

General Guidance Notes

SUGGESTED FORMATS OF ARBITRATION AGREEMENTS / CLAUSES

For Future Disputes

Parties desirous of adopting IIAC SCAP 16 Rules for resolving any disputes and claims that may arise during the performance of their written contracts, should incorporate an arbitration agreement in their written contract, Purchase Order or Invoice (preferably in the Purchase Order) at the time of entering into the contract.

Some suggested formats of Arbitration Agreements, which parties may incorporate in their written contracts at the time of entering into written contracts, are set out by way of guidance below:

“All dispute and differences arising out of or in connection with or relating to this Contract including any question regarding its existence, validity or termination, shall be referred to and be resolved by arbitration by a Sole Arbitrator at Mumbai conducted in accordance with the Summary Claims Arbitration Procedure 2016 (SCAP 16 Rules) of IMC International ADR Centre (IIAC) and the award made in pursuance thereof shall be final binding on the parties”.

Followed by any one of the following sentences.

- *“The Arbitral Tribunal shall comprise of Shri_____ who shall act as Sole Arbitrator”; or*
- *“The Arbitral Tribunal shall comprise of one Arbitrator to be agreed upon by parties and failing an agreement on the Arbitrator, to be appointed by IIAC”; or*
- *“The Arbitral Tribunal shall comprise of one Arbitrator to be appointed by IIAC”.*