

**IBA ARBITRATION COMMITTEE**  
**RECOGNITION AND ENFORCEMENT OF ARBITRAL AWARDS**  
**SUBCOMMITTEE**

**COUNTRY REPORT ON LOCAL REQUIREMENTS FOR THE**  
**VALIDITY OF THE ARBITRAL AWARD**

**Author**

**Raza Mithani, Richard Dupay and David Parker, Bryan Cave Leighton Paisner**

**Draft**

For the purposes of arbitration, there are three parallel “seats” in the UAE:

- The UAE (onshore)
- Dubai International Finance Centre
- Abu Dhabi Global Market

Each has its own laws and regulations:

- Arbitrations with a seat in the UAE are governed by the UAE Federal Arbitration Law (Federal Law No.6 of 2018). In this paper, references to the UAE Federal Arbitration Law are typed in black.
- Arbitrations with a seat in the DIFC are governed by the DIFC Arbitration Law (DIFC Law No.1 of 2008). In this paper, references to the DIFC Arbitration Law are typed in blue.
- Arbitrations with a seat in the ADGM are governed by the ADGM Arbitration Regulations 2015. In this paper, references to the ADGM Regulations are typed in green.

The identity of the seat can be a complex and this paper does not explore those issues. However, regardless of where the parties are located, it may be possible to opt in to one of the above seats:

- **Article 2(1)** of the UAE Federal Arbitration Law states that it will apply to “*Any international commercial arbitration conducted abroad, if the Parties have chosen this Law to govern such Arbitration.*”
- **Article 7(1)** of the DIFC Arbitration Law states “*Subject to paragraphs (2) and (3) of this Article, this Law shall apply where the Seat of the Arbitration is the DIFC.*”
- **Section 8** of the ADGM Regulations states “*Unless stated otherwise, Part 3 of these Regulations shall apply to arbitrations where the seat of the arbitration is the Abu Dhabi Global Market...*”

**United Arab Emirates**

| <b>United Arab Emirates</b> |                                                                                                                            |                                     |                                                                                                                                                                                                                                                                                     |
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| <b>I. General questions</b> | <b>(Yes/No/NA)</b>                                                                                                         | <b>Additional comments, if any.</b> |                                                                                                                                                                                                                                                                                     |
| I.1                         | <b>Has the country that you are reporting about adopted the UNCITRAL Model Law?</b>                                        | No                                  | However, Federal Law No 6. Of 2018 (“Federal Arbitration Law”) is broadly based on the UNCITRAL Model Law.                                                                                                                                                                          |
|                             |                                                                                                                            | No                                  | However, DIFC Arbitration Law No.1 of 2008 is broadly based on the UNCITRAL Model Law.                                                                                                                                                                                              |
|                             |                                                                                                                            | No                                  | However, ADGM Arbitration Regulations 2015 are broadly based on the UNCITRAL Model Law.                                                                                                                                                                                             |
| I.2                         | <b>Is it required for the award to result from an agreement to arbitrate?</b>                                              | Yes                                 | <b>Article 53(1)(a)</b> provides that an arbitration award may be set aside where “no Arbitration Agreement exists or such agreement is void or has lapsed.”                                                                                                                        |
|                             |                                                                                                                            | Yes                                 | <b>Article 41(2)(i)</b> provides that an arbitral award may be set aside where the “said agreement is not valid.”                                                                                                                                                                   |
|                             |                                                                                                                            | Yes                                 | <b>Section 57(1)(a)(ii)</b> provides that an arbitration award may be set aside where “the arbitration agreement is not valid.”                                                                                                                                                     |
| I.2.a                       | If your answer to question <u>I.2</u> is yes, must the agreement to arbitrate be transcribed into the award?               | Yes                                 | <b>Article 41 (5)</b> requires the arbitral award to include the text of the arbitration agreement.                                                                                                                                                                                 |
|                             |                                                                                                                            | No                                  | However, it is best practice for the arbitral award to set out the text of the Arbitration Agreement within the body of the arbitral award.                                                                                                                                         |
|                             |                                                                                                                            | No                                  | However, it is best practice for the arbitral award to set out the text of the Arbitration Agreement within the body of the arbitral award.                                                                                                                                         |
| I.2.b                       | Must the agreement to arbitrate be attached to the award?                                                                  | No                                  | <b>Article 41</b> (Form and Contents of Award) sets out the form and content of the arbitral award. As commented above, the arbitral award is required to include the text of the arbitration agreement. There is no requirement to attach the agreement to arbitrate to the award. |
|                             |                                                                                                                            | No                                  | There is no requirement to attach the agreement to arbitrate to the award.                                                                                                                                                                                                          |
|                             |                                                                                                                            | No                                  | There is no requirement to attach the agreement to arbitrate to the award.                                                                                                                                                                                                          |
| I.2.c                       | If your answer to question <u>I.2.b</u> is yes, would a copy of the agreement to arbitrate be sufficient?                  | NA                                  | Not applicable.                                                                                                                                                                                                                                                                     |
|                             |                                                                                                                            | NA                                  | Not applicable.                                                                                                                                                                                                                                                                     |
|                             |                                                                                                                            | NA                                  | Not applicable.                                                                                                                                                                                                                                                                     |
| I.2.d                       | If your answer to question <u>I.2.c</u> is no, is it necessary to attach an original version of the arbitration agreement? | NA                                  | Not applicable.                                                                                                                                                                                                                                                                     |
|                             |                                                                                                                            | NA                                  | Not applicable.                                                                                                                                                                                                                                                                     |
|                             |                                                                                                                            | NA                                  | Not applicable.                                                                                                                                                                                                                                                                     |

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| I.3   | Must the award resolve a substantive issue, not merely a procedural matter to be considered an arbitral award?                                               | Yes | <p>The UAE Federal Arbitration Law draws a distinction between “orders” and “awards”. The former relates to interim matters (see, <b>Article 21</b> (Interim or Conservatory Measures)).</p> <p>Awards, on the other hand, on the strict wording of the UAE Federal Arbitration Law, determine substantive issues. <b>Article 39</b> (Interim and Partial Awards) states that interim awards are for “<i>part of claims</i>”.</p> <p>Please note that this is based on the Al Tamimi translation of the UAE Federal Arbitration Law.</p>                                                                                                                                                                                                                                                                                                 |
|       |                                                                                                                                                              | No  | <p><b>Article 24</b> (Power of Arbitral Tribunal to order interim measures) provides that a tribunal may issue interim measures “<i>in the form of an award.</i>”</p> <p><b>Article 24(b)</b> lists interim measure as:</p> <ul style="list-style-type: none"> <li>(i) maintaining or restoring the status quo;</li> <li>(ii) preserving assets out of which a subsequent award may be satisfied or other means for securing or facilitating the enforcement of such award;</li> <li>(iii) preventing or refraining from taking action that is likely to cause, current or imminent harm or prejudice to any party or to the arbitral process; and</li> <li>(iv) preserving evidence that may be relevant and material to the resolution of the dispute.</li> </ul>                                                                      |
|       |                                                                                                                                                              | Yes | <p><b>Section 27</b> (Power of arbitral tribunal to order interim measures) provides that a tribunal may issues interim measures “<i>in the form of an award.</i>”</p> <p><b>Section 27(2)</b> lists interim measures as:</p> <ul style="list-style-type: none"> <li>(a) maintaining or restoring the status quo;</li> <li>(b) preventing or refraining from taking action that is likely to cause current or imminent harm or prejudice to any party or to the arbitral process itself;</li> <li>(c) preserving assets out of which a subsequent award may be satisfied;</li> <li>(d) preserving evidence that may be relevant and material to the resolution of the dispute.</li> </ul>                                                                                                                                                |
| I.3.a | If your answer to question <u>I.3</u> is yes, should decisions purely on procedural and/or administrative matters be resolved in form of a procedural order? | Yes | <p><b>Article 23</b> (Determination of Rules and Procedure) provides that the parties are free to agree on the procedure to be followed by the Arbitral Tribunal. In practice, parties might agree on institutional arbitral rules (such as the ICC Arbitration Rules or DIAC Arbitration Rules) to govern the arbitration. Under institutional rules, it is common practice that procedural and/or administrative matters are dispensed with by way of procedural orders.</p> <p><b>Article 23(2)</b> provides that in the absence of any agreement between the parties as to the procedure to be followed, the Arbitral Tribunal may adopt procedures it considers appropriate. Again, in such circumstances, it is common practice for procedural and/or administrative matters to be dispensed with by way of procedural orders.</p> |
|       |                                                                                                                                                              | Yes | <p><b>Article 26</b> (Determination of rules of procedure) provides that the parties are free to agree on the procedure. In practice, parties might agree on institutional arbitration rules (such as the DIFC-LCIA Arbitration Rules) for the conduct of the arbitration. Under institutional rules, it is common practice that procedural and/or administrative matters are dispensed with by way of procedural orders.</p> <p><b>Article 26(2)</b> provides that in the absence of any agreement between the parties as to the procedure to be followed, the Arbitral Tribunal may adopt</p>                                                                                                                                                                                                                                          |

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|       |                                                                                                     |     | procedures it considers appropriate. Again, in such circumstances, it is common practice for procedural and/or administrative matters to be dispensed with by way of procedural orders.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|       |                                                                                                     | Yes | <p><b>Section 32(1)</b> provides that the parties are free to agree on the procedure. In practice, parties might agree on institutional arbitration rules (such as the ICC Arbitration Rules) for the conduct of the arbitration. Under institutional rules, it is common practice that procedural and/or administrative matters are dispensed with by way of procedural orders.</p> <p><b>Section 32(2)</b> provides that in the absence of any agreement between the parties as to the procedure to be followed, the Arbitral Tribunal may adopt procedures it considers appropriate. Again, in such circumstances, it is common practice for procedural and/or administrative matters to be dispensed with by way of procedural orders.</p> |
| I.4   | Must the award comply with certain minimal formal requirements?                                     | Yes | <b>Article 41</b> (Form and Contents of Award) lists the minimum formal requirements of an arbitral award. These minimum formal requirements are addressed in answer to the below questions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|       |                                                                                                     | Yes | <b>Article 38</b> (Form and contents of award) lists the minimum formal requirements of an arbitral award. These minimum formal requirements are addressed in answer to the below questions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|       |                                                                                                     | Yes | <b>Section 50</b> (Form and contents of award) lists the minimum formal requirements of an arbitral award. These minimum formal requirements are addressed in answer to the below questions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| I.4.a | If your answer to question <u>I.4</u> is yes, is it required for the award to be an original award? | Yes | <p><b>Article 44</b> requires the arbitral tribunal to issue to the parties within 15 days of the date of the award being rendered “<i>an original or copy of the arbitral award</i>”.</p> <p>However, <b>Article 55(1)(a)</b> provides that when seeking to enforce an award in the local courts, the applicant must provide “<i>the original award or a certified copy</i>.”</p> <p>It is best practice that each party receives an original copy of the arbitration award.</p>                                                                                                                                                                                                                                                              |
|       |                                                                                                     | Yes | <p><b>Article 38(4)</b> states that after the award is made “<i>a copy signed by the arbitrators in accordance with paragraph (1) of this Article shall be delivered to each party</i>.”</p> <p><b>Article 42(2)</b> provides that when seeking to enforce an award in the DIFC courts, the applicant is to provide “<i>the original award or a duly certified copy</i>.”</p> <p>It is best practice that each party receives an original copy of the arbitration award.</p>                                                                                                                                                                                                                                                                   |
|       |                                                                                                     | Yes | <p><b>Section 50(4)</b> provides that once the award has been made, a “<i>copy shall be delivered to each party</i>.”</p> <p><b>Section 56(2)</b> provides that when seeking to enforce an award in the ADGM courts, the applicant is to provide “<i>the original copy of a duly certified copy</i>.”</p> <p>It is best practice that each party receives an original copy of the arbitration award.</p>                                                                                                                                                                                                                                                                                                                                       |
| I.4.b | If your answer to question <u>I.4</u> is yes, is it required for the award to be in writing?        | Yes | <b>Article 41(1)</b> provides that the arbitral award is to be made in writing.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|       |                                                                                                     | Yes | <b>Article 38(1)</b> provides that the arbitral award is to be made in writing.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

|       |                                                                                                                                                      |     |                                                                                                                                                                                                                                                                                                                                                                 |
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|       |                                                                                                                                                      | Yes | <b>Section 50(1)</b> provides that the arbitral award is to be made in writing.                                                                                                                                                                                                                                                                                 |
| I.4.c | If your answer to question <u>I.4</u> is yes, is it required for the award to be a reasoned instrument?                                              | Yes | <b>Article 41(4)</b> states that the “award shall state the reasons upon which it is based, unless the Parties have agreed otherwise, or the law applicable to the arbitral proceedings does not require reasons to be given.”                                                                                                                                  |
|       |                                                                                                                                                      | Yes | <b>Article 38(2)</b> states that the “award shall state the reasons upon which it is based, unless the parties have agreed that no reasons are to be given or the award is an award on agreed terms under Article 37.”<br><b>Article 37</b> governs awards made to record the settlement of the parties.                                                        |
|       |                                                                                                                                                      | Yes | <b>Section 50(2)</b> states that the “award shall state the reasons upon which it is based, unless the parties have agreed that no reasons are to be given or the award is an award on agreed terms under section 48.”<br><b>Section 48</b> governs awards made to record the settlement of the parties.                                                        |
| I.4.d | If your answer to question <u>I.4</u> is yes, is it required for the award to indicate the place of issue of the award?                              | Yes | <b>Article 41(5)</b> requires the arbitral award to include the “place of issue of the award.”                                                                                                                                                                                                                                                                  |
|       |                                                                                                                                                      | No  | There is no express requirement for the arbitral award to state the place of issue of the award.<br>However, <b>Article 38(3)</b> requires the arbitral award to state the seat of the arbitration. The same article confirms that the award is deemed to have been made at the seat of the arbitration.                                                        |
|       |                                                                                                                                                      | No  | There is no express requirement for the arbitral award to state the place of the issue of the award.<br>However, <b>Section 50(3)</b> provides that the arbitral award must state the seat of the arbitration. It also states that the “award shall be deemed to have been made at the seat of the arbitration, irrespective of where it is written or signed.” |
| I.4.e | If your answer to question <u>I.4</u> is yes, is it required for the award to specify the date of the award?                                         | Yes | <b>Article 41(5)</b> requires the arbitral award to state the date of the award.                                                                                                                                                                                                                                                                                |
|       |                                                                                                                                                      | Yes | <b>Article 38(3)</b> requires the arbitral award to state the date of the award.                                                                                                                                                                                                                                                                                |
|       |                                                                                                                                                      | Yes | <b>Section 50(3)</b> requires the arbitral award to state the date of the award.                                                                                                                                                                                                                                                                                |
| I.4.f | If your answer to question <u>I.4.e</u> is yes, does the date of the award need to be the date when the last of the arbitrators signed the award?    | Yes | <b>Article 41(7)</b> provides that the date of the award shall be taken to be the date on which it is signed by the Arbitrator or, where there is more than one Arbitrator, by the last of them.                                                                                                                                                                |
|       |                                                                                                                                                      | No  | The DIFC Arbitration Law simply requires the award to state a date.<br>The arbitration institutional rules, if any, may dictate the relevant date of the award.                                                                                                                                                                                                 |
|       |                                                                                                                                                      | No  | The ADGM Arbitration Regulations simply requires the award to state a date.<br>The arbitration institutional rules, if any, may dictate the relevant date of the award.                                                                                                                                                                                         |
| I.4.g | If your answer to question <u>I.4.f</u> is no, is the date of the award the same date when the relevant arbitration institution confirmed the award? | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                 |
|       |                                                                                                                                                      | No  | Please see the comments above in response to I.4.f.                                                                                                                                                                                                                                                                                                             |
|       |                                                                                                                                                      | No  | Please see the comments above in response to I.4.f.                                                                                                                                                                                                                                                                                                             |

|       |                                                                                                                                             |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| I.4.h | If your answer to question <u>I.4.g</u> is no, is the date of the award the same date when the award was sent to the parties?               | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|       |                                                                                                                                             | No  | Please see the comments above in response to I.4.f.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|       |                                                                                                                                             | No  | Please see the comments above in response to I.4.f.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| I.5   | <b>Are partial or interim awards permitted?</b>                                                                                             | Yes | <b>Article 39</b> (Interim and Partial Awards) provides that the Arbitral Tribunal may issue interim awards or awards on part of claims before rendering the award on the entire dispute.<br><b>Article 39(2)</b> confirms that such interim or partial awards are enforceable in the local courts.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|       |                                                                                                                                             | Yes | Unlike the UAE Federal Arbitration Law and the ADGM Arbitration Regulations, the DIFC Arbitration Law does not expressly permit partial or interim awards.<br>Equally, however, the DIFC Arbitration Law does not state that partial or interim awards are not permissible.<br>By way of further exploration, <b>Article 26.1 of the DIFC-LCIA Arbitration Rules (2016)</b> states “ <i>The Arbitral Tribunal may make separate awards on different issues at different times.</i> ”                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|       |                                                                                                                                             | Yes | <b>Section 49</b> states that “ <i>the arbitral tribunal may make more than one award at different times on different aspects of the matters to be determined.</i> ”                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| I.5.a | If your answer to question <u>I.5</u> is yes, please briefly explain (in the comments column) in which cases can a partial award be issued? |     | Partial or interim awards may be appropriate to dispense with discrete issues which are capable of being finally determined in isolation of the overall dispute.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| I.6   | <b>Can awards be rectified and interpreted?</b>                                                                                             | Yes | <b>Article 49(1)</b> states that after the award is issued, the Arbitral Tribunal has no power to determine issues which have already been addressed by an arbitral award.<br>However, <b>Article 49(1)</b> also states: “ <i>within thirty days of receipt of the award, unless other procedures or periods of time have been agreed by the Parties, a Party, with notice to the other party, may request the Arbitral Tribunal to interpret any obscurity or ambiguity in its award.</i> ”<br><b>Article 49(3)</b> provides that any interpretation provided by the Arbitral Tribunal shall form part of the award.<br><b>Article 50</b> gives the Arbitral Tribunal the power to “ <i>correct any material errors in its award, whether clerical or in computation.</i> ”<br><b>Article 50(3)</b> provides that any such corrections are to form part of the award.<br><b>Article 51</b> provides that the Arbitral Tribunal may issue an additional award if the original award omits claims which had been presented as part of the proceedings. |
|       |                                                                                                                                             | Yes | <b>Article 40(1)</b> provides that an Arbitral Tribunal may, upon the request of a party (with notice to the other party), “ <i>correct in the award any errors in computation, any clerical or typographical errors</i> ” and/or “ <i>give an interpretation of a specific point or part of the award.</i> ”<br><b>Article 40(3)</b> provides that a party may, with notice to the other party, request the Arbitral Tribunal to make an additional award as to claims presented in the arbitral proceedings but omitted from the award.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

|       |                                                                                                                          |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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|       |                                                                                                                          | Yes | <p><b>Section 52</b> provides that within 30 days of receipt of an award, either party may, with notice to the other party, request that the arbitral tribunal “correct in the award any errors in computation, any clerical or typographical errors or any error of a similar nature” and/or “given an interpretation of a specific point or part of the award.”</p> <p><b>Section 52(4)</b> also provides that the arbitral tribunal may issue an additional award should the final arbitral award omit matters presented as part of the proceedings.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| I.6.a | If your answer to question <u>I.6</u> is yes, are there specific deadlines to issue rectified awards or interpretations? | Yes | <p><b>Article 49</b> provides that a party must make a request for an interpretation of the arbitral award within 30 days of receipt (unless otherwise agreed between the parties). The Arbitral Tribunal has a further 30 days to issue the interpretation. This can be extended by the Arbitral Tribunal by a further 15 days.</p> <p><b>Article 50</b> provides that a party must make a request for a rectification of an error within an award within 30 days of receipt (unless otherwise agreed between the parties). The Arbitral Tribunal may also make rectifications on its own initiative within the same period of 30 days.</p> <p>The Arbitral Tribunal shall make the correction within 30 days after it issues the award or receives the request for correction. The Arbitral Tribunal may extend this period of time by a further 15 days.</p> <p>The Arbitral Tribunal shall make the correction in writing and notify the Parties within 15 days from the date of issue.</p> <p><b>Article 51</b> provides that a party must make a request for an additional award within 30 days of receipt of the arbitral award.</p> <p>If the Arbitral Tribunal considers the request to be justified, it shall make the additional award within 60 days after receipt of the request. This deadline may be extended by a further 30 days.</p> |
|       |                                                                                                                          | Yes | <p><b>Article 40(1)</b> provides that a party may, within 30 days of receipt of the award (unless otherwise agreed by the parties), issue a request for an interpretation on a specific part of or point in the arbitral award, or for a correction of an error in the award.</p> <p>The Arbitral Tribunal shall issue the interpretation or correction within 30 days of the request.</p> <p>The Arbitral Tribunal may also correct any errors on its own initiative within 30 days of the date of the award.</p> <p><b>Article 40(3)</b> provides that, unless otherwise agreed by the parties, a party has 30 days to request that the Arbitral Tribunal issue an additional award relating to issues pleaded but not issued in the original award. If the Arbitral Tribunal considers the request to be justified, it shall make the additional award within 60 days.</p> <p><b>Article 40(4)</b> permits the arbitral tribunal to extend the periods of time in which it is to issue an interpretation, correction or additional award.</p>                                                                                                                                                                                                                                                                                                       |
|       |                                                                                                                          | Yes | <p><b>Section 52(1)</b> provides that either party may, within 30 days of the award, make an application to the arbitral tribunal to either correct an error in the award or to provide an interpretation.</p> <p><b>Section 52(2)</b> provides that the arbitral tribunal is to make such correction or give the interpretation within 30 days of receipt of the request.</p> <p><b>Section 52(3)</b> provides that the arbitral tribunal may correct any error on its own initiative within 30 days of the date of the award.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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| I.6.b | If your answer to question <u>I.6.a</u> is yes, what are the deadlines?                                                                             |     | Please see the comments above in response to I.6.a.                                                                                                                                                                                                                                           |
|       |                                                                                                                                                     |     | Please see the comments above in response to I.6.a.                                                                                                                                                                                                                                           |
|       |                                                                                                                                                     |     | Please see the comments above in response to I.6.a.                                                                                                                                                                                                                                           |
| I.6.c | If your answer to question <u>I.6</u> is yes, is the relevant additional award considered to be part of the initial award?                          | Yes | <b>Articles 49 (3), 50 (3) and 51 (3)</b> confirm that the interpretation, correction or additional award shall form part of the relevant arbitral award.                                                                                                                                     |
|       |                                                                                                                                                     |     | <b>Article 40(1)</b> confirms that an interpretation shall form part of the relevant arbitral award.<br>The DIFC Arbitration Law does not, however, state that any correction or additional award is to be considered part of the original award.                                             |
|       |                                                                                                                                                     |     | <b>Section 52(2)</b> confirms that the correction or interpretation shall form part of the award.<br>However, the ADGM Arbitration Regulations do not provide that the additional award shall form part of the initial arbitral award.                                                        |
| I.6.d | If your answer to question <u>I.6.c</u> is no, is the relevant additional award considered to be a separate award from the initial award?           | NA  | Not applicable.                                                                                                                                                                                                                                                                               |
|       |                                                                                                                                                     |     | Unknown.                                                                                                                                                                                                                                                                                      |
|       |                                                                                                                                                     |     | Unknown.                                                                                                                                                                                                                                                                                      |
| I.6.e | If your answer to question <u>I.6</u> is yes, please briefly explain (in the comments column) in which cases can a rectified award be issued?       |     | <b>Article 50</b> provides that the Arbitral Tribunal may issue a correction to an arbitral award for “ <i>any material errors in its award, whether clerical or in computation.</i> ”                                                                                                        |
|       |                                                                                                                                                     |     | <b>Article 40</b> permits the Arbitral Tribunal to correct “ <i>any errors in computation, any clerical or typographical errors or any errors of a similar nature.</i> ”                                                                                                                      |
|       |                                                                                                                                                     |     | <b>Section 52</b> provides that an arbitral tribunal can correct “ <i>any errors in computation, any clerical or typographical errors or any errors of a similar nature.</i> ”                                                                                                                |
| I.6.f | If your answer to question <u>I.6</u> is yes, please briefly explain (in the comments column) in which cases can an interpretative award be issued? |     | <b>Article 49</b> provides that an interpretation of an arbitral award may be issued in the case of any “ <i>obscurity</i> ” or “ <i>ambiguity</i> ” in the award.<br>It is a matter for the Arbitral Tribunal to determine what constitutes an “ <i>ambiguity</i> ” or “ <i>obscurity</i> ”. |
|       |                                                                                                                                                     |     | The DIFC Arbitration Law does not expressly require there to be an obscurity or ambiguity in the award (as required under the UAE Federal Arbitration Law).<br><b>Article 40</b> does, however, state that the interpretation sought must be on a specific point or part of the award.        |
|       |                                                                                                                                                     |     | <b>Section 52</b> similarly provides that the interpretation sought must be on a specific point or part of the award.                                                                                                                                                                         |
| I.7   | <b>Are interim or preliminary awards permitted?</b>                                                                                                 | Yes | As noted in answer to I.5 above, <b>Article 39</b> provides that interim awards or awards on part of claims are permissible and will be enforced by the local courts.<br>There is no distinction between interim or preliminary awards.                                                       |
|       |                                                                                                                                                     | Yes | Please see the comments above in response to I.5.                                                                                                                                                                                                                                             |



