

Legal Update 20170517

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2017 Draft Revisions of KLRCA Arbitration Rules

The Kuala Lumpur Regional Centre for Arbitration (KLRCA) has, just yesterday, unveiled the draft KLRCA Arbitration Rules 2017, which are the institution's latest revision of its arbitration rules. Arbitral parties should note this development as the KLRCA Arbitration Rules 2017, in their current form, will apply to all KLRCA-administered arbitrations commenced on/after 1 June 2017, irrespective of when the contract is made, except where arbitral parties agree otherwise.

The revisions introduce new cost and legal dimensions to KLRCA-administered arbitrations. Notable revisions include:

1. Joinder of third parties to an arbitration;
2. New power of the Director of the KLRCA to consolidate multiple arbitrations;
3. Expedited appointments of Emergency Arbitrators;
4. Technical review of arbitral awards;
5. In a domestic arbitration, an increase of about 20% in the Arbitrator's Fee and KLRCA's Administrative Fee; and
6. An increase in the non-refundable registration fee payable for the commencement of arbitral proceedings: USD500 to USD795 (international arbitration); and RM1,000 to RM1,590 (domestic arbitration).

These revisions are expected to be fine-tuned leading up to their commencement on 1 June 2017. In light of this, arbitral parties should begin ensuring that they are well-placed to manage the intended costs and legal implications of the new rules.

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