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Monthly  
Newsletter  
January  
2025

International  
Arbitration

Schellenberg  
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# The revised SIAC Rules 2025

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## Key Take-aways

- 1.** The 7th edition of the SIAC Rules entered into force on 1 January 2025. At the same time, SIAC's revised Schedule of Fees came into effect.
- 2.** The SIAC Rules 2025 introduce innovative procedures, include improvements to existing procedures, and add some further welcome amendments to the SIAC Rules 2016.
- 3.** This revision of the SIAC Rules is aimed at further increasing efficiency in the conduct of arbitration proceedings and the enforceability of arbitral awards.

# 1 Introduction

On 1 January 2025, the [7th edition of the Arbitration Rules of the Singapore International Arbitration Centre \(“SIAC Rules 2025”\)](#) entered into force.

They are the result of an extensive public consultation process with arbitration practitioners, businesses, in-house counsel, government representatives and academics and take into account the broad case management experience acquired by the SIAC Secretariat under the SIAC Rules 2016. They introduce innovative procedures, include improvements to existing procedures and other welcome changes to ensure fairness and efficiency in the conduct of arbitration proceedings and the enforceability of arbitral awards.

The SIAC Rules 2025 apply to any arbitration commenced on or after 1 January 2025. Contracts which explicitly refer to the SIAC Rules 2016 will continue to operate under those rules, even after the SIAC Rules 2025 came into force, unless the parties agree otherwise.

Together with the SIAC Rules 2025, **SIAC’s revised Schedule of Fees** also came into effect on 1 January 2025.

This newsletter provides an overview of the innovations introduced in the SIAC Rules 2025 and their potential impact on future arbitration proceedings.

## 2 Streamlined Procedure

The SIAC Rules 2025 introduce a **new Streamlined Procedure** (Rule 13 and Schedule 2) which is designed for **low value and less complex matters**.

The Streamlined Procedure applies next to the already established Expedited Procedure (see below section 5) and is intended to be a faster and more cost-efficient option for the resolution of disputes. It applies if the parties have agreed to its application at any time prior to the constitution of the Tribunal, or if **the amount in dispute does not exceed SGD 1 million**, unless the President of the SIAC Court determines that the Streamlined Procedure shall not apply. The parties may also agree in writing to exclude the application of the Streamlined Procedure.

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## The Streamlined Procedure is designed for low value and less complex cases

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All Streamlined Procedures will be adjudicated by a **sole arbitrator**.

Within five days from the date of its constitution, the Tribunal must conduct a case management conference with the parties to discuss the timetable for the arbitration, including the determination of any interlocutory applications. Unless the Tribunal determines otherwise, an arbitration under the Streamlined Procedure will be decided on the basis of written submissions and accompanying documentary evidence alone. In addition, no party is entitled to make requests

for document production or file any fact or expert witness evidence and, in principle, **no hearing** will be held. The **final award** must be made **within three months** from the date of the constitution of the Tribunal, which is half the time a Tribunal has to make an award under the Expedited Procedure.

The Tribunal’s fees and SIAC’s administrative fees are capped at 50% of the maximum limits under the Schedule of Fees in order to promote cost-effectiveness.

## 3 Preliminary Determination

Pursuant to new Rule 46, a party may apply to the Tribunal for a **final and binding preliminary determination** of any issue that arises for determination (a) where the parties agree that the Tribunal shall determine such an issue on a preliminary basis, (b) the applicant is able to demonstrate that the determination of the issue on a preliminary basis is likely to contribute to savings of time and costs, or (c) where the circumstances of the case otherwise warrant the determination of the issue on a preliminary basis.

After giving the parties an opportunity to be heard, the Tribunal decides whether to proceed with the application for preliminary determination. If it is allowed to proceed, the Tribunal must render its decision, ruling, order, or award **within 90 days**.

Rule 46 does not require an applicant to demonstrate that a preliminary determination will **actually** result in savings of time and costs. It therefore remains to be seen how strict the “likely to contribute” standard will be interpreted by Tribunals.

In the absence of an express provision in the SIAC Rules 2016, Tribunals have been reluctant to determine issues at a preliminary stage. Rule 46 confirms the inherent power of Tribunals to determine issues at a preliminary stage as part of their obligation to conduct proceedings efficiently and expeditiously. Its inclusion may therefore help to promote a more expeditious resolution of certain issues.

## 4 Emergency Arbitrator Procedure

The SIAC Rules 2025 increase the possibility of parties to obtain effective arbitral interim and conservatory measures in particularly urgent circumstances, especially in situations where immediate action is required before the formal constitution of the Tribunal. Under the new rules, applicants may now request the **appointment of an Emergency Arbitrator** (Rule 12 and Schedule 1) **prior to the filing of the Notice of Arbitration**. In that case, a Notice of Arbitration must be filed within seven days from the date of the Registrar’s receipt of the application.

The SIAC Rules 2025 now also provide parties with the option to apply for an **ex parte protective preliminary order**, i.e. without notice to the other party, directing a party not to frustrate the purpose of the requested emergency interim or conservatory measure, through asset preservation or preventing evidence destruction. This is a significant

amendment, as only few other sets of institutional rules allow parties to apply for ex parte interim measures (e.g., the Swiss Rules of International Arbitration). The Emergency Arbitrator is required to determine the request for a protective preliminary order within 24 hours of its appointment.