|       |                                                                                                                                                                   |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|       |                                                                                                                                                                   | Yes | Please see the comments above in response to I.5.                                                                                                                                                                                                                                                                                                                                                                                                              |
| I.7.a | If your answer to question <u>I.7</u> is yes, are decisions on choice of law applicable to the substantive dispute capable of being rendered in an interim award? | Yes | The Arbitral Tribunal has express power to make such a decision. <b>Article 38(1)</b> states “ <i>Failing designation by the Parties of the legal rules applicable to the substance of the dispute, the Arbitral Tribunal shall apply the substantive rules of the law it deems most closely connected to the dispute.</i> ”                                                                                                                                   |
|       |                                                                                                                                                                   | Yes | <b>Article 35(2)</b> states “ <i>In the absence of any designation by the parties, the Arbitral Tribunal shall apply the law determined by the conflict of laws rules which it considers applicable, provided the parties shall be free to agree in writing that the Arbitral Tribunal may apply the law or rules of law which it considers to be most appropriate in the facts and circumstances of the dispute.</i> ”                                        |
|       |                                                                                                                                                                   | Yes | <b>Section 44(2)</b> states “ <i>In the absence of any designation by the parties, the arbitral tribunal shall decide the dispute in accordance with the rules of law it considers appropriate.</i> ”                                                                                                                                                                                                                                                          |
| I.7.b | If your answer to question <u>I.7</u> is yes, can issue of liability be decided in interim awards?                                                                | No  | Please see the comments above in response to I.5.                                                                                                                                                                                                                                                                                                                                                                                                              |
|       |                                                                                                                                                                   | No  | Please see the comments above in response to I.5.                                                                                                                                                                                                                                                                                                                                                                                                              |
|       |                                                                                                                                                                   | No  | Please see the comments above in response to I.5.                                                                                                                                                                                                                                                                                                                                                                                                              |
| I.7.c | If your answer to question <u>I.7</u> is yes, can decisions on the interpretation of a particular provision be decided as an interim award?                       | No  | Please see the comments above in response to I.5.                                                                                                                                                                                                                                                                                                                                                                                                              |
|       |                                                                                                                                                                   | No  | Please see the comments above in response to I.5.                                                                                                                                                                                                                                                                                                                                                                                                              |
|       |                                                                                                                                                                   | No  | Please see the comments above in response to I.5.                                                                                                                                                                                                                                                                                                                                                                                                              |
| I.7.d | If your answer to question <u>I.7</u> is yes, is the enforcement of interim awards somehow conditioned to the rendering of the final award?                       | No  | <b>Article 39(2)</b> confirms that interim awards are enforceable before the local courts.                                                                                                                                                                                                                                                                                                                                                                     |
|       |                                                                                                                                                                   | No  | As noted in answer to I.5 above, the DIFC Arbitration Law does not expressly address interim awards. However, this does not mean that it prevents them either.<br><br>By way of further explanation, Article 26.1 of the DIFC-LCIA Arbitration Rules (2016) states “ <i>The Arbitral Tribunal may make separate awards on different issues at different times...Such awards shall have the same status as any other award made by the Arbitral Tribunal.</i> ” |
|       |                                                                                                                                                                   | No  | <b>Section 49</b> confirms that the arbitral tribunal may make more than one award at different times.<br><br><b>Section 56</b> confirms that awards, whether interim or final, are enforceable in the ADGM courts.                                                                                                                                                                                                                                            |
| I.8   | <b>Are awards by consent enforceable?</b>                                                                                                                         | Yes | <b>Article 40</b> states “ <i>If, before any final award, the Parties amicably settle the dispute, they may request that the terms of settlement be recorded before the Arbitral Tribunal, which is bound, in this case, to issue a consent award setting out those terms and ending proceedings. Such an award has the same force and effect as any other award.</i> ”                                                                                        |
|       |                                                                                                                                                                   | Yes | <b>Article 37(1)</b> states “ <i>If, during arbitral proceedings, the parties settle the dispute, the Arbitral Tribunal shall terminate the proceedings and, if requested by the parties and not objected to by the Arbitral Tribunal, record the settlement in the form of an arbitral award on agreed terms.</i> ”                                                                                                                                           |
|       |                                                                                                                                                                   | Yes | <b>Section 48(1)</b> states “ <i>If, during arbitral proceedings, the parties settle the dispute, the arbitral tribunal shall terminate the proceedings and, if</i>                                                                                                                                                                                                                                                                                            |

|       |                                                                                                                                                     |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-------|-----------------------------------------------------------------------------------------------------------------------------------------------------|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|       |                                                                                                                                                     |     | <i>requested by the parties and agreed to by the arbitral tribunal, record the settlement in the form of an arbitral award on agreed terms.”</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| I.8.a | If your answer to question <u>I.8</u> is yes, is there any additional requirement to render awards by consent?                                      | Yes | <p>Whilst the UAE Federal Arbitration Law does not specify any additional requirements to render an award by consent, it is common practice for an award by consent to be titled as such.</p> <p>For example, the Dubai International Arbitration Centre Award Checklist for arbitrators specifies that the title of the award should indicate “<i>whether it is preliminary, interim, interlocutory, partial, final award or award by consent.</i>”</p> <p>Please note that the Dubai International Arbitration Centre Award Checklist is of advisory nature only and is not mandatory for the arbitral tribunals.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|       |                                                                                                                                                     | Yes | <p><b>Article 37(2)</b> states “<i>An award on agreed terms shall be made in accordance with the provisions of Article 38 and shall state that it is an agreed award. Such an award has the same status and effect as any award made on the merits of the case.</i>”</p> <p><b>Article 38</b> sets out the form and contents of an award (see answers to question I.4 above).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|       |                                                                                                                                                     | Yes | <p><b>Section 48(2)</b> states “<i>An award on agreed terms shall be made in accordance with the provisions of section 50 and shall state that it is an agreed award. Such an award has the same status and effect as any award made on the merits of the case.</i>”</p> <p><b>Section 50</b> sets out the form and contents of an award (see answers to question I.4 above).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| I.8.b | If your answer to question <u>I.8.a</u> is yes, please provide a brief description (in the comments column) regarding such additional requirements. |     | Please see the comments above in response to I.8.a.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|       |                                                                                                                                                     |     | Please see the comments above in response to I.8.a.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|       |                                                                                                                                                     |     | Please see the comments above in response to I.8.a.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| I.9   | <b>Are default awards enforceable?</b>                                                                                                              | No  | <p>The UAE Federal Arbitration Law does not provide for default awards.</p> <p><b>Article 32</b> sets out the procedure in the event of party default in different circumstances. It states:</p> <p><i>“Unless otherwise agreed by the Parties, and subject to the provisions of Article 30 of this Law, the following should be observed:</i></p> <ol style="list-style-type: none"> <li>1. <i>If the Claimant, without showing sufficient cause, fails to communicate its statement of claim in accordance with this Law and the procedures the Parties have agreed to follow, the Arbitral Tribunal shall terminate the proceedings if convinced that there has been undue and unjustified delay on the part of the claimant in pursuing its claim as would make it impossible to reach a fair resolution or would prejudice the respondent.</i></li> <li>2. <i>Where the respondent fails to communicate its statement of defence, the Arbitral Tribunal shall continue the proceedings, without treating such failure in itself as an admission of the claimant’s allegations by the respondent. The same rule shall apply to the claimant’s failure to submit a defence to a counterclaim.</i></li> <li>3. <i>If any party fails to appear at a hearing or to produce documentary evidence to carry out any procedure, without an</i></li> </ol> |

|  |    |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--|----|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |    |  | <p><i>acceptable excuse, the Arbitral Tribunal may continue the proceedings, drawing appropriate conclusions based on the actions and default of the party in question, as justified by the circumstances of the arbitration case, and proceed to make the award on the evidence before it.”</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|  | No |  | <p>The DIFC Arbitration Law does not provide for default awards. <b>Article 32</b> sets out the procedure in the event of default by one of the parties in different circumstances. It states:<br/> <i>“Unless otherwise agreed by the parties, if, without showing sufficient cause,</i></p> <ul style="list-style-type: none"> <li><i>(a) the claimant fails to communicate his statement of claim in accordance with Article 30(1), the Arbitral Tribunal shall terminate the proceedings;</i></li> <li><i>(b) the respondent fails to communicate his statement of defence in accordance with Article 30(1), the Arbitral Tribunal shall continue the proceedings without treating such failure in itself as an admission of the claimant’s allegations; or</i></li> <li><i>(c) any party fails to appear at a hearing or to produce documentary evidence, the Arbitral Tribunal may continue the proceedings and make the award on the evidence before it.”</i></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|  | No |  | <p>The ADGM Arbitration Regulations do not provide for default awards. <b>Section 41</b> sets out the procedure in the event of default of one of the parties in different circumstances. It states:<br/> <i>“Unless otherwise agreed by the parties, if:</i></p> <ul style="list-style-type: none"> <li><i>(a) the arbitral tribunal is satisfied that there has been inordinate and inexcusable delay on the part of the claimant or counterclaimant in pursuing his claim, and that delay:</i> <ul style="list-style-type: none"> <li><i>(i) gives rise or is likely to give rise to a substantial risk that is not possible to have a fair resolution of the issues in that claim, or</i></li> <li><i>(ii) has caused, or is likely to cause, serious prejudice to the respondent,</i></li> </ul> <i>the arbitral tribunal may dismiss the claim. The arbitral tribunal may also terminate the proceedings, unless the arbitral tribunal considers it appropriate to continue the proceedings in order to determine any counterclaim raised by the respondent;</i> </li> <li><i>(b) without showing sufficient cause a party:</i> <ul style="list-style-type: none"> <li><i>(i) fails to attend or be represented at an oral hearing of which due notice was given, or</i></li> <li><i>(ii) where matters are to be dealt with in writing, fails after due notice to submit written evidence or make written submissions,</i></li> </ul> <i>the arbitral tribunal may continue with the proceedings in the absence of that party or, as the case may be, without any written evidence or submissions on his behalf, and may make an award on the basis of the evidence before it. If the arbitral tribunal terminated the proceedings under sub-paragraph (a) above, unless otherwise agreed by the parties, the arbitral tribunal may</i></li> </ul> |

|       |                                                                                                            |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------|------------------------------------------------------------------------------------------------------------|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|       |                                                                                                            |    | <i>issue an award on costs in accordance with section 50 below.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| I.9.a | If your answer to question <u>I.9</u> is yes, should the award be rendered in a form of a partial award?   | NA | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|       |                                                                                                            | NA | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|       |                                                                                                            | NA | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| I.9.b | If your answer to question <u>I.9.a</u> is no, should the award be rendered in a form of a final award?    |    | Whether a final award is rendered depends on the circumstances of the default. If, for example, the default is on the part of the claimant, then the arbitral proceedings may be terminated (without a final award being rendered).<br><br>However, if the default is on the part of the respondent (or the claimant in respect to a counterclaim), a final award may be rendered.<br><br>Please see the comments above in response to I.9.                                                                                                                                         |
|       |                                                                                                            |    | Whether a final award is rendered depends on the circumstances of the default. If, for example, the default is on the part of the claimant, then the arbitral proceedings may be terminated (without a final award being rendered).<br><br>However, if the default is on the part of the respondent a final award may be rendered.<br><br>Please see the comments above in response to I.9.<br><br>Unlike the UAE Federal Arbitration Law, the DIFC Arbitration Law does not expressly address a scenario where the claimant fails to issue a defence in respect to a counterclaim. |
|       |                                                                                                            |    | Whether a final award is rendered or a part of the claim or counterclaim is dismissed depends on the circumstance of the default.<br><br>Please see the comments above in response to I.9.                                                                                                                                                                                                                                                                                                                                                                                          |
| I.9.c | If your answer to question <u>I.9.b</u> is no, should the award be rendered in a form of an interim award? | No | As noted in response to I.9.b, whether an award is rendered in the event of party default depends on the circumstances of the default.<br><br>If an award is to be rendered, it is likely that it will be a final award because all issues in the proceedings will have been addressed.<br><br>As noted in response to I.5, interim or partial awards are enforceable. If the circumstances are such, an interim or partial award may be appropriate.                                                                                                                               |
|       |                                                                                                            | No | As noted in response to I.9.b, whether an award is rendered in the event of party default depends on the circumstances of the default.<br><br>If an award is to be rendered, it is likely that it will be a final award because all issues in the proceedings will have been addressed.<br><br>As noted in response to I.5, interim or partial awards are enforceable. If the circumstances are such, an interim or partial award may be appropriate.                                                                                                                               |
|       |                                                                                                            | No | As noted in response to I.9.b, whether an award is rendered in the event of party default depends on the circumstances of the default.<br><br>If an award is to be rendered, it is likely that it will be a final award because all issues in the proceedings will have been addressed.<br><br>As noted in response to I.5, interim or partial awards are enforceable. If the circumstances are such, an interim or partial award may be appropriate.                                                                                                                               |
| I.9.d | If your answer to question <u>I.9</u> is yes, must particular notification requirements be met?            | NA | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|       |                                                                                                            | NA | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

|       |                                                                                                                                                  |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-------|--------------------------------------------------------------------------------------------------------------------------------------------------|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|       |                                                                                                                                                  | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| I.9.e | Should the arbitral tribunal make efforts to notify the defaulting party to present its case and should such efforts be documented in the award? | Yes | <p><b>Article 26</b> requires the Arbitral Tribunal to treat each party with equality and afford each party an opportunity to present its case.</p> <p>The default provisions in <b>Article 32</b> (see response to I.9.b above) are triggered when the Arbitral Tribunal considers that the defaulting party has acted with “<i>undue and unjustified delay</i>” or “<i>without an acceptable excuse</i>”.</p> <p><b>Article 33(4)</b> states “<i>The Arbitral Tribunal shall give the Parties sufficient advance notice, as determined by it on a case by case basis, or any hearings of the Arbitral Tribunal.</i>”</p> <p>It is therefore best practice that the defaulting party be given adequate notice of its obligations to present its case, and that this is documented in the award.</p> |
|       |                                                                                                                                                  | Yes | <p><b>Article 25</b> requires the Arbitral Tribunal to treat each party with equality and afford each party an opportunity to present its case.</p> <p>The default provision in <b>Article 32</b> (see response to I.9.b above) are triggered when the defaulting party fails to act “<i>without showing sufficient cause.</i>”</p> <p>It is therefore best practice that the defaulting party be given adequate notice of its obligations to present its case, and that this is documented in the award.</p>                                                                                                                                                                                                                                                                                        |
|       |                                                                                                                                                  | Yes | <p><b>Section 31</b> requires the arbitral tribunal to treat each party with equality and afford each party an opportunity to present its case.</p> <p>The default provisions in <b>Section 41</b> (see response to I.9.b above) are triggered when the defaulting party is in “<i>inordinate and inexcusable delay</i>” and in respect to attending a hearing does not attend after “<i>due notice was given.</i>”</p> <p>It is therefore best practice that the defaulting party be given adequate notice of its obligations to present its case, and that this is documented in the award.</p>                                                                                                                                                                                                    |
| I.10  | Is there a time limit requirement to render the award?                                                                                           | Yes | <p><b>Article 42(1)</b> states: “<i>The Arbitral Tribunal shall issue a final award within the timeframe agreed by the Parties. Failing agreement on a specific time limit or method of its determination, the award shall be issued within six months from the date of the first hearing of the Arbitration. The Arbitral Tribunal may extend the time for up to six additional months, unless the Parties agree to a longer extension.</i>”</p> <p>The institutional arbitral rules, if any, adopted by the parties may prescribe a different time-limit. For example, Article 36.2 of the DIAC Arbitration Rules (2007) provides that the final award “<i>is six months from the date the sole arbitrator (or the Chairman in the case of three arbitrators) receives the file.</i>”</p>          |
|       |                                                                                                                                                  | No  | <p>The DIFC Arbitration Law does not specify a time limit for the Arbitral Tribunal to render the award.</p> <p>However, the institutional rules, if any, adopted by the parties may prescribe a time-limit. For example, Article 15.10 of the DIFC-LCIA Arbitration Rules (2016) states: “<i>the Arbitral Tribunal shall seek to makes its final award as soon as reasonably possible following the last submission from the parties...</i>”</p>                                                                                                                                                                                                                                                                                                                                                    |
|       |                                                                                                                                                  | No  | The ADGM Arbitration Regulations do not specify a time limit for the                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

|        |                                                                                                                         |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------|-------------------------------------------------------------------------------------------------------------------------|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                                                                                         |     | <p>arbitral tribunal to render the award.</p> <p>However, the institutional rules, if any, adopted by the parties may prescribe a time-limit. For example, Article 32 of the ICC Arbitration Rules (2017) states that <i>“the time limit within which the arbitral tribunal must render its final award is six months. Such time limit shall start to run from the date of the last signature by the arbitral tribunal or by the parties of the Term of Reference...”</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| I.10.a | If your answer to question <u>I.10</u> is yes, please specify (in the comments column) what the relevant time limit is. |     | Please see the comments above in response to I.10.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|        |                                                                                                                         |     | Please see the comments above in response to I.10.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|        |                                                                                                                         |     | Please see the comments above in response to I.10.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| I.11   | <b>Are arbitrators required to meet certain qualifications?</b>                                                         | Yes | <p><b>Article 10</b> sets out the qualifications required of arbitrators.</p> <p><b>Article 10(1)</b> states <i>“In addition to the qualifications agreed upon by the Parties, the Arbitrator shall be a natural person who is not a minor under court interdiction order or without civil rights by reason of bankruptcy; unless he has been discharged, or due to a felony or misdemeanor conviction for a crime involving moral turpitude or breach of trust; even if he has been rehabilitated.”</i></p> <p>The arbitrator must also not be on the board of trustees of the administrative body administering the arbitration.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|        |                                                                                                                         | No  | <p>The DIFC Arbitration Law does not set out the qualifications that an arbitrator must meet.</p> <p>However, where the DIFC court is to appoint an arbitrator (because the parties have failed to do so), <b>Article 17(5)</b> states: <i>“The DIFC Court of First Instance, in appointing an arbitrator, shall have due regard to any qualifications required of the arbitrator by the agreement of the parties and to such considerations as are likely to secure the appointment of an independent and impartial arbitrator, and in the case of a sole arbitrator, shall also take into account as well the advisability of appointing an arbitrator of a nationality other than that of any party.”</i></p> <p>The institutional rules, if any, adopted by the parties may set out qualification requirements of an arbitrator. For example, Article 5 of the DIFC-LCIA Arbitration Rules (2016) provides that when the LCIA Court appoints a candidate, it may have regard to the individual’s qualifications.</p>                                                                                                                                                                                                  |
|        |                                                                                                                         | No  | <p>The ADGM Arbitration Regulations do not set out the qualifications that an arbitrator must meet.</p> <p>However, where the ADGM court is to appoint an arbitrator (because the parties have failed to do so), <b>Section 18(6)</b> states <i>“the Court, in appointing an arbitrator, shall have due regard to any qualifications required of the arbitrator by the agreement of the parties and to such consideration as are likely to secure the appointment of an independent and impartial arbitrator and, in the case of a sole or third arbitrator, shall also take into account the advisability of appointing an arbitrator of a nationality other than that of any party.”</i></p> <p>The institutional rules, if any, adopted by the parties may set out qualification requirements of an arbitrator. For example, Article 13(1) of the ICC Arbitration Rules (2017) states <i>“In confirming or appointing arbitrators, the Court shall consider the prospective arbitrator’s nationality, residence and other relationships with the countries of which the parties or the other arbitrators are nationals and the prospective arbitrator’s availability and ability to conduce the arbitration in</i></p> |

|                     |                                                                                                                                                                        |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|                     |                                                                                                                                                                        |                    | <i>accordance with the Rules.”</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| I.11.a              | If your answer to question <u>I.11</u> is yes, please provide a list (in the comments column) of such requirements.                                                    |                    | Please see the comments above in response to I.11.                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                     |                                                                                                                                                                        |                    | Please see the comments above in response to I.11.                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                     |                                                                                                                                                                        |                    | Please see the comments above in response to I.11.                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>II. Language</b> |                                                                                                                                                                        | <b>(Yes/No/NA)</b> | <b>Additional comments, if any.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| II.1                | <b>Is it required for the award to be written in the language of the arbitral proceeding?</b>                                                                          | Yes                | <b>Article 29(1)</b> states “ <i>Unless otherwise agreed by the Parties, arbitral proceedings shall be conducted in Arabic.</i> ”<br><b>Article 29(2)</b> states “ <i>The agreed-upon or determined language, unless otherwise agreed, shall apply to the arbitral proceedings and to any written statement by a party, any hearing and any award, decision or other communication by the Arbitral Tribunal.</i> ”                                                                                               |
|                     |                                                                                                                                                                        | Yes                | <b>Article 29(1)</b> states “ <i>The parties are free to agree on the language or languages to be used in the arbitral proceedings. In the absence of such agreement, the Arbitral Tribunal shall determine the language or languages to be used in the proceedings. This agreement or determination, unless otherwise specified therein, shall thereafter apply to any written statement by a party, any hearing and any award, decision or other communication.</i> ”                                          |
|                     |                                                                                                                                                                        | Yes                | <b>Section 37(1)</b> states “ <i>The parties are free to agree on the language or languages to be used in the arbitral proceedings. In the absence of such agreement, the arbitral tribunal shall determine the language or languages to be used in the proceedings.</i> ”<br>The ADGM Arbitration Regulations do not, however, expressly state that the award is to be in the same language as the proceedings.<br>However, it is best practice that the award is made in the same language as the proceedings. |
| II.1.a              | If your answer to question <u>II.1</u> is yes, should the award be issued in all of the languages chosen by the parties for the arbitral proceedings?                  | Yes                | If the proceedings are held in multiple languages, it is best practice that the award is made in the same multiple languages.                                                                                                                                                                                                                                                                                                                                                                                    |
|                     |                                                                                                                                                                        | Yes                | If the proceedings are held in multiple languages, it is best practice that the award is made in the same multiple languages.<br>Such a position is confirmed in <b>Article 29(1)</b> which states that the “ <i>language or languages</i> ” determined as applicable to the proceedings are to be applied to the award.                                                                                                                                                                                         |
|                     |                                                                                                                                                                        | Yes                | If the proceedings are held in multiple languages, it is best practice that the award is made in the same multiple languages.                                                                                                                                                                                                                                                                                                                                                                                    |
| II.1.b              | If your answer to question <u>II.1.a</u> is no, do the arbitrators have the discretion to choose between the languages of the arbitral proceedings to issue the award? | NA                 | Not applicable.<br>Note that the arbitrators do not have the discretion to choose the language of the proceedings. <b>Article 29(1)</b> provides that unless the parties have agreed otherwise, “ <i>arbitral proceedings shall be in Arabic.</i> ”                                                                                                                                                                                                                                                              |
|                     |                                                                                                                                                                        | NA                 | Not applicable.<br>Note that <b>Article 29</b> provides that unless the parties have agreed to the language or languages used in the proceedings, the arbitrators have the discretion to choose the language.                                                                                                                                                                                                                                                                                                    |
|                     |                                                                                                                                                                        | NA                 | Not applicable.<br>Note that <b>Section 37</b> provides that unless the parties have agreed to the                                                                                                                                                                                                                                                                                                                                                                                                               |

