



ARBITRATION INSTITUTE
OF THE STOCKHOLM CHAMBER OF COMMERCE

The Board of Directors of the Stockholm Chamber of Commerce adopted the proposal on an Emergency Arbitrator on 9 December 2009

The Board of Directors of the Stockholm Chamber of Commerce adopted the proposal on an Emergency Arbitrator on 9 December 2009. The rules are by a reference in Article 32 included in the Arbitration Rules and in the Expedited Rules. The changes enter into force on 1 January 2010.

The added rules make it possible for parties to request interim measures before an arbitration has been referred to an Arbitral Tribunal, thus bridging the gap - statistically 3-4 months - between the rise of a dispute and the referral of a case to an Arbitral Tribunal. Consequently, the parties may request interim measures within the arbitration proceedings and without going to court.

Decisions on interim measures shall under these rules be made by an Emergency Arbitrator to be appointed within 24 hours from the time the application was made. The Emergency Arbitrator shall make a decision within 5 days from the appointment and shall within that time hear both parties. Should the time proves to be insufficient, if, for example, the respondent have not been notified or if the notification process took long time, the SCC Board may extend the time given. Thus, both parties must be given equal and reasonable opportunity to present its case.

The SCC has received comments, written as well as orally presented, from persons with an interest in arbitration. All views have been carefully considered and many of them have resulted in amendments in the original proposal. Overall the comments have been very positive and welcoming. The purpose behind the “Emergency Rules” is to strengthen the SCC Rules and make them more attractive and useful for potential users.

Shortly, more practical details on how to apply for the appointment of an Emergency Arbitrator will be presented on the website.

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