

Practice Note

CAAI ARBITRATION RULES 2017: THE NEW RULES FOR ARBITRATIONS SEATED OUTSIDE TAIWAN

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ABSTRACT

Effective from 1 July 2017, the CAAI Arbitration Rules 2017 are enacted for CAAI (Chinese Arbitration Association, International), a separate entity related to CAA (Chinese Arbitration Association, Taipei). The CAAI Arbitration Rules 2017 represent the most recent (re)consideration of issues and (re)balance of interests in international arbitration. They apply to arbitrations seated outside Taiwan, and will assist any future proposal to revise Taiwan's laws relating to arbitration. Distinctive features of the CAAI Arbitration Rules 2017 include a three-tiered (and semi-bilingual) approach to the language of arbitration; double time limits for the closure of proceedings and award-making; unified criteria for commencing single arbitration under multiple contracts (at the initial stage) and consolidating arbitrations (at a later stage); comprehensive provisions for emergency measures (before the arbitral tribunal's constitution) and interim measures (after the arbitral tribunal's constitution), in contrast with concise provisions for expedited procedure. They seek to ensure party autonomy, impartiality, efficiency and enforceability of CAAI arbitration.

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KEYWORDS: *Chinese Arbitration Association, CAA, CAAI, Taiwan Arbitration Law*