|        |                                                                                                                              |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|--------|------------------------------------------------------------------------------------------------------------------------------|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                                                                                              |     | language or languages used in the proceedings, the arbitrators have the discretion to choose the language.                                                                                                                                                                                                                                                                                                                                                                                              |
| II.1.c | If your answer to question <u>II.1</u> is no, should the language of the award be that of the arbitration agreement?         | NA  | Not applicable.<br>Note, some institutional rules regard the language of the Arbitration Agreement as relevant when an Arbitral Tribunal is to determine the language of the proceedings. For example, Article 21.1 of the DIAC Arbitration Rules (2007) states “ <i>Unless otherwise agreed by the parties, the initial language of the arbitration shall be the language of the Arbitration Agreement.</i> ”                                                                                          |
|        |                                                                                                                              | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|        |                                                                                                                              | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| II.1.d | If your answer to question <u>II.1</u> is no, should the language of the award be that of the underlying agreement?          | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|        |                                                                                                                              | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|        |                                                                                                                              | NA  | Not applicable.<br>Note, some institutional rules regard the language of the underlying agreement as relevant when an arbitral tribunal is to determine the language of the arbitral proceedings. For example, Article 20 of the ICC Arbitration Rules (2017) states “ <i>In the absence of an agreement by the parties, the arbitral tribunal shall determine the language or languages of the arbitration, due regard being given to all circumstances, including the language of the contract.</i> ” |
| II.1.e | If your answer to question <u>II.1</u> is no, should the language of the award be that of the seat of arbitration?           | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|        |                                                                                                                              | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|        |                                                                                                                              | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| II.1.f | If your answer to question <u>II.1</u> is no, should the language of the award be the language of the parties' nationality?  | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|        |                                                                                                                              | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|        |                                                                                                                              | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| II.2   | <b>Are there any circumstances that must be taken into consideration in order to determine the language of the award?</b>    | Yes | The language of the award usually follows the language or languages of the proceedings. Please see comments above in response to II.1.                                                                                                                                                                                                                                                                                                                                                                  |
|        |                                                                                                                              | Yes | The language of the award usually follows the language or languages of the proceedings. Please see comments above in response to II.1.                                                                                                                                                                                                                                                                                                                                                                  |
|        |                                                                                                                              | Yes | The language of the award usually follows the language or languages of the proceedings. Please see comments above in response to II.1.                                                                                                                                                                                                                                                                                                                                                                  |
| II.2.a | If your answer to question <u>II.2</u> is yes, should the language of the award be understandable by all of the arbitrators? |     | <b>Article 12</b> states “ <i>In arbitral proceedings with more than one Arbitrator, any decision of the Arbitral Tribunal shall be made, unless otherwise agreed by the Parties, by a majority of one.</i> ”<br>It is implicit, therefore, that the arbitrators must understand the evidence put before them to make a decision.                                                                                                                                                                       |
|        |                                                                                                                              |     | <b>Article 36</b> states “ <i>In arbitral proceedings with more than one arbitrator, any decision of the Arbitral Tribunal shall be made, unless otherwise agreed by the parties, by a majority of all its members.</i> ”<br>It is implicit, therefore, that the arbitrators must understand the evidence put before them to make a decision.                                                                                                                                                           |
|        |                                                                                                                              |     | <b>Section 45</b> states “ <i>In arbitral proceedings with more than one arbitrator, any decision of the Arbitral Tribunal shall be made, unless otherwise</i>                                                                                                                                                                                                                                                                                                                                          |



|        |                                                                                                                                                 |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------|-------------------------------------------------------------------------------------------------------------------------------------------------|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                                                                                                                 |     | <p><i>agreed by the parties, by a majority of all its members.”</i></p> <p>It is implicit, therefore, that the arbitrators must understand the evidence put before them to make a decision.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| II.2.b | If your answer to question II.2 is yes, should the language of the award have a link to the dispute?                                            | NA  | Please see comments above in response to II.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|        |                                                                                                                                                 | NA  | Please see comments above in response to II.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|        |                                                                                                                                                 | NA  | Please see comments above in response to II.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| II.2.c | If your answer to question II.2 is yes, should the language of the award have a link to the parties?                                            | NA  | Please see comments above in response to II.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|        |                                                                                                                                                 | NA  | Please see comments above in response to II.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|        |                                                                                                                                                 | NA  | Please see comments above in response to II.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| II.2.d | If your answer to question II.2 is yes, should the language of the award have a link to the dispute?                                            | NA  | Please see comments above in response to II.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|        |                                                                                                                                                 | NA  | Please see comments above in response to II.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|        |                                                                                                                                                 | NA  | Please see comments above in response to II.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| II.2.e | If your answer to question II.2 is yes, should the arbitrators take into consideration the language of the correspondence between the parties?  | NA  | Please see comments above in response to II.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|        |                                                                                                                                                 | NA  | Please see comments above in response to II.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|        |                                                                                                                                                 | NA  | Please see comments above in response to II.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| II.2.f | If your answer to question II.2 is yes, should the arbitrators take into consideration the place where the award is most likely to be enforced? | NA  | Please see comments above in response to II.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|        |                                                                                                                                                 | NA  | Please see comments above in response to II.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|        |                                                                                                                                                 | NA  | Please see comments above in response to II.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| II.3   | <b>Is it permitted to use two languages in the award (i.e. quotes in one language and the rest of the award in another language)?</b>           | Yes | <p><b>Article 29(3)</b> states “<i>Subject to Federal Law No.(6) of 2012 regulating the translation profession, the Arbitral Tribunal may order that any or all written materials submitted in the proceedings be accompanied by a translation into the language or languages used in the Arbitration. In situations where there are multiple languages, translations may be limited to certain circumstances.</i>”</p> <p>Similar provisions can be found in institutional rules. For example, Article 21.4 of the DIAC Arbitration Rules (2007) states “<i>The Tribunal may order that any documents submitted in languages other than the language of the arbitration be accompanied by a translation in whole or in part into the language of the arbitration.</i>”</p> <p>It is best practice that if the award quotes in a language other than the language of the proceedings (and the substance of the award), it is accompanied by a translation.</p> |
|        |                                                                                                                                                 | Yes | <p><b>Article 29(2)</b> states “<i>The Arbitral Tribunal may order that any documentary evidence shall be accompanied by a translation into the language or languages agreed upon by the parties or determined by the Arbitral Tribunal.</i>”</p> <p>Similar provisions can be found in institutional rules. For example, Article 17.5 of the DIFC-LCIA Arbitration Rules (2016) states “<i>If any document is expressed in a language other than the language(s) of the arbitration and no translation of such document is submitted by the party relying upon the document, the Arbitral Tribunal may order or (if the Arbitral Tribunal has not been formed) the Registrar may request that party to submit a translation of all or party of that document in any language(s) of the</i></p>                                                                                                                                                                |

|        |                                                                                                                                                                                                                           |     |                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                                                                                                                                                                                           |     | <p><i>arbitration...”</i></p> <p>It is best practice that if the award quotes in a language other than the language of the proceedings (and the substance of the award), it is accompanied by a translation.</p>                                                                                                                                                                                                             |
|        |                                                                                                                                                                                                                           | Yes | <p>Section 37(2) states <i>“The arbitral tribunal may order that any documentary evidence shall be accompanied by a translation into the language or languages agreed upon by the parties or determined by the arbitral tribunal.”</i></p> <p>It is best practice that if the award quotes in a language other than the language of the proceeding (and the substance of the award), it is accompanied by a translation.</p> |
| II.3.a | If your answer to question II.3 is no, when the parties have made a quote on a language different from the one of the proceedings and the quote is used in the award, should that quote be translated by the arbitrators? | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                              |
|        |                                                                                                                                                                                                                           | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                              |
|        |                                                                                                                                                                                                                           | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                              |
| II.3.b | If your answer to question II.3.a is no, should a translator translate the quote?                                                                                                                                         | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                              |
|        |                                                                                                                                                                                                                           | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                              |
|        |                                                                                                                                                                                                                           | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                              |
| II.3.c | If your answer to question II.3.b is yes, should that translator be selected by the arbitrators?                                                                                                                          | No  | <p><b>Article 29(3)</b> does not require the arbitrators to select the translator.</p> <p>It is common for the parties to select their own translator provided that the translator/translation meets the requirements of the Federal Law No. (6) of 2012 regulating the translation profession.</p>                                                                                                                          |
|        |                                                                                                                                                                                                                           | No  | <p><b>Article 29(2)</b> does not require the arbitrators to select the translator.</p> <p>It is common for the parties to select their own translator provided that the translator/translation can be verified.</p>                                                                                                                                                                                                          |
|        |                                                                                                                                                                                                                           | No  | <p><b>Section 37(2)</b> does not require the arbitrators to select the translator.</p> <p>It is common for the parties to select their own translator provided that the translator/translation can be verified.</p>                                                                                                                                                                                                          |
| II.3.d | If your answer to question II.3.c is no, should the translator be selected jointly by the parties?                                                                                                                        | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                              |
|        |                                                                                                                                                                                                                           | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                              |
|        |                                                                                                                                                                                                                           | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                              |
| II.3.e | If your answer to question II.3.b is no, should one of the parties translate the quote?                                                                                                                                   | No  | It is best practice that the translation is made by an independent third party.                                                                                                                                                                                                                                                                                                                                              |
|        |                                                                                                                                                                                                                           | No  | It is best practice that the translation is made by an independent third party.                                                                                                                                                                                                                                                                                                                                              |
|        |                                                                                                                                                                                                                           | No  | It is best practice that the translation is made by an independent third party.                                                                                                                                                                                                                                                                                                                                              |
| II.3.f | If your answer to question II.3.e is yes, should the arbitrators select the party which will translate the quote?                                                                                                         | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                              |
|        |                                                                                                                                                                                                                           | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                              |
|        |                                                                                                                                                                                                                           | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                              |
| II.3.g | If your answer to question II.3.b is yes, is there any specific requirement regarding the person who can translate the text                                                                                               | Yes | It is best practice that the translator used by a party is independent and impartial.                                                                                                                                                                                                                                                                                                                                        |
|        |                                                                                                                                                                                                                           | Yes | It is best practice that the translator used by a party is independent and impartial.                                                                                                                                                                                                                                                                                                                                        |

|                                       |                                                                                                                                                          |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                       | <u>(i.e. sworn translator)?</u>                                                                                                                          | Yes         | It is best practice that the translator used by a party is independent and impartial.                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>III. Signature, date and place</b> |                                                                                                                                                          | (Yes/No/NA) | <b>Additional comments, if any.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| III.1                                 | <b>Is it required for the arbitral award to bear the arbitrators' actual (as opposed to electronic) signature?</b>                                       | No          | <b>Article 41(6)</b> states “ <i>Unless otherwise agreed by the Parties, the arbitral award shall be deemed issued at the place of arbitration as determined in accordance with Article 28 of this Law, notwithstanding that it may have been signed by the members of the Arbitral Tribunal outside the place of arbitration, and irrespective of how the award was signed, whether by all the members of the Arbitral Tribunal at one sitting or separately by each member to whom the award was forwarded for signature, or by electronic means.</i> ” |
|                                       |                                                                                                                                                          | No          | <b>Article 38</b> states “ <i>The award shall be made in writing and shall be signed by the arbitrator or arbitrators.</i> ”<br>DIFC Law No. 2 of 2016 (Electronic Transactions Law) recognises the validity of electronic signatures.                                                                                                                                                                                                                                                                                                                    |
|                                       |                                                                                                                                                          | Yes         | <b>Section 50(3)</b> states “ <i>The award shall be deemed to have been made at the seat of the arbitration, irrespective of where it is written or signed.</i> ”<br>The ADGM Arbitration Regulations do not expressly provide that electronic signatures are permissible. Best practice, therefore, is for the arbitrators to physically sign the award.                                                                                                                                                                                                 |
| III.1.a                               | If your answer to question <u>III.1</u> is no, is it permitted for the arbitral award to bear the arbitrators' electronic signature?                     | Yes         | Please see comments above in response to III.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                                       |                                                                                                                                                          | Yes         | Please see comments above in response to III.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                                       |                                                                                                                                                          | No          | Please see comments above in response to III.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| III.1.b                               | If your answer to question <u>III.1</u> is yes, is it required to use a specific ink color to sign the award?                                            | No          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                                       |                                                                                                                                                          | No          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                                       |                                                                                                                                                          | No          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| III.1.c                               | If your answer to question <u>III.1.b</u> is yes, please specify (in the comments column) the ink color that must be used.                               |             | Please see comments above in response to III.1.b.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                       |                                                                                                                                                          |             | Please see comments above in response to III.1.b.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                       |                                                                                                                                                          |             | Please see comments above in response to III.1.b.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| III.2                                 | <b>In case of majority decision, will the award be valid with the signature of the majority (as opposed to the signature of all of the arbitrators)?</b> | Yes         | <b>Article 41(3)</b> states “ <i>The award shall be signed by the arbitrators and the signatures of the majority shall suffice, provided that the reason for any omitted signature is stated.</i> ”                                                                                                                                                                                                                                                                                                                                                       |
|                                       |                                                                                                                                                          | Yes         | <b>Article 38(1)</b> states “ <i>The award shall be made in writing and shall be signed by the arbitrator or arbitrators. In arbitral proceedings with more than one arbitrator, the signatures of the majority of all members of the Arbitral Tribunal shall suffice, provided that the reason for any omitted signature is stated.</i> ”                                                                                                                                                                                                                |
|                                       |                                                                                                                                                          | Yes         | <b>Section 45</b> states “ <i>In arbitral proceedings with more than one arbitrator, any decision of the arbitral tribunal shall be made, unless otherwise agreed by the parties, by a majority of all its members.</i> ”<br>If there is more than one arbitrator, and one arbitrator refuses to sign, it is best practice that the reason for the omitted signature is stated in the award.                                                                                                                                                              |

|         |                                                                                                                                                                          |     |                                                                                                                                                                                                                                                                                                 |
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| III.2.a | If your answer to question <u>III.2</u> is yes, is it required for the award to contain an explanation as to why a signature of an arbitrator is missing?                | Yes | Please see comments above in response to III.2.                                                                                                                                                                                                                                                 |
|         |                                                                                                                                                                          | Yes | Please see comments above in response to III.2.                                                                                                                                                                                                                                                 |
|         |                                                                                                                                                                          | Yes | Please see comments above in response to III.2.                                                                                                                                                                                                                                                 |
| III.3   | <b>In case of a dissenting opinion by one of the arbitrators, is it permitted for the award to bear the signature of the dissenting arbitrator?</b>                      | Yes | Please see comments above in response to III.2. There is nothing to prevent a dissenting arbitrator from signing the award. However, best practice is that it is made clear in the award that the arbitrator is signing as a dissenting arbitrator.                                             |
|         |                                                                                                                                                                          | Yes | Please see comments above in response to III.2. There is nothing to prevent a dissenting arbitrator from signing the award. However, best practice is that it is made clear in the award that the arbitrator is signing as a dissenting arbitrator.                                             |
|         |                                                                                                                                                                          | Yes | Please see comments above in response to III.2. There is nothing to prevent a dissenting arbitrator from signing the award. However, best practice is that it is made clear in the award that the arbitrator is signing as a dissenting arbitrator.                                             |
| III.3.a | If your answer to question <u>III.3</u> is yes, is it required for the award to contain an explanation as to why award bears the signature of the dissenting arbitrator? | No  | However, it is best practice for the award to contain such an explanation.                                                                                                                                                                                                                      |
|         |                                                                                                                                                                          | No  | However, it is best practice for the award to contain such an explanation.                                                                                                                                                                                                                      |
|         |                                                                                                                                                                          | No  | However, it is best practice for the award to contain such an explanation.                                                                                                                                                                                                                      |
| III.3.b | Are the non-dissenting arbitrators required to analyze the dissenting opinion?                                                                                           | No  | There is no express requirement to this effect.                                                                                                                                                                                                                                                 |
|         |                                                                                                                                                                          | No  | There is no express requirement to this effect.                                                                                                                                                                                                                                                 |
|         |                                                                                                                                                                          | No  | There is no express requirement to this effect.                                                                                                                                                                                                                                                 |
| III.4   | <b>In the case of unanimous decision, are all arbitrators required to sign the award?</b>                                                                                | Yes | Please see comments above in response to III.1.                                                                                                                                                                                                                                                 |
|         |                                                                                                                                                                          | Yes | Please see comments above in response to III.1.                                                                                                                                                                                                                                                 |
|         |                                                                                                                                                                          | Yes | Please see comments above in response to III.1.                                                                                                                                                                                                                                                 |
| III.4.a | If your answer to question <u>III.4</u> is no, would the signature of the president of the Arbitral Tribunal suffice?                                                    | NA  | Not applicable.                                                                                                                                                                                                                                                                                 |
|         |                                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                                                                                                                                 |
|         |                                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                                                                                                                                 |
| III.5   | <b>Is initialing of all the pages of the award required?</b>                                                                                                             |     | This is not stated to be an express requirement under the UAE Federal Arbitration Law. However, under the previous law arbitrators were required to sign each page of the award, and this remains best practice given that the point has not yet been tested under the Federal Arbitration Law. |
|         |                                                                                                                                                                          |     | This is not an express requirement under the DIFC Arbitration Law, but it is best practice for arbitrators to sign each page of the award.                                                                                                                                                      |
|         |                                                                                                                                                                          |     | This is not an express requirement under the ADGM Arbitration Regulations, but it is best practice for arbitrators to sign each page of the award.                                                                                                                                              |
| III.5.a | If your answer to question <u>III.5</u> is yes, is initialing required from all of the members of the arbitral tribunal?                                                 | NA  | Not applicable.                                                                                                                                                                                                                                                                                 |
|         |                                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                                                                                                                                 |
|         |                                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                                                                                                                                 |

|         |                                                                                                                                                               |     |                                                                                                                                                                                                                                                                                                                        |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| III.5.b | If your answer to question <u>III.5</u> is yes, is it permitted for only some of the arbitrators to comply with such requirement?                             | NA  | Not applicable.                                                                                                                                                                                                                                                                                                        |
|         |                                                                                                                                                               | NA  | Not applicable.                                                                                                                                                                                                                                                                                                        |
|         |                                                                                                                                                               | NA  | Not applicable.                                                                                                                                                                                                                                                                                                        |
| III.5.c | If your answer to question <u>III.5</u> is no, is initialing of all the pages permitted?                                                                      | NA  | Not applicable.                                                                                                                                                                                                                                                                                                        |
|         |                                                                                                                                                               | NA  | Not applicable.                                                                                                                                                                                                                                                                                                        |
|         |                                                                                                                                                               | NA  | Not applicable.                                                                                                                                                                                                                                                                                                        |
| III.6   | <b>In case of a dissenting opinion by one of the arbitrators, is initialing of all the pages required by the dissenting arbitrator?</b>                       | No  | This is not a requirement under the UAE Federal Arbitration Law.                                                                                                                                                                                                                                                       |
|         |                                                                                                                                                               | No  | This is not a requirement under the DIFC Arbitration Law.                                                                                                                                                                                                                                                              |
|         |                                                                                                                                                               | No  | This is not a requirement under the ADGM Arbitration Regulations.                                                                                                                                                                                                                                                      |
| III.6.a | If your answer to question <u>III.6</u> is no, is initialing of the award by the dissenting arbitrator permitted?                                             | Yes | However, best practice is that it is made clear in the award that the arbitrator is initialing as a dissenting arbitrator.                                                                                                                                                                                             |
|         |                                                                                                                                                               | Yes | However, best practice is that it is made clear in the award that the arbitrator is initialing as a dissenting arbitrator.                                                                                                                                                                                             |
|         |                                                                                                                                                               | Yes | However, best practice is that it is made clear in the award that the arbitrator is initialing as a dissenting arbitrator.                                                                                                                                                                                             |
| III.7   | <b>Is physical presence of the arbitrators at the place of arbitration required for validly signing the award?</b>                                            | No  | <b>Article 41(6)</b> states “Unless otherwise agreed by the Parties, the arbitral award shall be deemed issued at the place of arbitration determined in accordance with Article 28 of this Law, notwithstanding that it may have been signed by members of the Arbitral Tribunal outside the place of arbitration...” |
|         |                                                                                                                                                               | No  | <b>Article 38(3)</b> states “The award shall be deemed to have been made at the Seat of the Arbitration.”                                                                                                                                                                                                              |
|         |                                                                                                                                                               | No  | <b>Section 50(3)</b> states “The award shall be deemed to have been made at the seat of the arbitration, irrespective of where it is written or signed.”                                                                                                                                                               |
| III.7.a | If your answer to question <u>III.7</u> is no, is it permitted for each arbitrator to sign at a different place from where the other arbitrators are signing? | Yes | <b>Article 41(6)</b> permits the arbitrators to sign separately. The award is deemed valid whether the arbitrators sign at one sitting or sign separately.                                                                                                                                                             |
|         |                                                                                                                                                               | Yes | Given that the award is deemed to have been made at the Seat of the Arbitration (see III.7 above) it would appear that each arbitrator can sign the award separately and at a different location.                                                                                                                      |
|         |                                                                                                                                                               | Yes | Given that the award is deemed to have been made at the Seat of the Arbitration (see III.7 above) it would appear that each arbitrator can sign the award separately and at a different location.                                                                                                                      |
| III.7.b | If your answer to question <u>III.7.a</u> is no, must physically meet to sign the award at the same place (different from the place of the arbitration)?      | NA  | Not applicable.                                                                                                                                                                                                                                                                                                        |
|         |                                                                                                                                                               | NA  | Not applicable.                                                                                                                                                                                                                                                                                                        |
|         |                                                                                                                                                               | NA  | Not applicable.                                                                                                                                                                                                                                                                                                        |
| III.7.c | If your answer to question <u>III.7</u> is yes, would this requirement also apply to cases where electronic signature is permitted?                           | Yes | Please see comments above in response to III.1.                                                                                                                                                                                                                                                                        |
|         |                                                                                                                                                               | Yes | Please see comments above in response to III.1.                                                                                                                                                                                                                                                                        |
|         |                                                                                                                                                               | NA  | Not applicable.                                                                                                                                                                                                                                                                                                        |

