

The HKIAC ‘Documents Only’ Procedure

1. Introduction

These provisions shall be known as the HKIAC ‘Documents Only’ Procedure.

2. General

- (a) If it is determined by the tribunal or agreed by the parties that the dispute is to be decided without an oral hearing the procedure set out in paragraph 3 below is recommended for adoption by agreement.
- (b) When this procedure (or any modification) has been agreed, the tribunal should be so informed. The tribunal must be promptly advised if, at a later stage, the parties or either of them wish to apply for an oral hearing.
- (c) The exchange of submission, etc., will take place directly between the parties unless the case is being handled by others (e.g. by lawyers) on their behalf.
- (d) Copies of all submissions, comments and documents must be supplied simultaneously to the tribunal, and all communications with the tribunal must be copied to the other party.
- (e) All documents relied on must be legibly copied and translations supplied as necessary.

3. Procedure

- (a) Within 28 days of agreement by the parties to adopt the procedure or of the order of the tribunal, the claimants shall send to the respondents, with copies to the tribunal, their written claim submissions, together with copies of supporting documents.
- (b) Within 28 days of the service of the claim submissions, the respondents shall send to the claimants, with copies to the tribunal, their written submissions (including those relating to any counterclaim) together with copies of the documents relied on additional to those already provided by the claimants.
- (c) If there is no counterclaim, the claimants’ final submissions (if any) on the claim shall be provided to the respondents and the tribunal within 21 days after receipt of the respondents’ submissions and documents.
- (d) If there is a counterclaim:
 - (i) The claimants shall furnish submissions and any additional documents relative to the counterclaim within 28 days after receipt of the respondents’ submissions and documents.
 - (ii) The respondents’ final submissions (if any) on the counterclaim shall be provided within 21 days after receipt of the claimants’ submissions and additional documents (if any).

- (e) The tribunal will then give notice to the parties of its intention to proceed to its award and will so proceed unless either party within seven days requests, and is thereafter granted, leave to serve further submissions and/or documents.

Effective Date : 1st January 2000