

**VanIAC
DOMESTIC ARBITRATION
RULES**
effective September 1, 2020

This process flow chart does not cover every aspect of the procedures

(Rule 2)
Initiated by an Arbitration Clause in a contract or an Arbitration Agreement

(Rule 5)
Notice to Arbitrate filed;
Commencement fee paid.

Notice to Arbitrate shall contain:
(Rule 5 (1))

- Names of the parties;
- Legal counsel (if any);
- Brief statement of matter;
- Request that the matter be referred to arbitration;
- Reference to a contract;
- Remedy sought;
- Claimed or estimated amount;
- Number, names and qualifications of arbitrators;
- Modification of these Rules (if any).

(Rule 6)
Commencement date established

(Rule 7)
Notice of Counterclaim / Setoff filed within 21 days of commencement;
Fee paid.

Notice of Counterclaim/Setoff (Rule 7) shall contain:

- Names of the parties;
- Legal counsel (if any);
- Brief statement of matter;
- Reference to a contract;
- Remedy sought;
- Claimed or estimated amount.

(Rule 8)
Within 15 days of commencement, any party may request to appoint the Arbitral Tribunal.

Appointment Process (Rule 8)

- The Centre proposes at least 4 arbitrators;
- The parties are to reply within 2 days.
- A second list of arbitrators is proposed (if needed);
- The parties are to reply within 2 days.
- The Centre appoints an arbitrator within 5 days of proposing the second list.

EXPEDITED PROCEDURES (Part B)

Apply:

- When parties agree; or
- Where a claim or counterclaim is less than \$250,000.

Do not apply:

- If parties agreed to a 3-member Tribunal; or
- If parties agreed to opt out.

The Arbitral Tribunal receives a flat fee of:

- \$5,000 for claims less than \$100,000; and
- \$10,000 for claims less than \$250,000.

Documents exchange:

- Notice of Counterclaim filed within 10 days of commencement;
- Fee paid.

All written material shall be exchanged within 90 days from the appointment of the Arbitral Tribunal,

Oral hearing:
A party may apply for an oral hearing within 5 days following delivery of all written material (only a 1 day oral hearing can be granted).

Award:

- Rendered within 30 days of the last written material received by the Arbitral Tribunal; or
- Rendered within 45 days of the oral hearing.

Appeals:

- Not allowed on a question of law (for contracts dated after Sep 1, 2020), unless consented to by both parties.

Pre-hearing Meeting (Rule 16)
(within 10 days of appointment)

To organize, schedule and agree to the:

- hearing procedures (i.e. Expedited Procedures, videoconference);
- deadlines for jurisdictional objections;
- deadlines for submissions by the parties;
- any hearing dates.

Hearings in person / Virtual Hearings

Award Delivered
Within 60 days of the latter of the close of the hearing or last written submission received by the Tribunal.

Hearings in person / Virtual Hearings

Award Delivered
Within 60 days of the latter of the close of the hearing or last written submission received by the Tribunal.

Finish