arbitration Council will decide on such an application as quickly as possible, after consulting the Arbitrator. If the application is accepted, any decision made will be ineffective.
7. The Arbitrator may make the granting of any order subject to an appropriate guarantee.
8. The order may be appealed, amended or revoked before the Arbitration Tribunal. Until the Arbitration Tribunal has been formed, the Arbitrator appointed for the urgent application retains competence on the amendment or revocation of the order.
9. Except in the case of an application made simultaneously or after the filing of the request for arbitration, the request must be deposited with the Secretariat within the mandatory period of 60 days from the deposit of the application, or within the period set by the arbitrator appointed in urgent proceedings, of at least 15 days. Otherwise the urgent decision will lose its effect.
10. The fees of the chamber of arbitration and the arbitrator appointed following an urgent application must be paid in advance by the party making the application. For all matters not expressly provided for, the provisions of the Rules will apply to urgent arbitration, insofar as compatible.

TITLE VIII - TRANSITIONAL PROVISIONS

ART. 47 – ENTRY INTO FORCE OF RULES OF ARBITRATION

1. The rules of the provisions of these Arbitration will enter into force from the date of publication on the website www.ica.center.
2. The Arbitration Council may amend, supplement or replace these Rules, stipulating the date by which the new rules will come into force.
3. Any amendments or substitutions of these Rules will apply to procedures commencing after their entry into force, unless the parties have agreed otherwise.

ANNEXES

ANNEX A - CRITERIA FOR DETERMINING THE VALUE OF THE DISPUTE

1. All the claims made by the parties seeking a declaratory, condemnatory or constitutive award will make up the value of the dispute.
2. If a party makes a principal claim and a subordinate claim, only the value of the principal claim will be considered for the purposes of the dispute.
3. If the quantification of the claim or a plea of set-off requires a preliminary evaluation of multiple alternative claims which are not subordinate to each other, the value of the dispute will be determined by the sum of these claims.
4. If the party requests the verification of a claim with a subsequent declaratory, condemnatory or constitutive award in relation to only part of the claim, the value of the claim will be determined by the entire amount of the claim being verified.
5. The value of a claim made in set-off will not be calculated if it is less than or equal to the value of the claim made by the other party. If it is higher, only the surplus will be calculated.
6. If, when submitting the final arguments, one of the parties changes the value of claims made previously, the value of the claims in relation to which the Arbitration Tribunal conducted its investigations will be calculated.
7. If the value of the dispute is not certain and cannot be determined the chamber of arbitration will establish it on the basis of fair appreciation.
8. The chamber arbitration may determine the value of the dispute using different criteria than those provided for above, if their application appears to be manifestly unfair.

ANNEX B - ADMINISTRATIVE COSTS: WHAT IS INCLUDED AND WHAT IS NOT

1. The administration costs indicated in the Tariffs include the following activities:
 - a) management and administration of the procedures as defined in the Preamble to these Rules;
 - b) receipt and transmission of the submissions;
 - c) checking the formal regularity of the submissions;
 - d) arranging and hosting the hearings at its offices;
 - e) Attendance of personnel at hearings and the taking of minutes of the hearing as referred to in paragraph d;
2. The administration costs do not include the following activities or services, which are charged separately:
 - a) photocopies of submissions and documents deposited by the parties in an insufficient number, including any copies of omissions or documents taken by the Secretariat for the experts appointed by the tribunal;
 - b) applying revenue stamps to the arbitration papers.
3. The administration costs also exclude the following activities or services, which are charged separately if they are required:
 - a) The recording of hearings and transcription of the recordings;
 - b) interpreting services;
 - c) videoconferencing;
 - d) The costs of travel, for any Secretariat personnel who may be present at hearings which are not held at the Chamber;
 - e) the reproduction of submissions and documents, if the file is withdrawn

ANNEX C - TARIFFS EURO

VALUE : FROM	TO	ADMINISTRATION COSTS	FEE OF SOLE ARBITRATOR
- €	25.000,00 €	700,00 €	2.400,00 €
25.001,00 €	50.000,00 €	1.500,00 €	4.800,00 €
50.001,00 €	100.000,00 €	1.900,00 €	7.900,00 €
100.001,00 €	250.000,00 €	2.500,00 €	9.900,00 €
250.001,00 €	500.000,00 €	3.600,00 €	15.000,00 €
500.001,00 €	1.000.000,00 €	5.000,00 €	28.000,00 €
1.000.001,00 €	2.500.000,00 €	7.000,00 €	43.000,00 €
2.500.001,00 €	5.000.000,00 €	9.000,00 €	64.000,00 €
5.000.001,00 €	10.000.000,00 €	11.000,00 €	100.000,00 €
10.000.001,00 €	25.000.000,00 €	13.000,00 €	130.000,00 €
25.000.001,00 €	50.000.000,00 €	15.000,00 €	175.000,00 €
50.000.001,00 €	100.000.000,00 €	17.000,00 €	220.000,00 €

If there is a panel of arbitrators the total cost will be three times the amount indicated in the table.

The amounts are net of VAT and any ancillary legal charges. The costs indicated are the total costs, and are therefore to be divided between the parties.