|         |                                                                                                                                                                                                  |     |                                                                                                                                                                                                                                                                                                                                             |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| III.7.d | If your answer to question <a href="#">III.7</a> is no, would there be any difficulty or problem for not physically signing the award at the place of arbitration?                               | No  | Please see comments above in response to III.7: the award is deemed to have been rendered at the seat of arbitration.                                                                                                                                                                                                                       |
|         |                                                                                                                                                                                                  | No  | Please see comments above in response to III.7: the award is deemed to have been rendered at the seat of arbitration.                                                                                                                                                                                                                       |
|         |                                                                                                                                                                                                  | No  | Please see comments above in response to III.7: the award is deemed to have been rendered at the seat of arbitration.                                                                                                                                                                                                                       |
| III.8   | <b>Is there any additional signature requirement applicable to the jurisdiction you are reporting about?</b>                                                                                     | No  |                                                                                                                                                                                                                                                                                                                                             |
|         |                                                                                                                                                                                                  | No  |                                                                                                                                                                                                                                                                                                                                             |
|         |                                                                                                                                                                                                  | No  |                                                                                                                                                                                                                                                                                                                                             |
| III.8.a | If your answer to question <a href="#">III.8</a> is yes, please indicate the requirement in the comments section.                                                                                |     | Please see comments above in response to III.8.                                                                                                                                                                                                                                                                                             |
|         |                                                                                                                                                                                                  |     | Please see comments above in response to III.8.                                                                                                                                                                                                                                                                                             |
|         |                                                                                                                                                                                                  |     | Please see comments above in response to III.8.                                                                                                                                                                                                                                                                                             |
| III.9   | <b>Is it required for the arbitral award to bear the date?</b>                                                                                                                                   | Yes | <b>Article 41(6)</b> provides that the arbitral award shall state “ <i>the date</i> ”.                                                                                                                                                                                                                                                      |
|         |                                                                                                                                                                                                  | Yes | <b>Article 38(3)</b> provides that the arbitral award shall state “ <i>its date</i> ”.                                                                                                                                                                                                                                                      |
|         |                                                                                                                                                                                                  | Yes | <b>Section 50(3)</b> provides that the arbitral award shall state “ <i>its date</i> ”.                                                                                                                                                                                                                                                      |
| III.9.a | If your answer to question <a href="#">III.9</a> is yes, should each arbitrator state the effective date when he/she signed the award?                                                           | Yes | <b>Article 41(7)</b> states “ <i>Unless the parties agree otherwise, the date of the award shall be taken to be the date on which it is signed by the Arbitrator or, where there is more than one Arbitrator, by the last of them.</i> ”<br>However, it is best practice for each arbitrator to state the date that he/she signs the award. |
|         |                                                                                                                                                                                                  | Yes | It is best practice for each arbitrator to state the date that he/she signs the award.                                                                                                                                                                                                                                                      |
|         |                                                                                                                                                                                                  | Yes | It is best practice for each arbitrator to state the data that he/she signs the award.                                                                                                                                                                                                                                                      |
| III.9.b | If your answer to question <a href="#">III.9.a</a> is no, should the date inserted in the award be the one when the last arbitrator effectively signed the award?                                | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                             |
|         |                                                                                                                                                                                                  | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                             |
|         |                                                                                                                                                                                                  | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                             |
| III.9.c | If your answer to question <a href="#">III.9.a</a> is yes, should the date be set using the calendar used at the relevant countries (i.e. solar calendar) of the nationality of the arbitrators? | No  | The UAE Federal Arbitration Law does not address this point. It is usual practice to use the Gregorian calendar.                                                                                                                                                                                                                            |
|         |                                                                                                                                                                                                  | No  | The DIFC Arbitration Law does not address this point. It is usual practice to apply the Gregorian calendar.                                                                                                                                                                                                                                 |
|         |                                                                                                                                                                                                  | No  | The ADGM Arbitration Regulations do not address this point. It is usual practice to use the Gregorian calendar.                                                                                                                                                                                                                             |
| III.9.d | If your answer to question <a href="#">III.9.c</a> is no, should the date be set using the calendar used at the place of arbitration (i.e. solar calendar)?                                      | No  | The UAE Federal Arbitration Law does not address this point. It is usual practice to use the Gregorian calendar.                                                                                                                                                                                                                            |
|         |                                                                                                                                                                                                  | No  | The DIFC Arbitration Law does not address this point. It is usual practice to apply the Gregorian calendar.                                                                                                                                                                                                                                 |
|         |                                                                                                                                                                                                  | No  | The ADGM Arbitration Regulations do not address this point. It is usual practice to use the Gregorian calendar.                                                                                                                                                                                                                             |
| III.9.e | If your answer to question <a href="#">III.9.d</a> is no, should the date be                                                                                                                     | No  | The UAE Federal Arbitration Law does not address this point. It is usual practice to use the Gregorian calendar.                                                                                                                                                                                                                            |

|          |                                                                                                                                                                                                                                               |     |                                                                                                                                                                               |
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|          | set using the calendar used at the relevant countries of the nationality of the parties?                                                                                                                                                      | No  | The DIFC Arbitration Law does not address this point. It is usual practice to apply the Gregorian calendar.                                                                   |
|          |                                                                                                                                                                                                                                               | No  | The ADGM Arbitration Regulations do not address this point. It is usual practice to use the Gregorian calendar.                                                               |
| III.9.f  | If your answer to question III.9.e is yes, if the countries where the parties are nationals of use different calendar systems, should the date be set in accordance all of those calendar systems (i.e. solar calendar and Chinese calendar)? | No  | The UAE Federal Arbitration Law does not address this point. It is usual practice to use the Gregorian calendar.                                                              |
|          |                                                                                                                                                                                                                                               | No  | The DIFC Arbitration Law does not address this point. It is usual practice to apply the Gregorian calendar.                                                                   |
|          |                                                                                                                                                                                                                                               | No  | The ADGM Arbitration Regulations do not address this point. It is usual practice to use the Gregorian calendar.                                                               |
| III.9.g  | If your answer to question III.9.f is no, should the arbitrators choose between the relevant calendar systems?                                                                                                                                | NA  | Not applicable.                                                                                                                                                               |
|          |                                                                                                                                                                                                                                               | NA  | Not applicable.                                                                                                                                                               |
|          |                                                                                                                                                                                                                                               | NA  | Not applicable.                                                                                                                                                               |
| III.9.h  | If your answer to question III.9 is yes, should the arbitrators write the entire date (i.e. January 1, 2019) as oppose of using only numbers (i.e. 01/01/2019)?                                                                               | Yes | The UAE Federal Arbitration Law does not address this point. It is best practice to write the entire date to avoid confusion between different systems of recording the date. |
|          |                                                                                                                                                                                                                                               | Yes | The UAE Federal Arbitration Law does not address this point. It is best practice to write the entire date to avoid confusion between different systems of recording the date. |
|          |                                                                                                                                                                                                                                               | Yes | The UAE Federal Arbitration Law does not address this point. It is best practice to write the entire date to avoid confusion between different systems of recording the date. |
| III.9.i  | If your answer to question III.9.h is yes, what format should the arbitrators use (i.e. Month day, year)?                                                                                                                                     |     | Please see comments above in response to III.9.h.                                                                                                                             |
|          |                                                                                                                                                                                                                                               |     | Please see comments above in response to III.9.h.                                                                                                                             |
|          |                                                                                                                                                                                                                                               |     | Please see comments above in response to III.9.h.                                                                                                                             |
| III.9.j  | If your answer to question III.9.h is no, what format should the arbitrators use when writing the date with only numbers (i.e. day/ month/year)?                                                                                              | NA  | Not applicable.                                                                                                                                                               |
|          |                                                                                                                                                                                                                                               | NA  | Not applicable.                                                                                                                                                               |
|          |                                                                                                                                                                                                                                               | NA  | Not applicable.                                                                                                                                                               |
| III.10   | <b>Is it permitted to pre-date the award to the submission to the relevant arbitral institution's approval?</b>                                                                                                                               |     | It is common practice to submit a draft for approval to the relevant arbitration institution before the final award is rendered.                                              |
|          |                                                                                                                                                                                                                                               |     | It is common practice to submit a draft for approval to the relevant arbitration institution before the final award is rendered.                                              |
|          |                                                                                                                                                                                                                                               |     | It is common practice to submit a draft for approval to the relevant arbitration institution before the final award is rendered.                                              |
| III.11   | <b>Are the arbitrators free to choose the date on which their award will become effective?</b>                                                                                                                                                |     | The UAE Federal Arbitration Law does not expressly address this point.                                                                                                        |
|          |                                                                                                                                                                                                                                               |     | The DIFC Arbitration Law does not expressly address this point.                                                                                                               |
|          |                                                                                                                                                                                                                                               |     | The ADGM Arbitration Regulations do not expressly address this point.                                                                                                         |
| III.11.a | If your answer to question III.11 is no, would the award be deemed effective on the date of the last signature?                                                                                                                               | NA  | Not applicable.                                                                                                                                                               |
|          |                                                                                                                                                                                                                                               | NA  | Not applicable.                                                                                                                                                               |
|          |                                                                                                                                                                                                                                               | NA  | Not applicable.                                                                                                                                                               |

|          |                                                                                                                                                                                                                                          |     |                                                                                                                                                                                  |
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| III.11.b | If your answer to question <a href="#">III.11.a</a> is no, please provide a brief description (in the comments column) regarding the deadline, standards or methods used to determine the date on which the award will become effective. | NA  | Not applicable.                                                                                                                                                                  |
|          |                                                                                                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                  |
|          |                                                                                                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                  |
| III.12   | <b>Are arbitrators required to state in their award the place where the award was made (seat of arbitration)?</b>                                                                                                                        | Yes | <b>Article 41(5)</b> provides that the arbitral award shall state “ <i>the date and place of issue of the award.</i> ”                                                           |
|          |                                                                                                                                                                                                                                          | Yes | <b>Article 38(3)</b> provides that the arbitral award shall state “ <i>the Seat of the Arbitration</i> ”                                                                         |
|          |                                                                                                                                                                                                                                          | Yes | <b>Section 50(3)</b> provides that the arbitral award shall state “ <i>the seat of the arbitration.</i> ”                                                                        |
| III.12.a | If your answer to question <a href="#">III.12</a> is no, are arbitrators required to state the physical place where they were located during the proceedings?                                                                            | NA  | Not applicable.                                                                                                                                                                  |
|          |                                                                                                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                  |
|          |                                                                                                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                  |
| III.12.b | If your answer to question <a href="#">III.12.a</a> is no, are arbitrators required to state in their award the place where they are at the precise moment of the signature of the award?                                                | No  | Please see comments above in response to <a href="#">III.7</a> .                                                                                                                 |
|          |                                                                                                                                                                                                                                          | No  | Please see comments above in response to <a href="#">III.7</a> .                                                                                                                 |
|          |                                                                                                                                                                                                                                          | No  | Please see comments above in response to <a href="#">III.7</a> .                                                                                                                 |
| III.13   | <b>Are arbitrators or the arbitral institution required to stamp the award?</b>                                                                                                                                                          | No  | There is no requirement under the UAE Federal Arbitration Law that the arbitrator(s) or arbitral institution, if any, stamps the award.                                          |
|          |                                                                                                                                                                                                                                          | No  | There is no requirement under the DIFC Arbitration Law that the arbitrator(s) or arbitral institution, if any, stamps the award.                                                 |
|          |                                                                                                                                                                                                                                          | No  | There is no requirement under the ADGM Arbitration Regulations that the arbitrator(s) or arbitral institution, if any, stamps the award.                                         |
| III.13.a | If your answer to question <a href="#">III.13</a> is yes, is there a specific stamp that should be used?                                                                                                                                 | NA  | Not applicable.                                                                                                                                                                  |
|          |                                                                                                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                  |
|          |                                                                                                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                  |
| III.13.b | If your answer to question <a href="#">III.13</a> is yes, is there any particular rule applying to the use of the stamps (e.g., one stamp every X pages, stamp on the junction of the pages etc.)?                                       | NA  | Not applicable.                                                                                                                                                                  |
|          |                                                                                                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                  |
|          |                                                                                                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                  |
| III.14   | <b>Are arbitrators or the arbitral institution required to bind the award?</b>                                                                                                                                                           | No  | There is no express requirement under the UAE Federal Arbitration Law that the arbitrator(s) or arbitral institution, if any, binds the award. However, this is common practice. |
|          |                                                                                                                                                                                                                                          | No  | There is no express requirement under the DIFC Arbitration Law that the arbitrator(s) or arbitral institution, if any, binds the award. However, this is common practice.        |



|                                      |                                                                                                                                                                               |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                      |                                                                                                                                                                               | No                 | There is no express requirement under the ADGM Arbitration Regulations that the arbitrator(s) or arbitral institution, if any, binds the award.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| III.14.a                             | If your answer to question <u>III.14</u> is yes, is there any particular rule applying to the binding of the award (e.g., seal or other ways for granting authenticity etc.)? | NA                 | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                      |                                                                                                                                                                               | NA                 | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                      |                                                                                                                                                                               | NA                 | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>IV. Notification of the award</b> |                                                                                                                                                                               | <b>(Yes/No/NA)</b> | <b>Additional comments, if any.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| IV.1                                 | <b>Are there any specific required means for the notification of the award?</b>                                                                                               | Yes                | <b>Article 44</b> states that the “ <i>Arbitral Tribunal shall notify the Parties of the award by communicating, to each party, an original or a copy of the arbitral award, signed by the arbitrators, within 15 days from the date of issue of the award.</i> ”<br><br>The institutional rules, if any, adopted by the parties may prescribe a different procedure for notification of the award. For example, Article 37.8 of the DIAC Arbitration Rules (2007) states “ <i>The award shall be communicated by the Tribunal to the Centre in a number of originals sufficient to provide one for each party, all members of the Tribunal and the Centre. The Centre shall formally communicate an original of the award to each party and the arbitrator or arbitrators...</i> ”                  |
|                                      |                                                                                                                                                                               | Yes                | <b>Article 38(4)</b> states that “ <i>After the awards is made, a copy signed by the arbitrators in accordance with paragraph (1) of this Article shall be delivered to each party.</i> ”<br><br>The institutional rules, if any, adopted by the parties may prescribe a different procedure for notification of the award. For example, Article 26.7 of the DIFC-LCIA Arbitration Rules (2016) states “ <i>The sole or presiding arbitrator shall be responsible for delivering the award to the LCIA Court, through the Registrar, who shall transmit to the parties the award authenticated by the Registrar as a DIFC-LCIA Arbitration Centre award, provided that all Arbitration Costs have been paid in full to the DIFC-LCIA Arbitration Centre in accordance with Articles 24 and 28.</i> ” |
|                                      |                                                                                                                                                                               | Yes                | <b>Section 50(4)</b> states “ <i>After the award is made, a copy shall be delivered to each party.</i> ”<br><br>The institutional rules, if any, adopted by the parties may prescribe a different procedure for notification of the award. For example, Article 35(1) of the ICC Arbitration Rules (2017) states “ <i>Once an award has been made, the Secretariat shall notify to the parties the text signed by the arbitral tribunal...</i> ”                                                                                                                                                                                                                                                                                                                                                     |
| IV.1.a                               | If your answer to question <u>IV.1</u> is yes, is it required for the award to be notified through judicial assistance?                                                       | NA                 | Please see comments above in response to IV.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                      |                                                                                                                                                                               | NA                 | Please see comments above in response to IV.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                      |                                                                                                                                                                               | NA                 | Please see comments above in response to IV.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| IV.1.b                               | If your answer to question <u>IV.1</u> is yes, is it required for the award to be notified through a public notary?                                                           | NA                 | Please see comments above in response to IV.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                      |                                                                                                                                                                               | NA                 | Please see comments above in response to IV.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                      |                                                                                                                                                                               | NA                 | Please see comments above in response to IV.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| IV.1.c                               | If your answer to question <u>IV.1</u> is yes, is it required for the                                                                                                         | NA                 | Please see comments above in response to IV.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                      |                                                                                                                                                                               | NA                 | Please see comments above in response to IV.1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

|        |                                                                                                                                  |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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|        | award to be notified through judicial assistance?                                                                                | NA  | Please see comments above in response to IV.1.                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| IV.2   | <b>Is it permitted for the relevant arbitration institution to perform the notification of the award?</b>                        | Yes | Please see comments above in response to IV.1.                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|        |                                                                                                                                  | Yes | Please see comments above in response to IV.1.                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|        |                                                                                                                                  | Yes | Please see comments above in response to IV.1.                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| IV.3   | <b>In an ad-hoc arbitration, is it required for the arbitrators themselves to notify the award to the parties?</b>               | Yes | <b>Article 44</b> states that the “ <i>Arbitral Tribunal shall notify the Parties of the award by communicating, to each party, an original or a copy of the arbitral award, signed by the arbitrators, within 15 days from the date of issue of the award.</i> ”                                                                                                                                                                                                              |
|        |                                                                                                                                  | Yes | <b>Article 38(4)</b> states that “ <i>After the award is made, a copy signed by the arbitrators in accordance with paragraph (1) of this Article shall be delivered to each party.</i> ”                                                                                                                                                                                                                                                                                       |
|        |                                                                                                                                  | Yes | <b>Section 50(4)</b> states “ <i>After the award is made, a copy shall be delivered to each party.</i> ”                                                                                                                                                                                                                                                                                                                                                                       |
| IV.3.a | If your answer to question <u>IV.3</u> is no, is it permitted for the arbitrators themselves to notify the award to the parties? | Yes | Please see comments above in response to IV.3.                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|        |                                                                                                                                  | Yes | Please see comments above in response to IV.3.                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|        |                                                                                                                                  | Yes | Please see comments above in response to IV.3.                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| IV.4   | <b>In an institutional arbitration, are arbitrators themselves required to notify the award to the parties?</b>                  | No  | Please see comments above in response to IV.1.                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|        |                                                                                                                                  | No  | Please see comments above in response to IV.1.                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|        |                                                                                                                                  | No  | Please see comments above in response to IV.1.                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| IV.4.a | If your answer to question <u>IV.4</u> is no, are arbitrators themselves permitted to notify the award to the parties?           | No  | The UAE Federal Arbitration Law is to be read alongside any applicable institutional rules.<br>If, for example, the DIAC Arbitration Rules (2007) have been adopted by the parties then it is for the Centre to notify the award to the parties.                                                                                                                                                                                                                               |
|        |                                                                                                                                  | No  | The DIFC Arbitration Law is to be read alongside any applicable institutional rules.<br>If, for example, the DIFC-LCIA Arbitration Rules (2016) have been adopted by the parties then it is for the Registrar to notify the parties of the award.                                                                                                                                                                                                                              |
|        |                                                                                                                                  | No  | The ADGM Arbitration Regulations are to be read alongside any applicable institutional rules.<br>If, for example, the ICC Arbitration Rules (2017) have been adopted by the parties then it is for Secretariat to notify the parties of the award.                                                                                                                                                                                                                             |
| IV.5   | <b>Is it required to provide each of the parties with an original version of the award?</b>                                      | Yes | <b>Article 44</b> requires the arbitral tribunal to issue to the parties within 15 days of the date of the award being rendered “ <i>an original or copy of the arbitral award</i> ”.<br><br>However, <b>Article 55(1)(a)</b> provides that when seeking to enforce an award in the local courts, the applicant must provide “ <i>the original award or a certified copy.</i> ”<br><br>It is best practice that each party receives an original copy of the arbitration award. |
|        |                                                                                                                                  | Yes | <b>Article 38(4)</b> states that after the award is made “ <i>a copy signed by the arbitrators in accordance with paragraph (1) of this Article shall be delivered to each party.</i> ”<br><br><b>Article 42(2)</b> provides that when seeking to enforce an award in the DIFC                                                                                                                                                                                                 |

|        |                                                                                                                                                                                                                                     |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                                                                                                                                                                                                     |     | <p>courts, the applicant is to provide “<i>the original award or a duly certified copy.</i>”</p> <p>It is best practice that each party receives an original copy of the arbitration award.</p>                                                                                                                                                                                                                                                                                                               |
|        |                                                                                                                                                                                                                                     | Yes | <p><b>Section 50(4)</b> provides that once the award has been made, a “<i>copy shall be delivered to each party.</i>”</p> <p><b>Section 56(2)</b> provides that when seeking to enforce an award in the ADGM courts, the applicant is to provide “<i>the original copy of a duly certified copy.</i>”</p> <p>It is best practice that each party receives an original copy of the arbitration award.</p>                                                                                                      |
| IV.5.a | If your answer to question <u>IV.5</u> is yes, in the case of a multiparty arbitration, is it required to provide an original version of the award to each of the parties (i.e. each of the claimants and each of the respondents)? | Yes | Please see comments above in response to IV.5.                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|        |                                                                                                                                                                                                                                     | Yes | Please see comments above in response to IV.5.                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|        |                                                                                                                                                                                                                                     | Yes | Please see comments above in response to IV.5.                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| IV.5.b | If your answer to question <u>IV.5.a</u> is no, would it be required to provide one original version of the award to respondents and one to claimants?                                                                              | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|        |                                                                                                                                                                                                                                     | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|        |                                                                                                                                                                                                                                     | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| IV.5.c | If your answer to question <u>IV.5</u> is yes, is it required for the award to be authenticated?                                                                                                                                    | No  | It is best practice for each party to receive an original award. Please see comments above in response to IV.5.                                                                                                                                                                                                                                                                                                                                                                                               |
|        |                                                                                                                                                                                                                                     | No  | It is best practice for each party to receive an original award. Please see comments above in response to IV.5.                                                                                                                                                                                                                                                                                                                                                                                               |
|        |                                                                                                                                                                                                                                     | No  | It is best practice for each party to receive an original award. Please see comments above in response to IV.5.                                                                                                                                                                                                                                                                                                                                                                                               |
| IV.6   | <b>Is it required to provide each of the arbitrators with an original version of the award?</b>                                                                                                                                     | No  | <p>The UAE Federal Arbitration Law does not expressly provide that each (or any) of the arbitrators is provided with an original version of the award. However, the institutional rules adopted in the arbitration may provide otherwise. For example, the Article 37.8 of the DIAC Arbitration Rules (2007) states “<i>The award shall be communicated by the Tribunal to the Centre in a number of originals sufficient to provide one for each party, all members of the Tribunal and the Centre.</i>”</p> |
|        |                                                                                                                                                                                                                                     | No  | <p>The DIFC Arbitration Law does not expressly provide that each (or any) of the arbitrators is provided with an original version of the award. However, the institutional rules adopted in the arbitration may provide otherwise.</p>                                                                                                                                                                                                                                                                        |
|        |                                                                                                                                                                                                                                     | No  | <p>The ADGM Regulations do not expressly provide that each (or any) of the arbitrators is provided with an original version of the award. However, the institutional rules adopted in the arbitration may provide otherwise.</p>                                                                                                                                                                                                                                                                              |

|        |                                                                                                                                                                        |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| IV.6.a | If your answer to question <u>IV.6</u> is no, would it be required to provide one original of the award for the arbitral tribunal?                                     | No | Please see comments above in response to IV.6.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|        |                                                                                                                                                                        | No | Please see comments above in response to IV.6.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|        |                                                                                                                                                                        | No | Please see comments above in response to IV.6.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| IV.6.b | If your answer to question <u>IV.6.a</u> is no, should a copy of the award be provided to the arbitral tribunal?                                                       | No | However, it is best practice that each member of the Arbitral Tribunal has a copy of the final award.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|        |                                                                                                                                                                        | No | However, it is best practice that each member of the Arbitral Tribunal has a copy of the final award.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|        |                                                                                                                                                                        | No | However, it is best practice that each member of the Arbitral Tribunal has a copy of the final award.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| IV.7   | <b>At the time of issuing the award</b> , is it required to provide an original version of the award to the courts of the seat of arbitration?                         | No | There is no requirement under the UAE Federal Arbitration Law to issue an original of the award to the UAE courts at the time of issue.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|        |                                                                                                                                                                        | No | There is no requirement under the DIFC Arbitration Law to issue an original of the award to the DIFC courts at the time of issue.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|        |                                                                                                                                                                        | No | There is no requirement under the ADGM Arbitration Regulations to issue an original of the award to the ADGM courts at the time of issue.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| IV.7.a | If your answer to question <u>IV.7</u> is yes, should that award be original or authenticated?                                                                         | NA | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|        |                                                                                                                                                                        | NA | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|        |                                                                                                                                                                        | NA | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| IV.7.b | If your answer to question <u>IV.7</u> is yes, is the arbitral tribunal required to provide an original version of the award to the court where enforcement is sought? | No | <b>Article 55(1)</b> states “A party looking to enforce an arbitral award shall submit a request for its confirmation and enforcement with the chief justice of the Court, together with the following<br><ul style="list-style-type: none"> <li>(a) The original award or a certified copy thereof.</li> <li>(b) A copy of the Arbitration Agreement.</li> <li>(c) An Arabic translation of the arbitral award, attested by a competent authority, if the award is not issued in Arabic.</li> <li>(d) A copy of the minutes of deposit of the award in Court. ”</li> </ul> It is therefore for the <u>enforcing party</u> , and not the arbitral tribunal, to provide the necessary documentation to the enforcing court.<br>The enforcing party will need an original or duly certified copy of the award to enforce it in the UAE courts. |
|        |                                                                                                                                                                        | No | <b>Article 42(2)</b> states “The party relying on an award or applying for its enforcement shall supply the original award or a duly certified copy thereof and the original Arbitration Agreement referred to in Article 12 or a duly certified copy thereof.”<br>It is therefore for the <u>enforcing party</u> , and not the arbitral tribunal, to provide the necessary documentation to the enforcing court.<br>The enforcing party will need an original or duly certified copy of the award to enforce it in the DIFC courts.                                                                                                                                                                                                                                                                                                         |
|        |                                                                                                                                                                        | No | <b>Section 56(2)</b> states “The party seeking the recognition or enforcement of an award within the meaning of subsection 55(1) shall provide to the Court the original or a duly certified copy of:<br><ul style="list-style-type: none"> <li>(a) the arbitral award in respect of which enforcement is sought; and</li> <li>(b) the arbitration agreement pursuant to which that arbitral award was rendered.”</li> </ul> It is therefore for the <u>enforcing party</u> , and not the arbitral tribunal, to                                                                                                                                                                                                                                                                                                                              |

