

Chapter 5

ACICA's Expedited Arbitration Rules

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I Introduction

In 2005 the Australian Centre for International Commercial Arbitration (ACICA) released its Arbitration Rules (ACICA Rules).¹ While the ACICA Rules were well received by the business community, there is growing world-wide concern about increased delays and costs in international commercial arbitration.² In response to the need of businesspeople to have smaller disputes resolved more quickly and efficiently, ACICA decided to adapt the ACICA Rules and thereby develop the ACICA Expedited Arbitration Rules (Expedited Rules). ACICA adopted the Expedited Rules in 2008. In July 2010, the ACICA Arbitration Rules Committee agreed on a few revisions, largely approved in September 2010 by the ACICA Board. It also began a review of some further issues in parallel with its review of the generic ACICA Rules of 2005.³

This chapter discusses the changes made to the ACICA Rules in creating the Expedited Rules. Appendix I adds a Guidance Note aimed more specifically at arbitrators and legal advisors.⁴ Appendix II provides a table comparing the time limits imposed under the Expedited Rules with those imposed under the ACICA Arbitration Rules, the LMAA Small Claims Procedure, the IAMA Fast-Track Procedure and the Supplementary Rules of the German Institution of Arbitration (DIS). Appendix II of Chapter 1 in this volume compares article headings of the ACICA Rules and the Expedited Rules to further highlight the major differences.

1 See Greenberg et al, Chapter 4 of this volume.

2 See Nottage and Garnett, Chapter 1 of this volume, Part I.B; Nottage and Garnett, Chapter 8; Nottage and Miles, Chapter 10, Part I.

3 ACICA's Expedited Arbitration Rules of 2008 and of 2010 are available via <www.acica.org.au/expedited_rules.html> accessed 21 April 2010. This chapter identifies the few revisions agreed in mid 2010. The ACICA Arbitration Rules Committee responsible for the 2010 revisions and ongoing review comprises the present authors, except for (now Justice) Clyde Croft, together with Malcolm Holmes QC (the new Chair), Dr Christopher Kee, Khory McCormick and Danielle Sirmai.

4 Drafted by the present authors (as members of the ACICA Arbitration Rules Committee that drafted the Expedited Rules of 2008) and reproduced, with permission, from <www.acica.org.au> accessed 24 June 2010.

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