ACTIVITIES EX ART. 7 OF THE PREAMBLE

The sum of EUR 120.00 (net of VAT) is required for the activities referred to in Art. 7 of the Preamble.

APPOINTMENT OF ARBITRATORS AND EXPERTS

in private proceedings which are not administered by the Rules of the International Chamber of Commerce: administration costs applicable to the ordinary arbitration procedure, according to value, reduced by 50%. If the party who filed the request for arbitration withdraws the request before the initial deposit referred to in Article 43 of the Rules has been paid, that party is still required to pay the International Chamber of Arbitration the costs of the services rendered, in the amount determined by the Secretariat.

URGENT ARBITRATION

Costs applicable to the ordinary arbitration procedure (with sole arbitrator), according to value, increased by 20%. The fees of the chamber of arbitration and the arbitrator appointed following an urgent application must be paid in advance by the party making the application. The fees of the chamber of arbitration and of the arbitrator appointed following an urgent application are all-inclusive of the respective costs. For all matters not expressly provided for, the provisions of the Rules will apply to urgent arbitration, insofar as compatible, also in relation to costs.

ANNEX 1- RULES ON THE EXPEDITED PROCEDURE

ART. 1 – APPLICATION OF RULES ON THE EXPEDITED PROCEDURE

1. If Article 34 of the Rules on Arbitration and this Appendix do not provide otherwise, the Rules will apply to arbitration procedures which are subject to the rules on the expedited procedure.
2. The value indicated in Article 34 of the Rules is Euro 150,000.00 (including any counterclaim).
3. At any time during the arbitration procedure, the Arbitration Council, either directly or at the request of a party, having consulted the Arbitration Tribunal and the parties, may decide that the provisions on the expedited procedure will no longer apply. In this case, except where the Council considers it appropriate to replace and/or re-form the Arbitration Tribunal, the Arbitration Tribunal will remain in office.

ART. 2 – FORMATION OF THE ARBITRATION TRIBUNAL

1. The Arbitration Tribunal will consist of a Sole Arbitrator appointed in accordance with the Rules.
2. Within 5 days of receiving notification of their appointment, the Arbitrator must send the Secretariat their acceptance together with a declaration of independence. The Secretariat will then send the parties the documents provided by the Arbitrator, in accordance with the general provisions of the Rules.
3. The seat of the arbitration procedure may be in Italy or overseas. It will be determined by the parties in the arbitration agreement. Failing that, the seat of the arbitration procedure will be Rome.
4. Notwithstanding the provisions of paragraph 3, the Arbitration Council may determine that the arbitration will take place in another location, having considered the parties' requests and all the other circumstances.
5. The tribunal may require that the hearings or other parts of the procedure be conducted elsewhere than at the agreed venue. The Arbitration Council may, if requested, intervene in order to resolve specific queries relating to the seat of the arbitration procedure.
6. In the absence of specific provisions, the language of the arbitration will be Italian and the governing law will be Italian law.

ART. 3 – PROCEDURE

1. The arbitration procedure will be conducted on a formal basis in accordance with the law unless decides otherwise by the parties. This is to be declared in the arbitration agreement.
2. After the Arbitration Tribunal has been formed, the parties cannot make new claims unless they are authorised to do so by the Arbitration Tribunal, taking into account the nature of these new claims, the stage of the procedure, the cost implications and any other relevant circumstances.
3. The Arbitrator will form the Arbitration Tribunal within 15 days from the date on which he received the submissions and documents from the Secretariat. The Arbitration Council may extend this period at the justified request of the Arbitration Tribunal or it may do this directly if considered necessary.

4. The Arbitration Tribunal may, at its discretion, take any procedural measures which are considered appropriate and will decide on the dispute where this appears to be possible based only on the documentary evidence. If possible, it will call the parties to a single hearing only. If it considers it necessary the Arbitration Tribunal may appoint its own technical expert.
5. Any further submissions or hearings may be admitted by the Arbitration Tribunal, always bearing in mind the need to concentrate the procedure as far as possible, and to respect the time limit referred to in the following article.
6. At the end of the discussion hearing the parties will submit their final arguments and will proceed with the oral debate of the dispute. Written submissions may not be made after the hearing has ended, unless the arbitrator authorises this, for exceptional reasons.

ART. 4 – AWARD

1. The period for the issue of the arbitrators' final award is set at 90 days; this period starts from the date on which the Arbitration Tribunal was formed.
2. The Arbitration Council may extend this period at the justified request of the Arbitration Tribunal or it may do this directly if it considers it necessary.
3. The fees of the Arbitration Tribunal will be determined in accordance with the annexed tariff for the administration costs and fees of arbitrators in expedited procedures.

ANNEX A - TARIFFS FOR THE EXPEDITED PROCEDURE

ANNEX A - TARIFFS FOR THE EXPEDITED PROCEDURE.....