|        |                                                                                                                                                          |     |                                                                                                                                                                                                                                                                                             |
|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                                                                                                                          |     | provide the necessary documentation to the enforcing court.<br>The enforcing party will need an original or duly certified copy of the award to enforce it in the DIFC courts.                                                                                                              |
| IV.7.c | If your answer to question <u>IV.7.b</u> is yes, should that award be authenticated?                                                                     | NA  | Not applicable.                                                                                                                                                                                                                                                                             |
|        |                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                                                                                                                             |
|        |                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                                                                                                                             |
| IV.7.d | If your answer to question <u>IV.7</u> is no, is there any specific requirement for the presentation of an electronic version of an award to the courts? | NA  | Not applicable.                                                                                                                                                                                                                                                                             |
|        |                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                                                                                                                             |
|        |                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                                                                                                                             |
| IV.8   | <b>Is it required for the notification of the award to be made by international courier?</b>                                                             | No  | <b>Article 24(1)(a)</b> states that written communication to the Parties is to be “ <i>delivered to the addressee personally or if it is delivered at its place of business, habitual residence or mailing address known to the Parties or designated in the Arbitration Agreement...</i> ” |
|        |                                                                                                                                                          | No  | <b>Article 8(a)</b> states that written communication is to be delivered to “ <i>the addressee personally or if it is delivered at his place of business, habitual residence or mailing address...</i> ”                                                                                    |
|        |                                                                                                                                                          | No  | <b>Section 9(a)</b> states that written communication is to be delivered “ <i>to the addressee personally or if it is delivered at his place of business, habitual residence, mailing or electronic address.</i> ”                                                                          |
| IV.8.a | If your answer to question <u>IV.8</u> is yes, are there specific international couriers that shall be used?                                             | NA  | Not applicable.                                                                                                                                                                                                                                                                             |
|        |                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                                                                                                                             |
|        |                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                                                                                                                             |
| IV.8.b | If your answer to question <u>IV.8.a</u> is yes, please briefly provide a description (in the comments column) as to those international couriers.       | NA  | Not applicable.                                                                                                                                                                                                                                                                             |
|        |                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                                                                                                                             |
|        |                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                                                                                                                             |
| IV.8.c | If your answer to question <u>IV.8</u> is no, is it permitted for the notification of the award to be made by international courier?                     | Yes | Please see comments above in response to IV.8.                                                                                                                                                                                                                                              |
|        |                                                                                                                                                          | Yes | Please see comments above in response to IV.8.                                                                                                                                                                                                                                              |
|        |                                                                                                                                                          | Yes | Please see comments above in response to IV.8.                                                                                                                                                                                                                                              |
| IV.9   | <b>Is it required for the notification of the award to be made by public postal services?</b>                                                            | No  | Please see comments above in response to IV.8.                                                                                                                                                                                                                                              |
|        |                                                                                                                                                          | No  | Please see comments above in response to IV.8.                                                                                                                                                                                                                                              |
|        |                                                                                                                                                          | No  | Please see comments above in response to IV.8.                                                                                                                                                                                                                                              |
| IV.9.a | If your answer to question <u>IV.9</u> is yes, are there specific public postal services that shall be used?                                             | NA  | Not applicable.                                                                                                                                                                                                                                                                             |
|        |                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                                                                                                                             |
|        |                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                                                                                                                             |
| IV.9.b | If your answer to question <u>IV.9.a</u> is yes, please briefly provide a description (in the comments column) as to those public postal services.       | NA  | Not applicable.                                                                                                                                                                                                                                                                             |
|        |                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                                                                                                                             |
|        |                                                                                                                                                          | NA  | Not applicable.                                                                                                                                                                                                                                                                             |

|         |                                                                                                                                                                                            |     |                                                                                                                                                                                                                                                              |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| IV.9.c  | If your answer to question <u>IV.9</u> is no, is it permitted for the notification of the award to be made by public postal services?                                                      | Yes | However, it is best practice for the award to be sent via a more secure method, such as courier.<br>As noted, in response to IV.I above, if institutional rules have been adopted, they often provide for the secure notification and delivery of the award. |
|         |                                                                                                                                                                                            | Yes | However, it is best practice for the award to be sent via a more secure method, such as courier.<br>As noted, in response to IV.I above, if institutional rules have been adopted, they often provide for the secure notification and delivery of the award. |
|         |                                                                                                                                                                                            | Yes | However, it is best practice for the award to be sent via a more secure method, such as courier.<br>As noted, in response to IV.I above, if institutional rules have been adopted, they often provide for the secure notification and delivery of the award. |
| IV.10   | <b>Is it required for the parties to pick up the award personally at the offices of one of the arbitrators or of the arbitration institution?</b>                                          | No  | Please see comments in response to IV.8.                                                                                                                                                                                                                     |
|         |                                                                                                                                                                                            | No  | Please see comments in response to IV.8.                                                                                                                                                                                                                     |
|         |                                                                                                                                                                                            | No  | Please see comments in response to IV.8.                                                                                                                                                                                                                     |
| IV.10.a | If your answer to question <u>IV.10</u> is no, is it permitted for the parties to pick up the award personally at the offices of one of the arbitrators or of the arbitration institution? |     | Please see comments above in response to IV.8.                                                                                                                                                                                                               |
|         |                                                                                                                                                                                            |     | Please see comments above in relation to IV.8.                                                                                                                                                                                                               |
|         |                                                                                                                                                                                            |     | Please see comments above in relation to IV.8.                                                                                                                                                                                                               |
| IV.11   | <b>After notifying the award to the parties, are the arbitrators required to assist the parties with complying with any further formalities that may be needed to ensure enforcement?</b>  | Yes | The arbitrators may be required to correct or interpret the award or, if an issue that was pleaded but was omitted from the award, issue an additional award.<br>See comments above in response to I.6.                                                      |
|         |                                                                                                                                                                                            | Yes | The arbitrators may be required to correct or interpret the award or, if an issue that was pleaded but was omitted from the award, issue an additional award.<br>See comments above in response to I.6.                                                      |
|         |                                                                                                                                                                                            | Yes | The arbitrators may be required to correct or interpret the award or, if an issue that was pleaded but was omitted from the award, issue an additional award.<br>See comments above in response to I.6.                                                      |
| IV.11.a | If your answer to question <u>IV.11</u> is yes, are the arbitrators required to assist the parties in obtaining the relevant <i>apostille</i> ?                                            | No  | There is no such requirement in the UAE Arbitration Law.                                                                                                                                                                                                     |
|         |                                                                                                                                                                                            | No  | There is no such requirement in the DIFC Arbitration Law.                                                                                                                                                                                                    |
|         |                                                                                                                                                                                            | No  | There is no such requirement in the ADGM Arbitration Regulations.                                                                                                                                                                                            |
| IV.11.b | If your answer to question <u>IV.11</u> is yes, please provide a brief description (in the comments column) as to which would those formalities be.                                        |     | Please see comments above in response to IV.11.                                                                                                                                                                                                              |
|         |                                                                                                                                                                                            |     | Please see comments above in response to IV.11.                                                                                                                                                                                                              |
|         |                                                                                                                                                                                            |     | Please see comments above in response to IV.11.                                                                                                                                                                                                              |

|                           |                                                                                                                                                                                                            |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| IV.12                     | <b>Is there any time limit established for notification purposes?</b>                                                                                                                                      | Yes                 | <b>Article 44</b> states that “ <i>the Arbitral Tribunal shall notify the Parties of the award by communicating, to each party, an original or a copy of the arbitral award, signed by the arbitrators, within 15 days from the date of issue of the award.</i> ”                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                           |                                                                                                                                                                                                            | No                  | There is no time limit in the DIFC Arbitration Law for notification purposes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                           |                                                                                                                                                                                                            | No                  | There is no time limit in the ADGM Arbitration Regulations for notification purposes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| IV.12.a                   | If your answer to question <u>IV.12</u> is yes, please provide a brief description (in the comments column) regarding the specific time limit established for the notification of the award to take place. |                     | Please see comments above in response to IV.12.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                           |                                                                                                                                                                                                            | NA                  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                           |                                                                                                                                                                                                            | NA                  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| IV. 12                    | <b>Are there any additional specific local requirements for the notification of the award?</b>                                                                                                             | No                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                           |                                                                                                                                                                                                            | No                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                           |                                                                                                                                                                                                            | No                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| IV.12.a                   | If your answer to question <u>IV.2</u> is yes, please provide a brief description (in the comments column) regarding which would those local requirements be?                                              | NA                  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                           |                                                                                                                                                                                                            | NA                  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                           |                                                                                                                                                                                                            | NA                  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>V. Confidentiality</b> |                                                                                                                                                                                                            | <b>(Yes/No /NA)</b> | <b>Additional comments, if any.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| V.1                       | <b>Is it required for the draft of the award to be kept confidential (i.e. without sharing it with the parties)?</b>                                                                                       | Yes                 | The UAE Federal Arbitration Law does not expressly address this point. However, <b>Article 26</b> provides that the Parties are to be treated with equality and therefore it is implicit that a draft award cannot be shared with just one party.<br><br>The institutional rules, if any, adopted by the parties may have additional requirements. For example, Article 41.2 of the DIAC Arbitration Rules (2007) states: “ <i>The deliberations of the Tribunal are likewise confidential to its members, except where an explanation of an arbitrator’s refusal to participate in the arbitration is required by the other members of the Tribunal under Articles 13, 14 and 15 of the Rules.</i> ”<br><br>It is best practice not to share drafts of the award with the parties.                     |
|                           |                                                                                                                                                                                                            | Yes                 | The DIFC Arbitration Law does not expressly address this point. However, <b>Article 25</b> provides that the parties shall be treated with equality and therefore it is implicit that a draft award cannot be shared with just one party.<br><br>The institutional rules, if any, adopted by the parties may have additional requirements. For example, Article 30.2 of the DIFC-LCIA Arbitration Rules (2017) states: “ <i>The deliberations of the Arbitral Tribunal shall remain confidential to its members, save as required by any applicable law and to the extent that disclosure of an arbitrator’s refusal to participate in the arbitration is required of the other members of the Arbitral Tribunal...</i> ”<br><br>It is best practice not to share drafts of the award with the parties. |

|       |                                                                                                                                                       |     |                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|       |                                                                                                                                                       | Yes | The ADGM Arbitration Regulations do not expressly address this point. However, <b>Section 31</b> provides that the parties shall be treated with equality and therefore it is implicit that a draft award cannot be shared with just one party.<br>The institutional rules, if any, adopted by the parties may have additional requirements.<br>It is best practice not to share drafts of the award with the parties. |
| V.1.a | If your answer to question <u>V.1</u> is no, is there any confidentiality obligation applicable to the drafting process of the award?                 |     | Please see comments above in response to V.1.                                                                                                                                                                                                                                                                                                                                                                          |
|       |                                                                                                                                                       |     | Please see comments above in response to V.1.                                                                                                                                                                                                                                                                                                                                                                          |
|       |                                                                                                                                                       |     | Please see comments above in response to V.1.                                                                                                                                                                                                                                                                                                                                                                          |
| V.2   | <b>Is it required for the comments and views of the arbitrators to be kept confidential (i.e. without sharing them with the parties)?</b>             | No  | <b>Article 41(4)</b> states that the award shall state the reasons upon which it is based.                                                                                                                                                                                                                                                                                                                             |
|       |                                                                                                                                                       | No  | <b>Article 38(2)</b> states that the award shall state the reasons upon which it is based.                                                                                                                                                                                                                                                                                                                             |
|       |                                                                                                                                                       | No  | <b>Section 50(2)</b> states that the award shall state the reasons upon which it is based.                                                                                                                                                                                                                                                                                                                             |
| V.2.a | If your answer to question <u>V.2</u> is no, is there any confidentiality obligation applicable to the deliberation process of the arbitral tribunal? |     | It is best practice that the arbitrators' deliberations are not shared with the parties. Please see comments above in response to V.1.                                                                                                                                                                                                                                                                                 |
|       |                                                                                                                                                       |     | It is best practice that the arbitrators' deliberations are not shared with the parties. Please see comments above in response to V.1.                                                                                                                                                                                                                                                                                 |
|       |                                                                                                                                                       |     | It is best practice that the arbitrators' deliberations are not shared with the parties. Please see comments above in response to V.1.                                                                                                                                                                                                                                                                                 |
| V.3   | <b>Is it required for the arbitrators to notify the award preserving its confidentiality?</b>                                                         | Yes | <b>Article 48</b> states " <i>Arbitrators' awards are confidential and cannot be published in whole or in part except with the written consent of the Parties.</i> "                                                                                                                                                                                                                                                   |
|       |                                                                                                                                                       | Yes | <b>Article 14</b> states " <i>Unless otherwise agreed by the parties, all information relating to the arbitral proceedings shall be kept confidential...</i> "                                                                                                                                                                                                                                                         |
|       |                                                                                                                                                       | Yes | <b>Section 40(1)</b> states " <i>Unless otherwise agreed by the parties, no party may publish, disclose or communicate any Confidential information to any third party</i> "<br>" <i>Confidential Information</i> " means any information relating to:<br>(a) <i>the arbitral proceedings under the arbitration agreement; or</i><br>(b) <i>an award made in those arbitral proceedings.</i> "                         |
| V.3.a | If your answer to question <u>V.3</u> is yes, are there specific confidentiality standards?                                                           | Yes | Please see comments above in response to V.3.                                                                                                                                                                                                                                                                                                                                                                          |
|       |                                                                                                                                                       | Yes | Please see comments above in response to V.3.                                                                                                                                                                                                                                                                                                                                                                          |
|       |                                                                                                                                                       | Yes | Please see comments above in response to V.3.                                                                                                                                                                                                                                                                                                                                                                          |
| V.3.b | If your answer to question <u>V.3.a</u> is yes, please provide (in the comments column) a brief description regarding those standards.                |     | Please see comments above in response to V.3.                                                                                                                                                                                                                                                                                                                                                                          |
|       |                                                                                                                                                       |     | Please see comments above in response to V.3.                                                                                                                                                                                                                                                                                                                                                                          |
|       |                                                                                                                                                       |     | Please see comments above in response to V.3.                                                                                                                                                                                                                                                                                                                                                                          |
| V.4   | <b>Are the arbitrators required to identify the manner in which the award is to be</b>                                                                |     | <b>Article 44</b> states that the " <i>Arbitral Tribunal shall notify the Parties of the award by communicating, to each party, an original or a copy of the arbitral award, signed by the arbitrators, within 15 days from the date of</i>                                                                                                                                                                            |



|       |                                                                                                                                          |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-------|------------------------------------------------------------------------------------------------------------------------------------------|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|       | <b>notified in order to preserve its confidentiality?</b>                                                                                |     | <p><i>issue of the award.”</i></p> <p>The institutional rules, if any, adopted by the parties may prescribe a different procedure for notification of the award. For example, Article 37.8 of the DIAC Arbitration Rules (2007) states <i>“The award shall be communicated by the Tribunal to the Centre in a number of originals sufficient to provide one for each party, all members of the Tribunal and the Centre. The Centre shall formally communicate an original of the award to each party and the arbitrator or arbitrators...”</i></p>                                                                                                                                                                                                                                               |
|       |                                                                                                                                          |     | <p>Article 38(4) states that <i>“After the award is made, a copy signed by the arbitrators in accordance with paragraph (1) of this Article shall be delivered to each party.”</i></p> <p>The institutional rules, if any, adopted by the parties may prescribe a different procedure for notification of the award. For example, Article 26.7 of the DIFC-LCIA Arbitration Rules (2016) states <i>“The sole or presiding arbitrator shall be responsible for delivering the award to the LCIA Court, through the Registrar, who shall transmit to the parties the award authenticated by the Registrar as an DIFC-LCIA Arbitration Centre award, provided that all Arbitration Costs have been paid in full to the DIFC-LCIA Arbitration Centre in accordance with Articles 24 and 28.”</i></p> |
|       |                                                                                                                                          |     | <p><b>Section 50(4)</b> states <i>“After the award is made, a copy shall be delivered to each party.”</i></p> <p>The institutional rules, if any, adopted by the parties may prescribe a different procedure for notification of the award. For example, Article 35(1) of the ICC Arbitration Rules (2017) states <i>“Once an award has been made, the Secretariat shall notify to the parties the text signed by the arbitral tribunal...”</i></p>                                                                                                                                                                                                                                                                                                                                              |
| V.4.a | If your answer to question <u>V.4</u> is yes, are there any specific formalities that must be met regarding such identification?         | Yes | <p>Please see comments above in response to V.4.</p> <p><b>Article 24(1)(a)</b> also states that written communication to the Parties is to be <i>“delivered to the addressee personally or if it is delivered at its place of business, habitual residence or mailing address known to the Parties or designated in the Arbitration Agreement...”</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|       |                                                                                                                                          | Yes | <p>Please see comments above in response to V.4.</p> <p><b>Article 8(a)</b> also states that written communication is to be delivered to <i>“the addressee personally or if it is delivered at his place of business, habitual residence or mailing address...”</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|       |                                                                                                                                          | Yes | <p>Please see comments above in response to V.4.</p> <p><b>Section 9(a)</b> also states that written communication is to be delivered <i>“to the addressee personally or if it is delivered at his place of business, habitual residence, mailing or electronic address.”</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| V.4.b | If your answer to question <u>V.4.a</u> is yes, please provide a brief description (in the comments column) regarding those formalities. |     | Please see comments above in responses to V.4 and V.4.a.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|       |                                                                                                                                          |     | Please see comments above in responses to V.4 and V.4.a.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|       |                                                                                                                                          |     | Please see comments above in response to V.4 and V.4.a.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| V.5   | <b>Are the arbitrators required to identify to whom the award is to be notified in order to preserve confidentiality?</b>                | Yes | Please see comments above in responses to V.4 and V.4.a.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|       |                                                                                                                                          | Yes | Please see comments above in responses to V.4 and V.4.a.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|       |                                                                                                                                          | Yes | Please see comments above in response to V.4 and V.4.a.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

|            |                                                                                                                                                                    |                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| V.5.a      | If your answer to question <u>V.5</u> is yes, are there any specific formalities that must be met regarding such identification?                                   | Yes                            | Please see comments above in responses to V.4 and V.4.a.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|            |                                                                                                                                                                    | Yes                            | Please see comments above in responses to V.4 and V.4.a.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|            |                                                                                                                                                                    | Yes                            | Please see comments above in response to V.4 and V.4.a.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| V.5.b      | If your answer to question <u>V.5.a</u> is yes, please provide a brief description (in the comments column) regarding those formalities.                           |                                | Please see comments above in responses to V.4 and V.4.a.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|            |                                                                                                                                                                    |                                | Please see comments above in responses to V.4 and V.4.a.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|            |                                                                                                                                                                    |                                | Please see comments above in response to V.4 and V.4.a.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| V.6        | <b>Does the award need to explicitly provide if it is (or not) of confidential nature?</b>                                                                         | No                             | The UAE Federal Arbitration Law does not expressly address this point.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|            |                                                                                                                                                                    | No                             | The DIFC Arbitration Law does not expressly address this point.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|            |                                                                                                                                                                    | No                             | The ADGM Arbitration Regulations do not expressly address this point.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>VI.</b> | <b>Secretary of the Arbitral Tribunal</b>                                                                                                                          | <b>(Yes/No /NA)</b>            | <b>Additional comments, if any.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| VI.1       | <b>Is it permitted for an arbitral tribunal secretary to assist the arbitrators in the drafting of the award?</b>                                                  | No (save if agreed by parties) | <p>There is no express prohibition on secretarial functions in the Federal Arbitration Law, <a href="#">DIFC Arbitration Law</a> or <a href="#">ADGM Arbitration Regulations</a>.</p> <p>However, the rules under which the arbitration is being conducted may set out a defined scope or state the extent to which a tribunal secretary to the arbitral tribunal is permitted to assist the arbitrators.</p> <p>Increasingly, we are seeing more and more tribunals ask parties to agree to the appointment of a tribunal secretary. As a matter of best practice, the role of the tribunal secretary should be defined at the outset and agreed by the parties; most often it will consist of purely administrative matters, leaving the tribunal members free to concentrate on other matters. We have, however, seen tribunal secretaries contribute to awards in this jurisdiction in terms of drafting purely procedural aspects for inclusion. Best practice would dictate that the Parties' agreement to such involvement was obtained prior to it happening to mitigate against the possibilities of a challenge being launched to the award on the grounds of procedural irregularity.</p> <p>In arbitrations, the expertise of the arbitrators themselves is usually the reason that they have been selected; delegating the function of drafting an award would detract from this.</p> |
| VI.1.a     | If your answer to question <u>VI.1</u> is yes, is it permitted for the arbitral tribunal secretary to be part of the decision making process?                      | NA                             | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| VI.1.b     | If your answer to question <u>VI.1</u> is yes, is it permitted for the arbitral tribunal secretary to prepare a framework of the award (i.e., procedural history)? | NA                             | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| VI.1.c     | If your answer to question <u>VI.1</u> is yes, please provide a brief description of the scope of the tribunal secretary's role in assisting with the award.       | NA                             | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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| VI.1.d                           | If your answer to question <u>VI.1</u> is yes, please indicate if there is any legal provision in force regarding the nomination, scope of work and/or limits of assistance of a secretary to the arbitral tribunal. | NA                  | Not applicable.                                                                                                                                                                                |
| VI.2                             | <b>Is it required for the award to state the name of the arbitral tribunal secretary?</b>                                                                                                                            | No                  | There is no requirement for the secretary of the arbitral tribunal to be named on the arbitral award. Article 41(5) only requires the names/addresses of the arbitrators are included.         |
|                                  |                                                                                                                                                                                                                      | No                  | There is no requirement to include the name of the secretary to the arbitral tribunal in the arbitral award.                                                                                   |
|                                  |                                                                                                                                                                                                                      | No                  | There is no requirement to include the name of the secretary to the arbitral tribunal in the arbitral award.                                                                                   |
| VI.2.a                           | If your answer to question <u>VI.2</u> is yes, is it required for such statement to include a description regarding her/his appointment as arbitral tribunal secretary?                                              | NA                  | Not applicable.                                                                                                                                                                                |
| VI.2.b                           | If your answer to question <u>VI.2.a</u> is yes, is it required for such description to include an impartiality and independence statement by the arbitral tribunal secretary?                                       | NA                  | Not applicable.                                                                                                                                                                                |
| VI.2.c                           | If your answer to question <u>VI.2.a</u> is yes, is the arbitral tribunal secretary under a duty to sign the award?                                                                                                  | NA                  | Not applicable.                                                                                                                                                                                |
| VI.3                             | <b>In case where the arbitral tribunal secretary is permitted to assist in the drafting of the award, is it required for the award to contain a description of the scope and extent of such assistance?</b>          | NA                  | Not applicable.                                                                                                                                                                                |
| <b>VII. Content of the award</b> |                                                                                                                                                                                                                      | <b>(Yes/No /NA)</b> | <b>Additional comments, if any.</b>                                                                                                                                                            |
| VII.1                            | <b>Is it mandatory to state within the award the reasons upon which the award is based?</b>                                                                                                                          | Yes                 | The award must state the reasons on which it is based, unless the parties agree otherwise (Article 41(6)).                                                                                     |
|                                  |                                                                                                                                                                                                                      | Yes                 | The award must state the reasons upon which it is based, unless the parties agree otherwise and/or unless the award is only embodying a settlement agreed between the parties (Article 38(2)). |
|                                  |                                                                                                                                                                                                                      | Yes                 | The award must state the reasons upon which it is based, unless the parties agree otherwise and/or unless the award is only embodying a settlement agreed between the parties (Section 50(2)). |

