ARBITRATION WORLD

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By: John D. Magnin, Raja Bose, Christopher Tung, John Kelly, Jonathan Chan

From the Editors

Welcome to this 33rd edition of *Arbitration World*.

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Following the United Kingdom's referendum decision on 23 June to leave the EU, in this edition we examine how the uncertainty over the treatment of English court judgments by EU member state courts post-Brexit may shift the balance towards arbitration in London and consider what effect Brexit may have on investment treaty arbitration.

We review the new Singapore International Arbitration Centre (SIAC) rules which came into effect in August 2016, and comment on the Singaporean government's announcement of plans to reform the law on third-party funding of disputes, including in international arbitration. We report on the German Institution of Arbitration's (DIS) forthcoming consultation into revision of its rules and summarise its proposed guiding principles.

We compare the different approaches of the major arbitral institutions to emergency and expedited arbitration, we comment on the recent decision of a Chinese court which refused to recognise an ICC arbitration award on public policy grounds, and we examine the costs consequences of commencing court proceedings in Australia in breach of an arbitration clause.

We review four recent decisions of the Swiss Supreme Court on the annulment or enforcement of arbitration awards. We also provide our usual update on developments from around the globe in international arbitration and investment treaty arbitration.

We hope you find this edition of *Arbitration World* of interest, and we welcome any feedback (e-mail ian.meredith@klgates.com or peter.morton@klgates.com).

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1. **Arbitration News from Around the World**
   by Sean Kelsey (London)
   Our usual survey of key recent developments in international arbitration.
2. **World Investment Treaty Arbitration Update**
   by Wojciech Sadowski and Patrycja Treder (Warsaw)
   The latest news from the investor-state arbitration scene.
3. **Brexit: Potential Significance for London-seated International Arbitration**
   by John Magnin and Sean Kelsey (London)

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An examination of the potential implications of Brexit for dispute resolution, including how the resulting uncertainty may shift the balance towards arbitration in London.

4. **Brexit and Investment Treaty Arbitration**
   by Wojciech Sadowski (Warsaw)
   A consideration of the potential effects of Brexit on investment treaty arbitration, including on EU trade treaty negotiations, intra-European bilateral investment treaties, and the United Kingdom as a potential investment hub and treaty claim respondent.

5. **The SIAC Rules 2016 – Staying Ahead of the Pack**
   by Raja Bose, Ashish Chugh and Aloysius Chang (Singapore)
   A review of the revisions to the SIAC Rules, which took effect on 1 August 2016, which include an early dismissal procedure, a streamlined process for multi-contract disputes and efficiency improvements.

6. **Singapore: Third-Party Funding of International Arbitration on the Horizon**
   by Raja Bose, Ashish Chugh and Aloysius Chang (Singapore)
   A commentary on the Singapore government's recent announcement of plans to reform the law on third-party funding of disputes, allowing it in international arbitration, and certain other disputes, subject to conditions.

7. **DIS Kicks Off Rules Overhaul**
   by Tobias Kopp and Johann von Pachelbel (Frankfurt)
   A report on the revision of the arbitration rules of the German Institution of Arbitration (DIS) and the related current consultation process.

8. **Emergency and Expedited Arbitration – An Introduction to the Procedures Offered by Major Arbitral Institutions**
   by John Gilbert (London)
   A comparison of the different approaches in the rules of the major arbitral institutions to emergency and expedited arbitration.

9. **Chinese Court Refuses to Recognize and Enforce an ICC Arbitral Award on Grounds of Public Policy**
   b*y Sacha Cheong, Christopher Tung and Daniel Shum (Hong Kong)*
   A commentary on a recent decision of the Taizhou Intermediate People's Court, which refused to recognise an ICC award on the public policy ground that a decision by another Chinese court pre-award had found the arbitration clause to be invalid.

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10. **Costs Consequences of Breaching Arbitration Clauses**
    by John Kelly, William KQ Ho and Jonathan Chan (Melbourne)
    An examination of the Australian court's approach to costs consequences of commencing court proceedings in breach of an arbitration clause.

11. **A Roundup of Recent Arbitration Decisions of the Swiss Supreme Court, Part II**
    by John Magnin (London) and Hendrik Puschmann (London/Frankfurt)
    In part two of our series of summaries of recent Swiss Supreme Court decisions on the annulment or enforcement of awards, we review four recent cases including issues related to the right to be heard and to a fair trial, the validity of arbitration agreements and a failure to comply with a conciliation clause.

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