

International Arbitration (Amendment) Bill

Table of Contents

Bill No: 28/2002

Read the first time: 27th August 2002

Long Title

Enacting Formula

1 Short title and commencement

2 Amendment of section 15

3 New section 15A

Explanatory Statement

Expenditure of Public Money

International Arbitration (Amendment) Bill

Bill No. 28/2002

Read the first time on 27th August 2002.

An Act to amend the International Arbitration Act (Chapter 143A of the 1995 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the International Arbitration (Amendment) Act 2002 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 15

2. Section 15(2) of the International Arbitration Act is amended by deleting the words “rules of an arbitral institution” in the 2nd and 3rd lines and substituting the words “rules of arbitration”.

New section 15A

3. The International Arbitration Act is amended by inserting, immediately after section 15, the following section:

“Application of rules of arbitration

15A.—(1) It is hereby declared for the avoidance of doubt that a provision of rules of arbitration agreed to or adopted by the parties, whether before or after the commencement of the arbitration, shall apply and be given effect to the extent that such provision is not inconsistent with a provision of the Model Law or this Part from which the parties cannot derogate.

(2) Without prejudice to subsection (1), subsections (3) to (6) shall apply for the purposes of determining whether a provision of rules of arbitration is inconsistent with the Model Law or this Part.

(3) A provision of rules of arbitration is not inconsistent with the Model Law or this Part merely because it provides for a matter on which the Model Law and this Part is silent.

(4) Rules of arbitration are not inconsistent with the Model Law or this Part merely because the rules are silent on a matter covered by any provision of the Model Law or this Part.

(5) A provision of rules of arbitration is not inconsistent with the Model Law or this Part merely because it provides for a matter which is covered by a provision of the Model Law or this Part which allows the parties to make their own arrangements by agreement but which applies in the absence of such agreement.

(6) The parties may make the arrangements referred to in subsection (5) by agreeing to the application or adoption of rules of arbitration or by providing any other means by which a matter may be decided.

(7) In this section and section 15, “rules of arbitration” means the rules of