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| VII.2   | <b>Is it mandatory to state within the award additional administrative or procedural issues/information?</b>                                                 | Yes                                | Article 41(5) requires certain administrative/procedural information to be included.<br><br>This includes the names and addresses of the Parties, the names of arbitrators and their nationalities and addresses.                                                                                                                                                                                                                                                                                                  |
|         |                                                                                                                                                              | No (but see questions that follow) | It is not an express requirement of Article 38, which deals with the form and contents of the award. It is not uncommon for the award to contain administrative/procedural information of the type contemplated by the remaining questions in this section.                                                                                                                                                                                                                                                        |
|         |                                                                                                                                                              | No (but see questions that follow) | Although it is not an express requirement of Section 50, which deals with the form and contents of the award, it is not uncommon for the award to contain administrative/procedural information of the type contemplated by the remaining questions in this section.                                                                                                                                                                                                                                               |
| VII.2.a | If your answer to question <u>VII.2</u> is yes, is it required for the award to contain the names and addresses of the parties?                              | Yes                                | The names and addresses of the parties must be included as per Article 41(5).<br><br>In all circumstances, the names of the parties must be checked carefully for accuracy (including spellings, company numbers and correct use of suffixes). Any errors can have an adverse effect on enforceability and, in some circumstances, render an award practically of little value.                                                                                                                                    |
|         |                                                                                                                                                              | Yes                                | See answer to VII.2. The award should contain the names and address of the parties (although, strangely, the relevant legislation does not expressly require this).                                                                                                                                                                                                                                                                                                                                                |
|         |                                                                                                                                                              | Yes                                | See answer to VII.2. The award should contain the names and address of the parties (although, as with the DIFC position, this is not expressly set out in the legislation).                                                                                                                                                                                                                                                                                                                                        |
| VII.2.b | If your answer to question <u>VII.2</u> is yes, is it required for the award to contain the names and addresses of the legal representatives of the parties? | No                                 | This is not an express requirement in the law. However, typically most awards will contain details of the legal representatives.                                                                                                                                                                                                                                                                                                                                                                                   |
|         |                                                                                                                                                              | No                                 | This is not an express requirement in the law. However, typically most awards will contain details of the legal representatives.                                                                                                                                                                                                                                                                                                                                                                                   |
|         |                                                                                                                                                              | No                                 | This is not an express requirement in the law. However, typically most awards will contain details of the legal representatives.                                                                                                                                                                                                                                                                                                                                                                                   |
| VII.2.c | If your answer to question <u>VII.2</u> is yes, is it required for the award to contain the date, parties and precise terms of the arbitration agreement?    | Yes                                | Article 41 provides that the award must contain the date and parties. The exact text of the arbitration agreement must also be included in the award.<br><br>Practically, this requirement serves a useful purpose, namely to assist parties at the enforcement stage with there being less scope for a party to challenge on the basis of lack of jurisdiction if the tribunal has set out the basis for it having jurisdiction to hear the dispute. The date is obviously important in terms of enforcement too. |
|         |                                                                                                                                                              | Yes (date)                         | Article 38 provides that the date must be contained in the award.<br><br>Whilst there is no express requirement in the law to include the text of the arbitration agreement, it is common for awards to do so for the reasons set out above.                                                                                                                                                                                                                                                                       |
|         |                                                                                                                                                              | Yes (date)                         | Section 50 provides that the date must be contained in the award.<br><br>Whilst there is no express requirement to include the precise arbitration agreement terms, it is common for awards to do so for the reasons set out above.                                                                                                                                                                                                                                                                                |

|         |                                                                                                                                                                    |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| VII.2.d | If your answer to question <u>VII.2</u> is yes, is it required for the award to indicate whether the place of arbitration was agreed by the parties?               | No                | <p>Article 28 permits the parties to agree on the place of arbitration.</p> <p>Article 41(6) deems the award made at the place of arbitration regardless of where it is signed. This is a change from the old legislative regime whereby awards had to be signed by arbitrators physically in the UAE at the time in order to be valid.</p> <p>It is not an explicit requirement for the award to list whether the place of arbitration was agreed by the parties, but it usually will reference the place where hearings etc. took place. It should also not be controversial as parties that have participated in an arbitration will have agreed to the place by virtue of attending hearings etc.</p> |
|         |                                                                                                                                                                    | No                | <p>Article 27(2) permits a DIFC seated arbitration to meet at any place for procedural matters such as hearing witnesses, experts or parties and/or deliberating amongst themselves.</p> <p>It is not an explicit requirement for the award to list whether the place of arbitration was agreed by the parties, but it is common for the award to do so.</p> <p>Arbitrations under the DIFC-LCIA rules contain similar provisions to those set out in the legislation (Article 16 of the DIFC-LCIA rules).</p>                                                                                                                                                                                            |
|         |                                                                                                                                                                    | No                | <p>Section 50(3) requires the seat of arbitration to be included in the award (as permitted by Section 32(1)). Place is not required to be included but often will be as a matter of practice.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| VII.2.e | If your answer to question <u>VII.2</u> is yes, is it required for the award to indicate whether the place of arbitration was determined by the arbitral tribunal? | No                | <p>In the absence of agreement between the parties, the arbitral tribunal will determine the place of arbitration having regard to the circumstances of the case (article 28(1)).</p> <p>There is no need include this in an award but, if there was any contention about it requiring the tribunal to hear submissions, it would be prudent to include reference to these.</p>                                                                                                                                                                                                                                                                                                                           |
|         |                                                                                                                                                                    | No                | <p>There is no need include this in an award but, if there was any contention about it requiring the tribunal to hear submissions, it would be prudent to include reference to these.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|         |                                                                                                                                                                    | No                | <p>There is no need include this in an award but, if there was any contention about it requiring the tribunal to hear submissions, it would be prudent to include reference to these.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| VII.2.f | If your answer to question <u>VII.2</u> is yes, is it required for the award to contain the law or rules applicable to the arbitration agreement?                  | Yes (in practice) | <p>No but it is prudent to do so and, in practice, a properly reasoned arbitration award will have to refer to the governing law of the arbitration and its application to the issues in dispute.</p> <p>Reference to applicable rules is likely to be included in the relevant arbitration agreement which must be referenced (see above).</p>                                                                                                                                                                                                                                                                                                                                                           |
|         |                                                                                                                                                                    | Yes (in practice) | <p>No but it is prudent to do so and, in practice, a properly reasoned arbitration award will have to refer to the governing law of the arbitration and its application to the issues in dispute. It will also tend to include references to procedure/rules agreed/adopted by the parties (be that in the arbitration agreement itself or elsewhere).</p>                                                                                                                                                                                                                                                                                                                                                |
|         |                                                                                                                                                                    | Yes (in practice) | <p>No but it is prudent to do so and, in practice, a properly reasoned arbitration award will have to refer to the governing law of the arbitration and its application to the issues in dispute. It will also tend to include references to procedure/rules agreed/adopted by the parties (be that in the arbitration agreement itself or elsewhere).</p>                                                                                                                                                                                                                                                                                                                                                |

|         |                                                                                                                                                                                                       |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| VII.2.g | If your answer to question <u>VII.2.f</u> is yes, is it required for the award to specify if the laws or rules applicable to the arbitration agreement were agreed by the parties?                    | No                | There is no explicit requirement for this to be stated. However, as the agreement will be appended the award is likely to include this information.                                                                                                                                                                                                                                                                                                                                                                               |
| VII.2.h | If your answer to question <u>VII.2.f</u> is yes, is it required for the award to specify whether the laws or rules applicable to the arbitration agreement were determined by the arbitral tribunal? | No                | No express requirement but, in practice, if there was no agreement between the parties on this issue, the tribunal should explain the procedure by which it made its determination in the an award,                                                                                                                                                                                                                                                                                                                               |
| VII.2.i | If your answer to question <u>VII.2</u> is yes, is it required for the award to indicate the laws applicable to the merits of the dispute?                                                            | Yes (in practice) | There is no express requirement in Article 41 for the law relating to the merits of the dispute to be set out expressly. However, we would suggest that an award could not be considered to be properly reasoned (see question VIII below) without reference to the law under which the decisions of the tribunal were reached.<br><br>On this basis, whilst not an express requirement of the law, practically, including the law under which the dispute(s) were determined is necessary and should be made clear in any award. |
|         |                                                                                                                                                                                                       | Yes (in practice) | There is no explicit requirement in Article 38 for this to be stated. We would suggest that an award could not be considered to be properly reasoned (see question VIII below) without reference to the law under which the decisions of the tribunal were reached.<br><br>On this basis, whilst not an express requirement of the law, practically, including the law under which the dispute(s) were determined is necessary and should be made clear in any award.                                                             |
|         |                                                                                                                                                                                                       | Yes (in practice) | There is no explicit requirement in Section 50 for this to be stated. We would suggest that an award could not be considered to be properly reasoned (see question VIII below) without reference to the law under which the decisions of the tribunal were reached.<br><br>On this basis, whilst not an express requirement of the law, practically, including the law under which the dispute(s) were determined is necessary and should be made clear in any award.                                                             |
| VII.2.j | If your answer to question <u>VII.2.i</u> is yes, is it required for the award to specify if the laws applicable to the merits of the dispute were agreed by the parties?                             | No                | See above (VII.2.h).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| VII.2.k | If your answer to question <u>VII.2.i</u> is yes, is it required for the award to specify if the laws applicable to the merits of the dispute were determined by the arbitral tribunal?               | No                | See above (VII.2.h).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

|         |                                                                                                                                                                                              |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| VII.2.l | If your answer to question <u>VII.2</u> is yes, is it required for the award to indicate the procedural rules governing the arbitration?                                                     | No  | Reference to applicable rules is likely to be included in the relevant arbitration agreement which must be included in full (see above).                                                                                                                                                                                                                                                                                                                                                  |
|         |                                                                                                                                                                                              | No  | There is no explicit requirement in Article 38 for this to be stated. However it is commonplace for an award to contain such information.                                                                                                                                                                                                                                                                                                                                                 |
|         |                                                                                                                                                                                              | No  | There is no explicit requirement for this to be stated. However it is commonplace for an award to contain such information.                                                                                                                                                                                                                                                                                                                                                               |
| VII.2.m | If your answer to question <u>VII.2</u> is yes, is it required for the award to indicate the language of the arbitration?                                                                    | Yes | Article 29 deals with the language of the arbitration, submissions and the award. The default position is that proceedings shall be conducted in Arabic but the parties are free to choose another language.<br>Article 29(2) confirms that the award must be issued in the language of the arbitration. In practice, therefore, in the absence of agreement to the contrary, the award will be issued in Arabic (which will also be the language that the arbitration was conducted in). |
|         |                                                                                                                                                                                              | Yes | See answers to II.2. The award will be issued in the language(s) of the arbitration either as agreed or, if there is no agreement on language, the language as determined by the tribunal. The tribunal is free to determine that any language applies in the absence of any agreement of the parties (Article 29) and that documents should be translated where necessary.                                                                                                               |
|         |                                                                                                                                                                                              | Yes | See answers to II.2. The award will be issued in the language(s) of the arbitration either as agreed or, if there is no agreement on language, the language as determined by the tribunal. The tribunal is free to determine that any language applies in the absence of any agreement of the parties (Section 37) and that documents should be translated where necessary.                                                                                                               |
| VII.2.n | If your answer to question <u>VII.2.m</u> is yes, is it required for the award to specify if the language of the arbitration was agreed by the parties?                                      | No  | For all – see answers to II.2 and above.<br>This is not an express requirement, but the award is likely to contain this information.                                                                                                                                                                                                                                                                                                                                                      |
| VII.2.o | If your answer to question <u>VII.2.m</u> is yes, is it required for the award to specify if the language of the arbitration was determined by the arbitral tribunal?                        | No  | For all – see answers to II.2 and above.<br>This is not an express requirement, but the award is likely to contain this information.                                                                                                                                                                                                                                                                                                                                                      |
| VII.2.p | If your answer to question <u>VII.2.m</u> is yes, when there is more than one language established for the arbitration, is it required for the award to indicate which one is authoritative? | No  | For all – see answers to II.2 and above. The parties can select more than one language and in this case it is likely that the award will be issued in the selected languages.<br>In circumstances where only one language is selected but documents are in another language and/or witnesses do not speak the language of the arbitration, translation services will need to be employed.                                                                                                 |
| VII.2.q | If your answer to question <u>VII.2</u> is yes, is it required for the award to contain the name, nationality and contact details of each of the arbitrators?                                | Yes | Article 41(5) requires the award to detail the names of the arbitrators and their nationalities and addresses.                                                                                                                                                                                                                                                                                                                                                                            |
|         |                                                                                                                                                                                              | No  | This is not a requirement of Article 38 but the award should detail the names of the arbitrators (and be signed by each of them).                                                                                                                                                                                                                                                                                                                                                         |
|         |                                                                                                                                                                                              | No  | This is not a requirement of Section 50 but the award should detail the names of the arbitrators (and be signed by each of them).                                                                                                                                                                                                                                                                                                                                                         |

|         |                                                                                                                                                                       |    |                                                                                                                                                                                                             |
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| VII.2.r | If your answer to question <u>VII.2</u> is yes, is it required for the award to contain a description as to how the arbitrators were appointed?                       | No | This is not an express requirement of the law.                                                                                                                                                              |
|         |                                                                                                                                                                       | No | This is not an express requirement of the law.                                                                                                                                                              |
|         |                                                                                                                                                                       | No | This is not an express requirement of the law.                                                                                                                                                              |
| VII.2.s | If your answer to question <u>VII.2</u> is yes, is it required for the award to indicate the case reference stipulated by the arbitral institution, if any?           | No | This is not an express requirement of the law. However, the award will typically contain this information.                                                                                                  |
|         |                                                                                                                                                                       | No | This is not an express requirement of the law. However, the award will typically contain this information.                                                                                                  |
|         |                                                                                                                                                                       | No | This is not a requirement of the law. However, the award will typically contain this information.                                                                                                           |
| VII.2.t | If your answer to question <u>VII.2</u> is yes, is it required for the award to contain a chronology of the events that led to the dispute?                           | No | Article 41(5) requires the award to contain a summary of the Parties' claims, statements and documents.<br>Although not an explicit requirement to have a chronology, a summary will typically contain one. |
|         |                                                                                                                                                                       | No | This is not an express requirement of the law. However, the award might contain this information by reference to evidence presented to the tribunal.                                                        |
|         |                                                                                                                                                                       | No | This is not an express requirement of the law. However, the award might contain this information by reference to evidence presented to the tribunal.                                                        |
| VII.2.u | If your answer to question <u>VII.2</u> is yes, is it required for the award to contain the principal chronology of the proceedings?                                  | No | Article 41(5) requires the award to contain a summary of the Parties' claims, statements and documents.<br>Although not an explicit requirement to have a chronology, a summary will often contain one.     |
|         |                                                                                                                                                                       | No | This is not a requirement of the law. However, the award might contain this information by reference to evidence presented to the tribunal.                                                                 |
|         |                                                                                                                                                                       | No | This is not a requirement of the law. However, the award might contain this information by reference to evidence presented to the tribunal.                                                                 |
| VII.2.v | If your answer to question <u>VII.2</u> is yes, is it required for the award to indicate the steps taken by the arbitral tribunal to ascertain the facts of the case? | No | This is not a requirement of the law.                                                                                                                                                                       |
|         |                                                                                                                                                                       | No | This is not a requirement of the law.                                                                                                                                                                       |
|         |                                                                                                                                                                       | No | This is not a requirement of the law.                                                                                                                                                                       |
| VII.2.w | If your answer to question <u>VII.2</u> is yes, is it required for the award to indicate the time limit for rendering the award, if applicable?                       | No | This is not a requirement of the law.                                                                                                                                                                       |
|         |                                                                                                                                                                       | No | This is not a requirement of the law.                                                                                                                                                                       |
|         |                                                                                                                                                                       | No | This is not a requirement of the law.                                                                                                                                                                       |
| VII.2.x | If your answer to question <u>VII.2</u> is yes, is it required for the award to indicate the type of award?                                                           | No | This is not specified in Article 41. However, the law permits interim and partial awards to be awarded (Article 39), so it will be typical for awards to highlight the type that they are.                  |
|         |                                                                                                                                                                       | No | This is not a requirement of Article 38. However, the law permits interim and partial awards to be awarded (Article 24), so it will be typical for these awards to highlight the type that they are.        |
|         |                                                                                                                                                                       | No | This is not a requirement of Section 50. However, the law permits interim awards to be awarded (Section 29), so it will be typical for these awards to highlight the type that they are.                    |



|          |                                                                                                                                                                |    |                                                                                                                                                                |
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| VII.2.y  | If your answer to question <u>VII.2.x</u> is yes, is it required for the type of award to be indicated on the cover page of the award?                         | NA |                                                                                                                                                                |
| VII.2.z  | If your answer to question <u>VII.2</u> is yes, is it required for the award to indicate the subject matter of the award (i.e. partial award on jurisdiction)? | No | For all – see answer to VII.2.x. Although not an explicit requirement of the law, it is common for the award to indicate the subject matter on the first page. |
| VII.2.aa | If your answer to question <u>VII.2.z</u> is yes, is it required for the subject matter of the award to be indicated on the cover of the award?                | NA | For all – see answer above.                                                                                                                                    |
| VII.3    | <b>If the procedural history is required to be included in the award, are there specific procedural stances that are required to be indicated?</b>             | No | Article 41 does not require the procedural history to be included, although this is best practice.                                                             |
|          |                                                                                                                                                                | No | Article 38 does not require the procedural history to be included, although this is best practice.                                                             |
|          |                                                                                                                                                                | No | Section 50 does not require the procedural history to be included, although this is best practice.                                                             |
| VII.3.a  | If your answer to question <u>VII.3</u> is yes, is it required to include the arbitration agreement?                                                           | NA |                                                                                                                                                                |
| VII.3.b  | If your answer to question <u>VII.3</u> is yes, is it required to include the date of commencement of the arbitration?                                         | NA |                                                                                                                                                                |
| VII.3.c  | If your answer to question <u>VII.3</u> is yes, is it required to include the constitution of the arbitral tribunal as part of the procedural history?         | NA |                                                                                                                                                                |
| VII.3.d  | If your answer to question <u>VII.3</u> is yes, is it required to include the procedural applications made by the parties to the arbitral tribunal?            | NA |                                                                                                                                                                |
| VII.3.e  | If your answer to question <u>VII.3</u> is yes, is it required to include the arbitral tribunal's treatment of the applications made by the parties?           | NA |                                                                                                                                                                |
| VII.3.f  | If your answer to question <u>VII.3</u> is yes, is it required to include the details concerning the evidence submitted by the parties?                        | NA |                                                                                                                                                                |
| VII.4    | <b>If the award follows a prior award, is it required for the</b>                                                                                              | No | This is not an express requirement of Article 41. However, typically the award will contain such information (especially a final award).                       |

|         |                                                                                                                                                                    |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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|         | <b>newer award to make reference to the prior award?</b>                                                                                                           | No  | This is not an express requirement of Article 38. However, typically the award will contain such information (especially a final award).                                                                                                                                                                                                                                                                                                                                                                |
|         |                                                                                                                                                                    | No  | This is not an express requirement of Section 50. However, typically the award will contain such information (especially a final award).                                                                                                                                                                                                                                                                                                                                                                |
| VII.4.a | If your answer to question <u>VII.4</u> is yes, is it required to make reference to the procedural history of the prior award?                                     | NA  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| VII.4.b | If your answer to question <u>VII.4</u> is yes, is the prior award considered to be part of the newer award?                                                       | NA  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| VII.4.c | If your answer to question <u>VII.4.a</u> is yes, is it sufficient to make reference to the sections of the prior award where the procedural history is described? | NA  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| VII.4.d | If your answer to question <u>VII.4.a</u> is yes, is it required for the newer award to include the prior award as an attachment?                                  | NA  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| VII.4.e | If your answer to question <u>VII.4.d</u> is yes, is it required to attach an original or authenticated version of the prior award?                                | NA  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| VII.5   | <b>Is it required for the basis upon which the arbitral tribunal's jurisdiction is grounded to be included in the award?</b>                                       | Yes | Article 19 permits the tribunal to rule on its own jurisdiction either as a preliminary question or in the final arbitral award on the merits. Challenges must be raised no later than submission of defence (Article 20).                                                                                                                                                                                                                                                                              |
|         |                                                                                                                                                                    | Yes | Article 23 permits the tribunal to rule on its own jurisdiction either as a preliminary question or in the final arbitral award on the merits. If a party wishes to challenge jurisdiction of the tribunal, it must do so promptly (no later than service of defence or first written statement otherwise (Article 23(2)). A tribunal's ruling as to its own jurisdiction will be contained in the award (either the final award or reference to an interim award will usually be made).                |
|         |                                                                                                                                                                    | Yes | Section 25 permits the tribunal to rule on its own jurisdiction either as a preliminary question or in the final arbitral award on the merits. Challenges to jurisdiction by parties must be raised as their "first step" (Section 25(1)); appointing an arbitrator does not, however, preclude a challenge to jurisdiction following.<br>A tribunal's ruling as to its own jurisdiction will be contained in the award (either the final award or reference to an interim award will usually be made). |

