

## :: CONTACT PARTNER ::

**Lawrence TEH**

Partner

lawrence.teh@rodyk.com

+65 6885 3693

## Guide To Maritime Arbitration In Singapore

Singapore is a party to the New York Convention and has in place an arbitration infrastructure that is making it the venue of choice for international arbitration.

International arbitration is regulated by the International Arbitration Act which gives effect to the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards and which also gives effect (with minor exceptions) to the UNCITRAL Model Law on International Commercial Arbitration.

The fact that a maritime claim arises out of a contract which provides that claims or disputes are to be referred to arbitration does not prevent admiralty proceedings from being commenced and a ship from being arrested to obtain security for a claim, so long as the statutory requirements are satisfied and proper demonstration of claim and disclosure of relevant matters are made.

Parties may apply to stay admiralty and arrest proceedings in favour of agreements to arbitrate the dispute. The Singapore courts adopt a clear stance that a respondent's basic articulation of a dispute is sufficient for the court to order a stay of proceedings.

When a court stays proceedings in a case where property has been arrested or other security has been given to prevent the arrest, the court may also order that the property arrested be retained as security for the arbitral award or that the stay be conditional on the provision of equivalent security for the arbitral award.

Appointment of arbitrators is a speedy process that is undertaken by the chairman of the local arbitral institution rather than by court application. This shortens the time needed for appointments.

Singapore offers a one stop arbitration facility in the form of Maxwell Chambers, which houses many renowned arbitral institutions, including the Singapore International Arbitration Centre and the Singapore Chamber of Maritime Arbitration.

Arbitration tribunals have full powers to give directions for security for claim and costs, disclosure of information, preservation of property, subject matter and evidence, interim injunctions, and other interim orders. Where there is no occasion for the arbitral tribunal to act effectively, the Singapore court has power to make orders in support of the arbitration and can do so even if the juridical seat of the arbitration is outside Singapore.

The Singapore court also has a pro-arbitration, pro-enforcement stance and will deal with applications to register arbitral awards, or to resist the enforcement of arbitral awards, within the full spirit of the New York Convention and the UNCITRAL Model Law.

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**Editor** Claire WONG | claire.wong@rodyk.com | +65 6885 3703

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