Value from	to	Administration Costs	Fees of Sole Arbitrator
- €	25.000,00 €	490,00 €	1.680,00 €
25.001,00 €	50.000,00 €	1.050,00 €	3.360,00 €
50.001,00 €	100.000,00 €	1.330,00 €	5.530,00 €
100.001,00 €	250.000,00 €	1.750,00 €	6.930,00 €
250.001,00 €	500.000,00 €	2.520,00 €	10.500,00 €
500.001,00 €	1.000.000,00 €	3.500,00 €	19.600,00 €
1.000.001,00 €	2.500.000,00 €	4.900,00 €	30.100,00 €
2.500.001,00 €	5.000.000,00 €	6.300,00 €	44.800,00 €
5.000.001,00 €	10.000.000,00 €	7.700,00 €	70.000,00 €
10.000.001,00 €	25.000.000,00 €	9.100,00 €	91.000,00 €
25.000.001,00 €	50.000.000,00 €	10.500,00 €	122.500,00 €
50.000.001,00 €	100.000.000,00 €	11.900,00 €	154.000,00 €

ARBITRATORS' CODE OF CONDUCT

ART. 1 – ACCEPTANCE OF CODE OF CONDUCT

1. Anyone accepting a position as Arbitrator in an arbitration procedure administered by the International Chamber of Arbitration, whether they have been appointed by a party, by the other arbitrators, by the chamber of arbitration or by another person is required to act in accordance with the rules of the Chamber of Arbitration and in accordance with this code of conduct.
2. The code of conduct also applies to a tribunal-appointed technical expert appointed in arbitration procedures administered by the Chamber of Arbitration.

ART. 2 – ARBITRATORS APPOINTED BY THE PARTIES

1. The Arbitrator appointed by a party must, at every stage of the procedure, respect all the duties imposed on them by this code of conduct. They may hear the party or their defence lawyers when they are appointed by the chairman of the Arbitration Tribunal if they have been tasked with doing so. The indications provided by the party are not binding on the arbitrator.

ART. 3 – COMPETENCE

1. If the arbitrator accepts the appointment they must be certain that they can fulfil the mandate with the competence required by their function as adjudicator, and by the matter of the dispute.

ART. 4 – AVAILABILITY AND DILIGENCE

1. When the arbitrator accepts the appointment they must be certain that they can dedicate the necessary time and attention to the arbitration procedure in order to conclude the mandate as quickly, efficiently and diligently as possible.

ART. 5 – IMPARTIALITY

1. When the arbitrator accepts the appointment they must be sure that they can fulfil the mandate with the necessary impartiality which is inherent in the function of adjudicator they will be performing in the interests of all parties, and they must protect their role against any external, direct or indirect pressure.

ART. 6 – INDEPENDENCE

1. When the arbitrator accepts the appointment they must be objectively in a situation of complete independence. He or she must be independent at each stage of the procedure even after the deposit of the award, throughout any period allowed for an appeal.

ART. 7 – DECLARATION OF IMPARTIALITY AND INDEPENDENCE

1. To guarantee their impartiality and independence the arbitrator, upon accepting, must issue a written declaration required by the rules of the Chamber of Arbitration.
2. Any doubts as to the need to declare any facts or circumstances or relations must be resolved in favour of the declaration.

3. If any facts, circumstances or relations are subsequently found that should have been declared previously, the Chamber of Arbitration may consider this as grounds for replacing the arbitrator, also automatically, during the course of the procedure and they will not be appointed to a new procedure.

ART. 8 – CONDUCT OF THE PROCEDURE

1. The arbitrator must facilitate the complete, rapid conclusion of the procedure. In particular they must determine the times and methods of the hearings to allow all parties to participate on a level playing field, in strict accordance with the principle of fair hearing.

ART. 9 – UNILATERAL COMMUNICATIONS

1. Arbitrators must, at all stages of the procedure, avoid any unilateral communications with either party or their defence lawyers, unless they immediately notify the Chamber of Arbitration so that they can inform the other parties and the other arbitrators.

ART. 10 – SETTLEMENT

1. An arbitrator may always recommend the benefits of reaching a settlement or conciliation in the dispute, but may not influence the parties' decision by suggesting that he or she has already reached an opinion on the outcome of the procedure.

ART. 11 – DELIBERATION OF THE AWARD

1. The arbitrators will deliberate on their award by expressing and discussing their respective opinions.
2. The deliberation phase is private.
3. Arbitrators must avoid any obstructive or un-collaborative behaviours and must promptly participate in the deliberation phase. This does not affect the Arbitrator's right not to sign the award if in the case of a decision passed by the majority of the Arbitration Tribunal.

ART. 12 - FEES AND EXPENSES

1. An arbitrator may not accept any direct or indirect agreement with the parties or with their legal team in relation to fees or expenses.
3. The arbitrator's fees will be determined exclusively by the Chamber of Arbitration in accordance with the tariffs set by the Chamber, which is considered to be approved by the arbitrator when they accept the appointment.
2. The operator must avoid any unreasonable, unjustified expenses which could increase the cost of the procedure.

ART. 13 – VIOLATION OF CODE OF CONDUCT

1. Any arbitrator who did not comply with the provisions of this code of conduct may be replaced, also automatically, by the Chamber of Arbitration who will consider the gravity and significance of the offence and may also refuse to appoint the arbitrator in question, in any future procedures.



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