|         |                                                                                                                                                                                                                                                          |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| VII.5.a | If your answer to question <u>VII.5</u> is yes, if one of the parties objected the jurisdiction of the arbitral tribunal, is it required for such objection to be recorded in the award?                                                                 | Yes               | <p>If there is an objection to the tribunal’s jurisdiction made by one of the parties, if the tribunal rules on its own jurisdiction (as it is empowered to do), its decision will have to be recorded in an award, be that an interim award or the final award (see Article 19).</p> <p>In practice, however, challenges to jurisdiction should be dealt with by a tribunal promptly. Delaying determination of an issue like this might well lead to parties incurring material cost that, ultimately, is wasted.</p> |
|         |                                                                                                                                                                                                                                                          | Yes               | See above. Any objection will have to be ruled upon by the tribunal and an award issued.                                                                                                                                                                                                                                                                                                                                                                                                                                |
|         |                                                                                                                                                                                                                                                          | Yes               | See above. Any objection will have to be ruled upon by the tribunal and an award issued.                                                                                                                                                                                                                                                                                                                                                                                                                                |
| VII.5.b | If your answer to question <u>VII.5</u> is yes, if one of the parties objected the jurisdiction of the arbitral tribunal, is it required for the reasoning and resolution of the arbitral tribunal regarding such objection to be included in the award? | Yes               | <p>Article 50(5) requires the award to list the reasons on which the award is based.</p> <p>Typically, determinations of jurisdiction should include the reasons (and authority) within the award.</p>                                                                                                                                                                                                                                                                                                                  |
|         |                                                                                                                                                                                                                                                          | Yes               | See VII.5. This is not expressly stated to be a requirement, but when the tribunal determines jurisdiction, it should include reasons for its decision within an award/order on jurisdiction.                                                                                                                                                                                                                                                                                                                           |
|         |                                                                                                                                                                                                                                                          | Yes               | This is not expressly stated to be a requirement, but when the tribunal determines jurisdiction, it should include reasons for its decision within an award/order on jurisdiction.                                                                                                                                                                                                                                                                                                                                      |
| VII.6   | <b>Is it required for the award to recite the parties’ request for relief?</b>                                                                                                                                                                           | Yes               | <p>Article 41(5) requires the award to contain a summary of the parties’ claim, statement and documents.</p> <p>This will include the parties’ requests for relief.</p>                                                                                                                                                                                                                                                                                                                                                 |
|         |                                                                                                                                                                                                                                                          | Yes (in practice) | This is not an express requirement of Article 38. However, an award should properly consider and resolve all claims made by the parties and requests for relief.                                                                                                                                                                                                                                                                                                                                                        |
|         |                                                                                                                                                                                                                                                          | Yes (in practice) | This is not an express requirement of Section 50. However, an award should properly consider and resolve all claims made by the parties and requests for relief.                                                                                                                                                                                                                                                                                                                                                        |
| VII.6.a | If your answer to question <u>VII.6</u> is yes, if the relief sought has changed during the proceeding, is it required to describe any withdrawal or modification of claims or waivers?                                                                  | Yes               | This is not expressly stated in Article 41 of the UAE Federal Law or the relevant DIFC and ADGM legislation, but a reasoned award will need to contain this information as it should address all claims made                                                                                                                                                                                                                                                                                                            |
| VII.7   | <b>Is it required for the award to identify the issues to be decided by the arbitral tribunal?</b>                                                                                                                                                       | No                | <p>This is not an express requirement of Article 41, although typically the award will contain this information. However see VII.6 answers concerning resolution of claims.</p> <p>In all jurisdictions, identifying issues to be decided by the tribunal makes it easier for a tribunal to interrogate the evidence relevant to those issues and render a decision on each which is properly considered and reasoned.</p>                                                                                              |
|         |                                                                                                                                                                                                                                                          | No                | This is not an express requirement of article 38. However, typically the award will contain such information. However see VII.6 answers concerning resolution of claims.                                                                                                                                                                                                                                                                                                                                                |
|         |                                                                                                                                                                                                                                                          | No                | This is not an express requirement of Section 50. However, typically the award will contain such information. However see VII.6 answers concerning resolution of claims.                                                                                                                                                                                                                                                                                                                                                |

|         |                                                                                                                                                                                                                             |                   |                                                                                                                                                                                                                                                                                                                                                             |
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| VII.7.a | If your answer to question <u>VII.7</u> is yes, is it required to identify whether certain issues are contingent on others?                                                                                                 | NA                |                                                                                                                                                                                                                                                                                                                                                             |
| VII.8   | <b>Is it required for the award to contain an account of the relevant facts of the dispute?</b>                                                                                                                             | Yes               | Article 41(5) expressly requires a summary of the parties' reliefs, statements and documents to be included. Typically reciting this will include the relevant facts to the dispute so this will be included in the award. The statements will also tend to highlight whether these facts are agreed or disputed.                                           |
|         |                                                                                                                                                                                                                             | Yes (in practice) | Whilst this is not expressly set out by the relevant legislation, in issuing an award that is properly reasoned, a tribunal must assess the evidence presented to it and make findings of fact on which its decision(s), ultimately rest. Therefore, in practice, findings of fact on which an award is based ought to be set out in any arbitration award. |
|         |                                                                                                                                                                                                                             | Yes (in practice) | Whilst this is not expressly set out by the relevant legislation, in issuing an award that is properly reasoned, a tribunal must assess the evidence presented to it and make findings of fact on which its decision(s), ultimately rest. Therefore, in practice, findings of fact on which an award is based ought to be set out in any arbitration award. |
| VII.8.a | If your answer to question <u>VII.8</u> is yes, is it required for the award to identify whether the facts are agreed or disputed?                                                                                          | No                | See answer to VII.8                                                                                                                                                                                                                                                                                                                                         |
| VII.8.b | If your answer to question <u>VII.8</u> is yes, is it required for the award to include any reasoning and resolution by the arbitral tribunal regarding disputed facts?                                                     | Yes               | See answer to VII.8.                                                                                                                                                                                                                                                                                                                                        |
| VII.9   | <b>Is it required for the award to include a summary of the parties' positions with respect to the issues that are relevant to the arbitral tribunal's decisions?</b>                                                       | Yes               | Article 41(5) expressly requires a summary of the parties' claims, statements and documents. Necessarily, therefore, this will cover the issues to be determined by the tribunal.                                                                                                                                                                           |
|         |                                                                                                                                                                                                                             | No                | Not required by legislation. Doing so is advisable though.                                                                                                                                                                                                                                                                                                  |
|         |                                                                                                                                                                                                                             | No                | Not required by legislation. Doing so is advisable though.                                                                                                                                                                                                                                                                                                  |
| VII.9.a | If your answer to question <u>VII.9</u> is yes, is there a specific structure that shall be followed (i.e. issue by issue basis where the parties' positions are juxtaposed immediately after each other under each issue)? | No                | There are no formalities laid down by the legislation.                                                                                                                                                                                                                                                                                                      |
| VII.9.b | If your answer to question <u>VII.9</u> is yes, is it permitted for the arbitral tribunal to paraphrase the arguments submitted by the parties?                                                                             | No                | Again, there are no formalities required by the legislation. A tribunal might paraphrase the arguments so as to render them more succinct (and perhaps clearer).                                                                                                                                                                                            |
| VII.9.c | If your answer to question <u>VII.9</u> is yes, is the arbitral tribunal required to include a verbatim                                                                                                                     | No                | As above at VII.9.b, this is not required and would, as a matter of practice, be difficult.                                                                                                                                                                                                                                                                 |

|          |                                                                                                                                                                                                                      |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | transcription of every argument submitted by the parties?                                                                                                                                                            |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| VII.10   | <b>If the procedural rules are in dispute between the parties, is it required for the award to set out the parties' positions in such regard?</b>                                                                    | Yes | Article 23 permits the parties to agree the procedure. If this is not agreed, the tribunal may select the procedure it considers appropriate in all the circumstances. Practically, this will need to happen at an early stage in proceedings and therefore ought to be academic by the time the matter reaches the stage that an award is to be issued.<br><br>Therefore, it is unlikely that procedural rules will be in dispute at this stage. In the unlikely event that they are, as a matter of good practice, a tribunal should refer to the dispute, the parties' position on the dispute and the tribunal's decision (with reasons). |
|          |                                                                                                                                                                                                                      | Yes | As above (Article 26).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|          |                                                                                                                                                                                                                      | Yes | As above (Article 32).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| VII.11   | <b>If the procedural rules are in dispute between the parties, is it required for the award to include the determination and reasoning of the arbitral tribunal in such regard?</b>                                  | Yes | See answer to VII.10.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|          |                                                                                                                                                                                                                      | Yes | See answer to VII.10.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|          |                                                                                                                                                                                                                      | Yes | See answer to VII.10.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| VII.12   | <b>If the substantive laws applicable to merits of the case are in dispute between the parties, is it required for the award to set out the parties' positions in such regard?</b>                                   | Yes | Article 41(5) requires a summary of the parties' reliefs, statements and documents. This should include any dispute regarding the substantive law.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|          |                                                                                                                                                                                                                      | No  | This is not a requirement of Article 38. However, typically the award will contain such information as part of addressing the different positions of the parties.                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|          |                                                                                                                                                                                                                      | No  | This is not a requirement of Section 50. However, typically the award will contain such information as part of addressing the different positions of the parties.                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| VII.13   | <b>If the substantive laws applicable to merits of the case are in dispute between the parties, is it required for the award to include the reasoning and determination by the arbitral tribunal in such regard?</b> | Yes |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|          |                                                                                                                                                                                                                      | Yes |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|          |                                                                                                                                                                                                                      | Yes |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| VII.14   | <b>Is there any tax requirement that must be met by the arbitral tribunal when writing the award?</b>                                                                                                                | No  | There is no such requirement outlined in the law.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|          |                                                                                                                                                                                                                      | No  | There is no such requirement outlined in the law.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|          |                                                                                                                                                                                                                      | No  | There is no such requirement outlined in the law.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| VII.14.a | If your answer to question VII.14 is yes, please briefly describe (in the comments column) the relevant tax requirement.                                                                                             | NA  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| VII.15   | <b>Is there any anti-money laundering requirement that must be met by the arbitral tribunal when writing the award?</b>                                                                                              | No  | There is no such requirement outlined in the Arbitration law. However, the tribunal must comply with Federal Anti-Money Laundering law.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|          |                                                                                                                                                                                                                      | No  | There is no such requirement outlined in the law. However, the tribunal must comply with Federal Anti-Money Laundering ("AML") law and DIFC AML law.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

|                                     |                                                                                                                                                                |                    |                                                                                                                                                                                                                                                                                                             |
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|                                     |                                                                                                                                                                | No                 | There is no such requirement outlined in the law. However, the tribunal must comply with Federal Anti-Money Laundering (“AML”) law and ADGM AML law.                                                                                                                                                        |
| VII.15.a                            | If your answer to question <u>VII.15</u> is yes, please briefly describe (in the comments column) the relevant anti-money laundering requirement.              |                    | See above.                                                                                                                                                                                                                                                                                                  |
| <b>VIII. Reasoning and findings</b> |                                                                                                                                                                | <b>(Yes/No/NA)</b> | <b>Additional comments, if any.</b>                                                                                                                                                                                                                                                                         |
| VIII.1                              | <b>Is it required for the award to contain the arbitral tribunal’s reasoning?</b>                                                                              | Yes                | The award must state the reasons upon which it is based (Article 41(5)) unless the parties have agreed that reasons are not required.                                                                                                                                                                       |
|                                     |                                                                                                                                                                | Yes                | The award must state the reasons upon which it is based (Article 38(2)) unless the parties have agreed that reasons are not required.                                                                                                                                                                       |
|                                     |                                                                                                                                                                | Yes                | The award must state the reasons upon which it is based (Section 50(2)) unless the parties have agreed that reasons are not required.                                                                                                                                                                       |
| VIII.1.a                            | If your answer to question <u>VIII.1</u> is yes, is a specific extent required for such reasoning?                                                             | No                 | No such extent is specified in the law but, as a matter of practice, reasons should be full and refer to specific facts and legal authorities as support for the position taken.                                                                                                                            |
|                                     |                                                                                                                                                                | No                 | As above.                                                                                                                                                                                                                                                                                                   |
|                                     |                                                                                                                                                                | No                 | As above.                                                                                                                                                                                                                                                                                                   |
| VIII.1.b                            | If your answer to question <u>VIII.1.a</u> is yes, please provide a brief description (in the comments column) as to the extent of reasoning that is required. | NA                 |                                                                                                                                                                                                                                                                                                             |
| VIII.1.c                            | If your answer to question <u>VIII.1</u> is yes, is the arbitral tribunal required to make references to the factual record?                                   | Yes                | There is no express requirement in the law for the tribunal to make reference to the factual record.<br>However, as part of providing a properly reasoned award, it will be necessary for the tribunal to make findings of fact based upon the evidence put before it during the course of the arbitration. |
|                                     |                                                                                                                                                                | Yes                | There is no express requirement in the law for the tribunal to make reference to the factual record.<br>However, as part of providing a properly reasoned award, it will be necessary for the tribunal to make findings of fact based upon the evidence put before it during the course of the arbitration. |
|                                     |                                                                                                                                                                | Yes                | There is no express requirement in the law for the tribunal to make reference to the factual record.<br>However, as part of providing a properly reasoned award, it will be necessary for the tribunal to make findings of fact based upon the evidence put before it during the course of the arbitration. |
| VIII.2                              | <b>Is the arbitral tribunal required to address each of the parties’ main arguments on each issue?</b>                                                         | Yes                | As a matter of practice, it should address arguments and give its reasons why it is persuaded or otherwise as to those positions. Article 41(5) expressly requires that parties’ claims are included in awards.                                                                                             |
|                                     |                                                                                                                                                                | Yes                | As a matter of practice, it should address arguments and give its reasons why it is persuaded or otherwise as to those positions                                                                                                                                                                            |

|            |                                                                                                                    |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|            |                                                                                                                    | Yes                | As a matter of practice, it should address arguments and give its reasons why it is persuaded or otherwise as to those positions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| VIII.3     | Is it permitted for the award to be issued without reasons?                                                        | No                 | See VIII.1, unless the parties have agreed not to include reasons.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|            |                                                                                                                    | No                 | See VIII.1, unless the parties have agreed not to include reasons.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|            |                                                                                                                    | No                 | See VIII.1, unless the parties have agreed not to include reasons.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| VIII.4     | Is the arbitral tribunal permitted to issue an <i>ex aequo et bono</i> award?                                      | Yes                | The tribunal can make awards of this nature but only with the express agreement of the parties (Article 38(3)).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|            |                                                                                                                    | No                 | This is not dealt with expressly under the relevant legislation; thus there is no express prohibition. As a matter of best practice though, awards of this nature should only be issued if the parties have expressly agreed that a tribunal can issue such awards (this is the requirement under the UNCITRAL Rules). Otherwise, challenges might be possible on grounds of alleged bias and/or procedural irregularity by way of examples.<br>If an arbitration is seated in the DIFC and proceeding under the DIFC-LCIA Rules, the arbitrators can issue an award on this basis if the parties have so agreed (Article 22.4). |
|            |                                                                                                                    | No                 | This is not dealt with expressly under the relevant legislation; thus there is no express prohibition. As a matter of best practice though, awards of this nature should only be issued if the parties have expressly agreed that a tribunal can issue such awards (this is the requirement under the UNCITRAL Rules). Otherwise, challenges might be possible on grounds of alleged bias and/or procedural irregularity by way of examples.                                                                                                                                                                                     |
| VIII.5     | Is the <i>iura novit curia</i> principle applicable in the jurisdiction you are reporting about?                   | Possibly           | Not expressly referenced in the legislation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|            |                                                                                                                    | Possibly           | No express reference in the legislation. Article 22.1(iii) of the DIFC-LCIA Rules allows the panel to take the initiative on facts/laws etc.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|            |                                                                                                                    | Possibly           | Not expressly referenced in the legislation (unlike, for example, in the English Arbitration Act 1996).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| VIII.5.a   | If your answer to question VIII.5 is yes, is it customary to apply the principle of <i>iura novit curia</i> ?      | No                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| VIII.4.b   | If your answer to question VIII.5 is yes, to what extent is the arbitral tribunal allowed to apply such principle? | NA                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>IX.</b> | <b>Operative part (<i>dispositif</i>)</b>                                                                          | <b>(Yes/No/NA)</b> | <b>Additional comments, if any.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| IX.1       | Is it required for the award to contain the arbitral tribunal's ultimate findings and decisions?                   | Yes                | Article 41(5) requires the award to state the order made and reasons on which the award is based. This would include the ultimate findings and decisions of the tribunal.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|            |                                                                                                                    | Yes                | The award should set out the tribunal's decisions in respect of the matters in dispute.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|            |                                                                                                                    | Yes                | The award should set out the tribunal's decisions in respect of the matters in dispute.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| IX.1.a     | If your answer to question IX.1 is yes, is it required for the                                                     | No                 | There is no explicit requirement for such wording to be included.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

|           |                                                                                                                                                                            |              |                                                                                                                                                                                     |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|           | operative part to be prefaced by specific introductory language (i.e. for the foregoing reasons, the Arbitral Tribunal renders the following decisions)?                   |              |                                                                                                                                                                                     |
| IX.1.b    | If your answer to question IX.1.a is yes, please briefly specify (in the comments column) the introductory language that is required.                                      | NA           |                                                                                                                                                                                     |
| IX.2      | <b>In the case of final awards, is it required for the award to include a “catch-all” dispositif (i.e. all other claims are dismissed)?</b>                                | No           |                                                                                                                                                                                     |
|           |                                                                                                                                                                            | No           |                                                                                                                                                                                     |
|           |                                                                                                                                                                            | No           |                                                                                                                                                                                     |
| IX.3      | <b>Are arbitrators allowed to include in the award injunctive relief?</b>                                                                                                  | Yes          | Article 21 permits the tribunal to award injunctive relief. Such relief can be issued through an interim or partial award (Article 39).                                             |
|           |                                                                                                                                                                            | Yes          | Article 24 permits the tribunal to award injunctive relief.                                                                                                                         |
|           |                                                                                                                                                                            | Yes          | Section 27 permits the tribunal to award injunctive relief and such relief may be granted in the form of an award.                                                                  |
| IX.4      | <b>Are arbitrators allowed to include in the award relief ordering specific performance of the relevant contract?</b>                                                      | Yes          | The law does not explicitly state that this is an available remedy. However, this is one of the remedies that a tribunal may order.                                                 |
|           |                                                                                                                                                                            | Yes          | The law does not explicitly state that this is an available remedy. However, this is one of the remedies that a tribunal may order.                                                 |
|           |                                                                                                                                                                            | Yes          | Section 46 permits the tribunal to order specific performance of a contract (unless the contract relates to land or the parties have agreed the tribunal does not have this power). |
| IX.5      | <b>Are arbitrators allowed to include in the award relief ordering rectification, setting aside or cancellation of a deed or of another document?</b>                      | Yes          | The law does not explicitly state that this is an available remedy. However, this is one of the remedies that a tribunal may order.                                                 |
|           |                                                                                                                                                                            | Yes          | The law does not explicitly state that this is an available remedy. However, this is one of the remedies that a tribunal may order.                                                 |
|           |                                                                                                                                                                            | Yes          | Section 46 permits the tribunal to order the rectification, setting aside, or cancellation of a deed or other document.                                                             |
| IX.6      | <b>Is it required for the arbitrators to include in the award a specific “wording /language” and/or any other “formula” for the award to be considered official/valid?</b> | No           | There is no requirement for specific wording to be used contained in the law.                                                                                                       |
|           |                                                                                                                                                                            | No           | There is no requirement for specific wording to be used contained in the law.                                                                                                       |
|           |                                                                                                                                                                            | No           | There is no requirement for specific wording to be used contained in the law.                                                                                                       |
| IX.6.a    | If your answer to question IX.6 is yes, please briefly indicate (in the comments column) which wording should be included.                                                 | NA           |                                                                                                                                                                                     |
| <b>X.</b> | <b>Dissenting and separate opinions</b>                                                                                                                                    | (Yes/No /NA) | <b>Additional comments, if any.</b>                                                                                                                                                 |
| X.1       | <b>Is it allowed for the</b>                                                                                                                                               | Yes          | The award should record any dissenting opinion or should be enclosed.                                                                                                               |



|            |                                                                                                                                                                                                                                                   |                     |                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            | <b>arbitrators to write a dissenting or separate opinion?</b>                                                                                                                                                                                     |                     | The dissenting opinion will form an integral part of the award (article 41(2)).                                                                                                                                                                                                                                                                                                                                    |
|            |                                                                                                                                                                                                                                                   | Yes                 | Although this is not explicitly stated in the DIFC law, Article 38(2) requires the award to state the reasons on which is based and Article 38(1) requires any reason for omitted signatures to be included in the award.<br>Article 26.5 of the DIFC-LCIA rules provides that decisions under those rules are to be made by majority. There is no prohibition on a dissenting arbitrator writing his/her opinion. |
|            |                                                                                                                                                                                                                                                   | Yes                 | Section 45 provides that decisions are to be made by majority. There is no prohibition on a dissenting arbitrator writing his/her opinion.                                                                                                                                                                                                                                                                         |
| X.1.a      | If your answer to question <u>X.1</u> is yes, is it required for the dissenting or separate opinion to be delivered as an attachment to the award?                                                                                                | No                  |                                                                                                                                                                                                                                                                                                                                                                                                                    |
|            |                                                                                                                                                                                                                                                   | No                  |                                                                                                                                                                                                                                                                                                                                                                                                                    |
|            |                                                                                                                                                                                                                                                   | No                  |                                                                                                                                                                                                                                                                                                                                                                                                                    |
| X.1.b      | If your answer to question <u>X.1.a</u> is no, is it required for the dissenting or separate opinion to be delivered as a separate document from the award?                                                                                       | No                  |                                                                                                                                                                                                                                                                                                                                                                                                                    |
| X.2        | <b>Are the arbitrators required to address within their reasoning the dissenting opinion?</b>                                                                                                                                                     | No                  | Article 41 requires only that the dissenting opinion be noted or enclosed. There is no specific requirement placed on the arbitrators to address the dissenting opinion within their reasoning.                                                                                                                                                                                                                    |
|            |                                                                                                                                                                                                                                                   | No                  | There is no requirement in the law to do so.                                                                                                                                                                                                                                                                                                                                                                       |
|            |                                                                                                                                                                                                                                                   | No                  | There is no requirement in the law to do so.                                                                                                                                                                                                                                                                                                                                                                       |
| X.2.a      | If your answer to question <u>X.2</u> is no, is it allowed for the arbitrators to address within the award the dissenting opinion as part of their reasoning?                                                                                     |                     | See above                                                                                                                                                                                                                                                                                                                                                                                                          |
| X.3        | <b>If an arbitrator disagrees with the majority's determination of an issue or issues but does not wish to write a dissenting opinion, is it required for the award to record the issue in question and the dissenting opinion on that issue?</b> | Yes                 | Article 41 requires the dissenting opinion to be noted or enclosed in the award. If the dissenting arbitrator does not wish to write an opinion, the other arbitrators must record the issue and opinion as this is a mandatory requirement of the form and content of the award.                                                                                                                                  |
|            |                                                                                                                                                                                                                                                   | No                  | This is not a requirement of the law. However, it is common for the other arbitrators (typically the president) to record a dissenting opinion if the dissenting arbitrator refuses.                                                                                                                                                                                                                               |
|            |                                                                                                                                                                                                                                                   | No                  | This is not a requirement of the law. However, it is common for the other arbitrators (typically the president) to record a dissenting opinion if the dissenting arbitrator refuses.                                                                                                                                                                                                                               |
| X.3.a      | If your answer to question <u>X.3</u> is yes, is it required to identify which arbitrator disagreed?                                                                                                                                              | Yes                 | The law does not explicitly require the arbitrator to be identified. However, as the opinion will be noted it should.                                                                                                                                                                                                                                                                                              |
| <b>XI.</b> | <b>Reservation of issues</b>                                                                                                                                                                                                                      | <b>(Yes/No /NA)</b> | <b>Additional comments, if any.</b>                                                                                                                                                                                                                                                                                                                                                                                |
| XI.1       | <b>In case the award is not final, is it allowed for the arbitral tribunal to reserve issues for</b>                                                                                                                                              | Yes                 | Article 39 permits the tribunal to issue interim awards or awards on parts of the claim before rendering the award ending the entire dispute. Where this is the case the award will typically highlight any reserved issues for                                                                                                                                                                                    |