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## Parties can apply for *ex parte* protective preliminary orders from an Emergency Arbitrator

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In order to safeguard due process, the applicant is required to transmit within twelve hours after the SIAC Secretariat has transmitted the Emergency Arbitrator's order to all parties a copy of all case papers filed in the arbitration, the Emergency Arbitrator's order, and all other communications, including the content of any oral communication at any hearing, between the applicant and the Emergency Arbitrator, to all the parties, and to provide a statement to the Registrar and the Emergency Arbitrator that it has done so. If the applicant fails to provide such a statement, any preliminary order granted by the Emergency Arbitrator will expire within 3 days of its issuance. Otherwise, a protective preliminary order will expire 14 days after the date on which it was issued if the Emergency Arbitrator does not issue an order or award adopting or modifying the protective preliminary order after all parties have been given an opportunity to present their cases.

## 5 Expedited Procedure

With the introduction of the Streamlined Procedure, a **minimum threshold** for the Expedited Procedure (Rule 14 and Schedule 3) was introduced requiring that the amount in dispute has to exceed **SGD 1 million**. This shall prevent an overlap between the Streamlined Procedure and the Expedited Procedure. However, the Expedited Procedure may exceptionally apply where the amount in dispute does not exceed SGD 1 million if the President of the SIAC Court has determined that the Streamlined Procedure shall not apply. At the same time, the **maximum threshold** for the application of the Expedited Procedure has been raised from previously SGD 6 million under the SIAC Rules 2016 to an amount in dispute not exceeding **SGD 10 million**.

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## The Expedited Procedure is available for amounts in dispute between SGD 1 million and SGD 10 million

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Under the SIAC Rules 2016, the Expedited Procedure was applicable not only in cases where the amount in dispute did not exceed a certain amount or on the basis of

an agreement between the parties, but also "in cases of exceptional urgency". This last criterion is no longer present in the SIAC Rules 2025, but instead the Expedited Procedure is applicable where "the circumstances of the case warrant the application of the Expedited Procedure".

## 6 Coordinated Proceedings

New Rule 17 introduces a mechanism for the coordinated resolution of multiple arbitrations where the **same Tribunal** is constituted in two or more arbitrations, and a **common question of law or fact** arises out of or in connection with all the arbitrations.

In such a situation, a party may request (a) that the multiple arbitrations shall be conducted concurrently or sequentially, (b) that the arbitrations shall be heard together and any procedural aspects be aligned, or (c) that any of the arbitrations shall be suspended pending a determination in any of the other arbitrations.

Unless otherwise agreed by the parties, any coordinated arbitrations shall **remain separate proceedings**, and the Tribunal shall issue separate decisions, rulings, orders, and awards in each arbitration. This distinguishes coordinated arbitrations from consolidated arbitrations, where two or more arbitrations are consolidated into a single arbitration.

The introduction of Rule 17 will help enhance procedural efficiency in related cases, where consolidation or joinder are not available, thereby minimizing the risk of inconsistent decisions on connected issues, and avoiding duplicative processes and hearings.

## 7 Disclosure of third-party funding

New Rule 38 requires parties to **disclose the existence of any third-party funding agreement** and the identity and contact details of the third-party funder in the Notice or Response, or as soon as practicable upon concluding a third-party funding agreement.

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## Parties have to disclose the identity and contact details of third-party funders

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Rule 38 empowers the Tribunal to order such disclosure, including in respect of details of the third-party funder's interest in the outcome of the proceedings and whether the third-party funder has committed to undertake adverse costs liability. If a party fails to comply with its disclosure obligations, the Tribunal may issue an order or award for sanctions, damages or costs.

After the constitution of the Tribunal, a party must not enter into a third-party funding agreement which may give rise to a conflict of interest with any member of the Tribunal; otherwise, the **Tribunal may direct the party to withdraw**

**from the third-party funding agreement.**

The Tribunal may take into account any third-party funding agreement in apportioning the costs, but the existence of a third-party funding agreement on its own shall not be taken as an indication of the financial status of a party.

This new rule is designed to increase transparency and address potential conflicts of interest and reflects the growing role of third-party funding in international arbitration.

## 8 Other notable changes

### 8.1 Termination orders

New Rule 43.2 requires the Tribunal to issue a termination order in the event of a settlement or, if the parties so request, the Tribunal may record the settlement in the form of a consent award on agreed terms. The SIAC Rules 2025 now also prescribe other specific situations in which the Tribunal is required to issue a termination order.

### 8.2 Tribunal secretaries

New Rule 24.1 codifies the power of Tribunals to appoint Tribunal secretaries, providing that the Tribunal shall not delegate any of its decision-making functions to the Tribunal Secretary.

### 8.3 Timeframe for submitting draft awards

The SIAC Rules 2025 require the Tribunal to provide the parties and the SIAC Secretariat with an estimate of the time within which it proposes to submit the draft award for scrutiny within 30 days from the date of the last oral or written submission and to submit the draft award to the SIAC Secretariat for scrutiny in any event no later than within 90 days from the date of the last submission (Rule 53). Under the SIAC Rules 2016 the timeline for submitting the draft award was 45 days from the date on which the Tribunal declared the proceedings closed. This change will help to improve the predictability of the duration of arbitration proceedings.

## 9 Conclusion

The SIAC Rules 2025 represent a significant update of the previous rules. They not only introduce innovative procedures to help parties resolve their disputes more effectively and efficiently, but also make significant improvements to existing procedures and provisions that will make arbitration proceedings under the SIAC Rules in general even more efficient and cost-effective.



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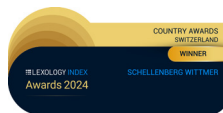
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