

# Swiss Chambers' Arbitration Institution revises rules to allow for broader services as appointing authority and case administrator

by *Practical Law Arbitration*, with *Schellenberg Wittmer Ltd*

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The Swiss Chambers Arbitration Institution has revised its rules relating to acting as appointing authority and case administrator to offer expanded services and assistance in UNCITRAL and ad hoc arbitration proceedings.

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On 15 January 2021, the Swiss Chambers Arbitration Institution (SCAI) published its revised *Rules of SCAI as Appointing Authority and Case Administrator in UNCITRAL, ad hoc, and other proceedings*. The prior version of the rules dates back to 2014.

The revision was prompted by the growing interest of various stakeholders, including states, in the services of SCAI as an appointing authority. In particular, two major organisations, the Swiss Society of Engineers and Architects and the Swiss Stock Exchange (SIX), have asked SCAI to act as appointing authority under their respective frameworks.

SCAI typically acts as an appointing authority or case administrator under the rules if it has been designated by the parties either in the arbitration clause or in a subsequent agreement. It may also do so if an authority within SCAI, or one of the Chambers of Commerce and Industry that have adhered to the Swiss Rules of International Arbitration, or any other organisation that has transferred such authorities to SCAI, is called upon to appoint arbitrators or provide support to an arbitration proceeding.

While SCAI's services were previously limited to handling the appointment and challenge of arbitrators, it has now expanded its services to include further support and case administration. In that capacity, SCAI can now, for example, review and fix arbitrators' fees and costs, and assist with deposits and payments. Furthermore, SCAI now offers its appointment and case administration services to mediators and experts.

Following developments to foster transparency in investor-state arbitration, the rules now also provide that parties can call upon SCAI to act as a repository of information and documents pursuant to the UNCITRAL Rules on Transparency in Treaty-based Investor-State Arbitration.

The revised rules are available in English, German, French and Italian.

Source: *Revised Rules of the Swiss Chambers' Arbitration Institution ("SCAI") as Appointing Authority and Case Administrator in UNCITRAL, ad hoc, and other Proceedings (15 January 2021)*.

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