|                              |                                                                                                                                                                 |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                              | <b>later determination?</b>                                                                                                                                     |                     | later determination.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                              |                                                                                                                                                                 | Yes                 | Article 24 permits the tribunal to make interim awards.<br>In such cases, it will be common for the tribunal to reserve issues for later determination. Where this is the case, such issues will be clearly identified in the award.                                                                                                                                                                                                                                                                                                                                                                                 |
|                              |                                                                                                                                                                 | Yes                 | Section 27 permits the tribunal to make interim awards.<br>In such cases, it will be common for the tribunal to reserve issues for later determination. Where this is the case, such issues will be clearly identified in the award.                                                                                                                                                                                                                                                                                                                                                                                 |
| XI.1.a                       | If your answer to question <u>XI.1</u> is yes, is it required for such issues to be clearly designated?                                                         |                     | See above                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>XII. Style and length</b> |                                                                                                                                                                 | <b>(Yes/No /NA)</b> | <b>Additional comments, if any.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| XII.1                        | <b>It is required for footnotes and citations in the award to be presented in a specific style?</b>                                                             | No                  | There is no specific style outlined in the law.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                              |                                                                                                                                                                 | No                  | There is no specific style outlined in the law.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                              |                                                                                                                                                                 | No                  | There is no specific style outlined in the law.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| XII.1.a                      | If your answer to question <u>XII.1</u> is yes, please provide a brief description (in the comments column) of such style.                                      | NA                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| XII.2                        | <b>Is the arbitral tribunal permitted to indicate post-award interests?</b>                                                                                     |                     | [Please provide clarification on the what the question is aiming at]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                              |                                                                                                                                                                 |                     | [Please provide clarification on the what the question is aiming at]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                              |                                                                                                                                                                 |                     | [Please provide clarification on the what the question is aiming at]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| XII.2.a                      | If your answer to question <u>XII.2</u> is yes, is the arbitral tribunal required to indicate the pre-award interests separately from the post-award interests? | NA                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| XII.3                        | <b>Are there any restrictions or requirements as to the length of the award?</b>                                                                                | No                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                              |                                                                                                                                                                 | No                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                              |                                                                                                                                                                 | No                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| XII.3.a                      | If your answer to question <u>XII.3</u> is yes, please provide a brief description of such length.                                                              | NA                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>XIII. Award of costs</b>  |                                                                                                                                                                 | <b>(Yes/No /NA)</b> | <b>Additional comments, if any.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| XIII.1                       | <b>In the allocation of costs, is the arbitral tribunal required to consider the reasonableness of the costs claimed?</b>                                       | No                  | The Federal Arbitration Law does provide for the parties to recover their legal costs expressly; it is silent as to the how the arbitrators should approach legal costs. The costs of arbitration other than legal costs (for example, arbitrator’s costs) are to be fixed by the arbitrators (unless otherwise agreed by the parties) and the tribunal can order one party to pay these (Article 46(2)). Under the old federal regime, the Dubai courts had determined that arbitration tribunals did not have power to make orders that one party pay the other’s legal costs (it was not unheard of prior to this |

|          |                                                                                                                                                                     |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          |                                                                                                                                                                     |     | to see costs orders made by arbitrators). Therefore, our view is that, in the absence of express authorization to do so in the legislation (save as regards costs of the arbitration), a tribunal cannot and should not make costs orders as to legal costs. On this basis, the reasonableness or otherwise of those costs is irrelevant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|          |                                                                                                                                                                     | Yes | <p>Article 38 requires the arbitral tribunal to fix the costs of the arbitration in the arbitral award. The definition of costs includes the legal costs and other assistance costs (such as experts) of the parties, to the extent the arbitral tribunal considers those costs to be reasonable.</p> <p>In practice, it is usual for costs to dealt with separately after a substantive award has been made with schedules of costs being prepared (usually by the winner but there may be interim applications that have been heard earlier in proceedings for which the costs need to be assessed too). If the parties cannot agree, a timetable will have to be agreed to deal with costs usually including written submissions and a short hearing.</p> <p>If an arbitration is held under the DIFC-LCIA rules, the tribunal should approach the issue of legal costs so that its decisions reflect the relative success or failure of the parties (Article 28.4). That is a general rule but can be departed from if the tribunal feels that, in the circumstances, it is inappropriate. In practice, it is rare for DIFC-LCIA tribunal's to depart from the general principle but adjustments might be made if a tribunal feels that costs were unreasonably incurred.</p> |
|          |                                                                                                                                                                     | Yes | <p>Section 50 substantively mirrors Article 38 of the DIFC Arbitration Law on this point. Section 50 (5) (f) permits the arbitral tribunal to fix in the award the legal costs and other assistance costs (such as experts) of the parties, to the extent the arbitral tribunal considers those costs to be reasonable.</p> <p>The costs of the arbitration other than legal costs are fixed by the arbitral tribunal in the award.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| XIII.1.a | If your answer to question <u>XIII.1</u> is no, in the allocation of costs, is the arbitral tribunal permitted to consider the reasonableness of the costs claimed? | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| XIII.2   | <b>In allocating costs, is the arbitral tribunal required to consider the conduct of the parties?</b>                                                               | No  | <p>There is no express requirement for the arbitral tribunal to consider the conduct of the parties when assessing the costs of the arbitration (see above). There is, however, no restriction on the arbitral tribunal from doing so.</p> <p>Such a restriction, requirement or entitlement to consider the conduct of the parties may exist in the rules under which the arbitration is being conducted.</p> <p>Article 46 (2) confirms the arbitral tribunal's discretion to direct which party is to pay the costs of the arbitration, in whole or in part.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|          |                                                                                                                                                                     | Yes | <p>There is no express requirement for the arbitral tribunal to consider the conduct of the parties when assessing the costs of the arbitration. However, as part of the exercise of discretion, a tribunal ought to consider parties conduct in assessing costs.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|          |                                                                                                                                                                     | Yes | <p>Section 50 (6) confirms the discretion of the arbitral tribunal to direct which party is to pay the costs, in whole or in part, in the award.</p> <p>There is no express requirement for the arbitral tribunal to consider the</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

|          |                                                                                                                                                                                                                                     |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          |                                                                                                                                                                                                                                     |     | conduct of the parties when assessing the costs of the arbitration. However, as part of the exercise of discretion, a tribunal ought to consider parties conduct in assessing costs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| XIII.2.a | If your answer to question <a href="#">XIII.2</a> is no, in allocating costs, is the arbitral tribunal allowed to consider the conduct of the parties?                                                                              | Yes | Please see the comments in response to XIII.2.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| XIII.3   | <b>In allocating costs, is the arbitral tribunal required to consider the nature and complexity of the dispute?</b>                                                                                                                 | No  | Please see comments below.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|          |                                                                                                                                                                                                                                     | No  | Please see comments below.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|          |                                                                                                                                                                                                                                     | No  | Please see comments below.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| XIII.3.a | If your answer to question <a href="#">XIII.3</a> is no, in allocating costs, is the arbitral tribunal allowed to consider the nature and complexity of the dispute?                                                                | Yes | There is no express requirement in the Federal Arbitration Law, <a href="#">DIFC Arbitration Law</a> of the <a href="#">ADGM Arbitration Regulations</a> for the arbitral tribunal to consider the nature and complexity of the dispute when assessing and fixing the costs of the arbitration. Similarly, there is no prohibition on the arbitral tribunal from doing so. The rules under which the arbitration is conducted may include such a requirement or restriction.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|          |                                                                                                                                                                                                                                     | Yes |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|          |                                                                                                                                                                                                                                     | Yes |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| XIII.4   | <b>In allocating costs, is the arbitral tribunal required to consider whether a party has succeeded in whole or in part?</b>                                                                                                        | No  | Please see comments below.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|          |                                                                                                                                                                                                                                     | No  | Please see comments below.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|          |                                                                                                                                                                                                                                     | No  | Please see comments below.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| XIII.4.a | If your answer to question <a href="#">XIII.4</a> is no, in allocating costs, is the arbitral tribunal allowed to consider whether a party has succeeded in whole or in part?                                                       | Yes | There is no express requirement in the Federal Arbitration Law, <a href="#">DIFC Arbitration Law</a> of the <a href="#">ADGM Arbitration Regulations</a> for the arbitral tribunal to consider whether a party has succeeded in whole or in part when assessing the costs to be fixed in the arbitral award. This is in contrast to the English Arbitration Act 1996 for example which expressly sets out that costs should generally follow the event (Article 61(2) of the English Arbitration Act 1996):<br><br><i>“Unless the parties otherwise agree, the tribunal shall award costs on the general principle that costs should follow the event except where it appears to the tribunal that in the circumstances this is not appropriate in relation to the whole or part of the costs.”</i><br><br>There is no prohibition on the arbitral tribunal from doing so (although see above as for UAE federal law governed arbitration procedure as to the possibility of making costs awards other than those limited to arbitration costs).<br><br>The rules under which the arbitration is conducted may include such a requirement or restriction too (see DIFC-LCIA rules referred to at X111.1). |
|          |                                                                                                                                                                                                                                     | Yes |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|          |                                                                                                                                                                                                                                     | Yes |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| XIII.5   | <b>Regarding the arbitral tribunal’s costs &amp; expenses and institutional costs (if any), is the arbitral tribunal required to fully record in the award these costs and expenses in an institutional arbitration proceeding?</b> | Yes | Article 41 (5) requires the arbitral tribunal to include in the arbitral award the order made. This includes the order made in respect of costs (see Article 46 (2) which makes reference to the arbitral tribunal’s discretion as to an order to the effect that a party bear the costs of the arbitration).<br><br>The rules under which the arbitration is being conducted may also require the inclusion of these costs in the final award.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|          |                                                                                                                                                                                                                                     | Yes | Article 38, which concerns the content of the arbitral award, confirms that the arbitral tribunal shall fix the costs of the arbitration. These costs include the costs and expenses of the arbitral tribunal as well as those of                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

|          |                                                                                                                                                                                                                                                                           |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          |                                                                                                                                                                                                                                                                           |     | <p>the relevant institution.</p> <p>Whilst the Article does not expressly state such information should be included in the award, the Article forms part of the section which addresses the content of the arbitral award. On a natural reading, it appears that such information on costs is to be included in the arbitral award if a summary assessment of costs has been carried on by the tribunal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|          |                                                                                                                                                                                                                                                                           | Yes | <p>Section 50, which concerns the content of the arbitral award, confirms that the arbitral tribunal shall fix the costs of the arbitration. These costs include the costs and expenses of the arbitral tribunal as well as those of the relevant institution.</p> <p>Whilst it does not expressly state such information should be included in the award, the section forms part of the section which addresses the content of the arbitral award.</p> <p>However, unlike the DIFC Arbitration Law, it should be noted that Section 50 (7) specifically permits a party to apply to the arbitral tribunal for a further award on costs should the arbitral tribunal not fix the costs of the arbitration in the final award. This appears to suggest that an arbitral tribunal is not obliged to include the costs in the arbitral award, as this provision is separate from the provisions concerning the correction of award or issuance of an additional award in the event there is a mistake or omission. As mentioned above, often costs are dealt with separately and after the substantive award is released if the parties are unable to reach an agreement on costs.</p> |
| XIII.5.a | If your answer to question <u>XIII.5</u> is no, regarding the arbitral tribunal's costs and expenses and institutional costs (if any), is the arbitral tribunal allowed to fully record in the award these costs and expenses in an institutional arbitration proceeding? |     | Please see comments in response at XIII.5.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| XIII.6   | <b>Regarding the arbitral tribunal's costs and expenses (if any), is the arbitral tribunal required to fully record in the award these costs and expenses in an ad-hoc arbitration proceeding?</b>                                                                        | Yes | Please see comments in response at XIII.5 (save the comment in relation to the arbitral rules).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|          |                                                                                                                                                                                                                                                                           | Yes | Please see comments in response at XIII.5 (save the comment in relation to the arbitral rules).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|          |                                                                                                                                                                                                                                                                           | No  | Please see comments in response at XIII.5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| XIII.6.a | If your answer to question <u>XIII.6</u> is no, regarding the arbitral tribunal's costs and expenses (if any), is the arbitral tribunal allowed to fully record in the award these costs and expenses in an ad-hoc arbitration proceeding?                                | NA  | Please see comments in response at XIII.5 (save the comment in relation to the arbitral rules).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

|                                    |                                                                                                                                |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| XIII.7                             | <b>Is it required for the award on costs to be reasoned?</b>                                                                   | Yes                | Please see comments in response at XIII.5. Article 41 (5) requires the arbitral award to include, with reasons, the order, which includes the order as to costs, unless the parties have agreed otherwise or the applicable law does not require it. This indicates that reasons should be given as to the award on costs.                                                                                                                                                                                                                                                                         |
|                                    |                                                                                                                                | No                 | There is no such requirement in the DIFC Arbitration Law. However, the rules under which the arbitration is being conducted may include such a requirement. It would be prudent for reasons to be included in any award on costs.                                                                                                                                                                                                                                                                                                                                                                  |
|                                    |                                                                                                                                | No                 | There is no such requirement in the ADGM Arbitration Regulations. However, the rules under which the arbitration is being conducted may include such a requirement. It would be prudent for reasons to be included in any award on costs.                                                                                                                                                                                                                                                                                                                                                          |
| XIII.7.a                           | If your answer to question <u>XIII.7</u> is no, is it allowed for the award on costs to be reasoned?                           | NA                 | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                                    |                                                                                                                                | Yes                | There is no restriction on the arbitral award containing reasons for the award on costs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                                    |                                                                                                                                | Yes                | There is no restriction on the arbitral award containing reasons for the award on costs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| XIII.8                             | <b>Are the arbitrators required to use certain size/type of paper?</b>                                                         | No                 | The Federal Arbitration Law, <a href="#">DIFC Arbitration Law</a> and <a href="#">ADGM Arbitration Regulations</a> do not contain any such requirements.                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                                    |                                                                                                                                | No                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                                    |                                                                                                                                | No                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| XIII.8.a                           | If your answer to question <u>XIII.8</u> is yes, please specify (in the comments column) which size/type of paper is required. | NA                 | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| XIII.9                             | <b>Is it prohibited for the arbitrators to use different sizes/types of paper to print the award?</b>                          | No                 | The Federal Arbitration Law, <a href="#">DIFC Arbitration Law</a> and <a href="#">ADGM Arbitration Regulations</a> do not contain any such requirements.<br>In practice a single copy of the award should be signed by all arbitrators making this academic.                                                                                                                                                                                                                                                                                                                                       |
|                                    |                                                                                                                                | No                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                                    |                                                                                                                                | No                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>XIV. Structure of the Award</b> |                                                                                                                                | <b>(Yes/No/NA)</b> | <b>Additional comments, if any.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| XIV.1                              | <b>Is it required for the award to separate its formal from its substantive aspects?</b>                                       | No                 | The Federal Arbitration Law, <a href="#">DIFC Arbitration Law</a> and <a href="#">ADGM Arbitration Regulations</a> do not proscribe a structure for the arbitral award to adopt, other than setting out what the award must contain (Articles 41, 38 and Section 50, respectively).<br>The rules under which the arbitration is being conducted may stipulate whether the arbitral award must separate out the formal from its substantive aspects.<br>In practice, it is common for an arbitral award to have the substantive aspects of the award in a separate section at the end of the award. |
|                                    |                                                                                                                                | No                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                                    |                                                                                                                                | No                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| XIV.1.a                            | If your answer to question <u>XIV.1</u> is yes, is there a specific order required (i.e. formal issues first)?                 | NA                 | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| XIV.1.b                            | If your answer to question <u>XIV.1.a</u> is yes, please briefly indicate (in the comments                                     | NA                 | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

|         |                                                                                                                                                                                                                                               |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|         | column) the requested order.                                                                                                                                                                                                                  |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| XIV.2   | <b>Is there a requirement to follow a specific structure of the award?</b>                                                                                                                                                                    | No  | The Federal Arbitration Law, <a href="#">DIFC Arbitration Law</a> and <a href="#">ADGM Arbitration Regulations</a> do not proscribe a structure for the arbitral award to adopt, other than setting out what the award must contain (Articles 41, 38 and Section 50, respectively).<br><br>The rules under which the arbitration is being conducted may, however, proscribe a structure for the award.                                                                                                                                                |
|         |                                                                                                                                                                                                                                               | No  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|         |                                                                                                                                                                                                                                               | No  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| XIV.2.a | If your answer to question <a href="#">XIV.2</a> is no, is there a common structure used in the jurisdiction that you are reporting about (i.e. introduction, recitals, reasoning and operative part)?                                        |     | In practice, it is commonplace for an arbitral award to be divided into discrete sections, as suggested in the question. For example, an award may be structured as follows: an introduction, a summary of issues and reliefs claimed, a summary of the parties' positions, the arbitral tribunal's reasoning, analysis and considerations with reference to the evidence presented, and then finally the award.                                                                                                                                      |
| XIV.2.b | If your answer to question <a href="#">XIV.2.a</a> is yes, please briefly indicate (in the comments column) what structure is required.                                                                                                       | NA  | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| XIV.3   | <b>Is it required to address jurisdiction before substance?</b>                                                                                                                                                                               | No  | Please see comments below.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|         |                                                                                                                                                                                                                                               | No  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|         |                                                                                                                                                                                                                                               | No  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| XIV.3.a | If your answer to question <a href="#">XIV.3</a> is no, is it customary to address jurisdiction before substance?                                                                                                                             | Yes | There is no express requirement in the Federal Arbitration Law, <a href="#">DIFC Arbitration Law</a> or <a href="#">ADGM Arbitration Regulations</a> for the question of jurisdiction to be addressed before the substance of the dispute.<br><br>However, in practice, if there is an issue concerning jurisdiction, it is commonplace for that issue to be dealt with first as a preliminary issue by way of partial award, rather than be included in the final award or dealt with after a decision on the substantive dispute has been rendered. |
|         |                                                                                                                                                                                                                                               | Yes |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|         |                                                                                                                                                                                                                                               | Yes |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| XIV.4   | <b>Is it required to discuss the merits of the claim before quantum?</b>                                                                                                                                                                      | No  | Please see comments below.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|         |                                                                                                                                                                                                                                               | No  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|         |                                                                                                                                                                                                                                               | No  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| XIV.4.a | If your answer to question <a href="#">XIV.4</a> is no, is it customary to discuss the merits of the claim before quantum?                                                                                                                    | Yes | There is no express requirement in the Federal Arbitration Law, <a href="#">DIFC Arbitration Law</a> or <a href="#">ADGM Arbitration Regulations</a> for the merits to be determined before the issue of quantum.<br><br>It is, however, common in practice for a determination on quantum to follow a determination on the merits.                                                                                                                                                                                                                   |
|         |                                                                                                                                                                                                                                               | Yes |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|         |                                                                                                                                                                                                                                               | Yes |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| XIV.5   | <b>When the resolution of specific issues depend on the resolution of another, is it required to address the latter before any related issues (i.e. scope of an indemnity clause prior to analyze the specific indemnity that is sought)?</b> | No  | Please see comments below.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|         |                                                                                                                                                                                                                                               | No  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|         |                                                                                                                                                                                                                                               | No  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| XIV.5.a | If your answer to question <a href="#">XIV.5</a> is no, is it customary to                                                                                                                                                                    | Yes | Whilst there is no requirement for an arbitral tribunal to determine an issue upon which another is dependent first, it is, of course, customary for the                                                                                                                                                                                                                                                                                                                                                                                              |
|         |                                                                                                                                                                                                                                               | Yes |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

|            |                                                                                                                                               |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            | address such issue before resolving any related issues?                                                                                       | Yes                | arbitral tribunal to do so.                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>XV.</b> | <b>References to exhibits, authorities and witnesses declarations</b>                                                                         | <b>(Yes/No/NA)</b> | <b>Additional comments, if any.</b>                                                                                                                                                                                                                                                                                                                                                                                                         |
| XV.1       | <b>Is it required to identify in the award all exhibits submitted during the proceeding?</b>                                                  | No                 | There is no requirement in the Federal Arbitration Law, <a href="#">DIFC Arbitration Law</a> or <a href="#">ADGM Arbitration Regulations</a> for the award to identify all exhibits submitted during the proceedings. There is, however, no restriction on the award doing so if the arbitral tribunal is so minded.<br><br>This may of course vary depending on what the rules under which the arbitration is being conducted provide for. |
|            |                                                                                                                                               | No                 |                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|            |                                                                                                                                               | No                 |                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| XV.1.a     | If your answer to question <a href="#">XV.1</a> is yes, is there a specific format to do so?                                                  | NA                 | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                             |
| XV.1.b     | If your answer to question <a href="#">XV.1</a> is no, is it customary to identify in the award all exhibits submitted during the proceeding? | No                 | It would be uncommon for an arbitral award to identify all of the exhibits submitted during the proceedings. The arbitral award may instead simply make reference to those exhibits which are relevant to the decision (if the arbitral award contains reasons).                                                                                                                                                                            |
|            |                                                                                                                                               | No                 |                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|            |                                                                                                                                               | No                 |                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| XV.1.c     | If your answer to question <a href="#">XV.1</a> is no, is it allowed to identify in the award all exhibits submitted during the proceeding?   | Yes                | Please see comments above in response to XV.1                                                                                                                                                                                                                                                                                                                                                                                               |
|            |                                                                                                                                               | Yes                |                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|            |                                                                                                                                               | Yes                |                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| XV.2       | <b>Is it required to identify in the award all evidence submitted during the proceeding?</b>                                                  | No                 | There is no requirement in the Federal Arbitration Law, <a href="#">DIFC Arbitration Law</a> or <a href="#">ADGM Arbitration Regulations</a> for the award to identify all evidence submitted during the proceedings. There is, however, no restriction on the award doing so if the arbitral tribunal is so minded.<br><br>This may of course vary depending on what the rules under which the arbitration is being conducted provide for. |
|            |                                                                                                                                               | No                 |                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|            |                                                                                                                                               | No                 |                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| XV.2.a     | If your answer to question <a href="#">XV.2</a> is yes, is there a specific format to do so?                                                  | NA                 | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                             |
| XV.2.b     | If your answer to question <a href="#">XV.2</a> is no, is it customary to identify in the award all evidence submitted during the proceeding? | No                 | It is not customary for an arbitral award to identify all evidence submitted during the proceedings.                                                                                                                                                                                                                                                                                                                                        |
|            |                                                                                                                                               | No                 |                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|            |                                                                                                                                               | No                 |                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| XV.2.c     | If your answer to question <a href="#">XV.2</a> is no, is it allowed to identify in the award all evidence submitted during the proceeding?   | Yes                | Please see comments in response to XV.2.                                                                                                                                                                                                                                                                                                                                                                                                    |
|            |                                                                                                                                               | Yes                |                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|            |                                                                                                                                               | Yes                |                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| XV.3       | <b>Is it required to identify in the award all authorities cited during the proceeding?</b>                                                   | No                 | There is no requirement in the Federal Arbitration Law, <a href="#">DIFC Arbitration Law</a> or <a href="#">ADGM Arbitration Regulations</a> for the award to identify all authorities cited during the proceedings. There is, however, no restriction on the award doing so if the arbitral tribunal is so minded.<br><br>This may of course vary depending on what the rules under which the arbitration is being conducted provide for.  |
|            |                                                                                                                                               | No                 |                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|            |                                                                                                                                               | No                 |                                                                                                                                                                                                                                                                                                                                                                                                                                             |



|        |                                                                                                                                                                           |       |                                                                                                                                                                                                                                                                                                                                            |
|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| XV.3.a | If your answer to question <u>XV.3</u> is yes, is there a specific format to do so?                                                                                       | NA    | Not applicable.                                                                                                                                                                                                                                                                                                                            |
| XV.3.b | If your answer to question <u>XV.3</u> is no, is it customary to identify in the award all authorities cited during the proceeding?                                       | No    | It is not customary for an arbitral award to identify all authorities cited during the proceedings.                                                                                                                                                                                                                                        |
|        |                                                                                                                                                                           | No    |                                                                                                                                                                                                                                                                                                                                            |
|        |                                                                                                                                                                           | No    |                                                                                                                                                                                                                                                                                                                                            |
| XV.3.c | If your answer to question <u>XV.3</u> is no, is it allowed to identify in the award all authorities cited during the proceeding?                                         | No    | Please see comments in response to XV.3.                                                                                                                                                                                                                                                                                                   |
|        |                                                                                                                                                                           | No    |                                                                                                                                                                                                                                                                                                                                            |
|        |                                                                                                                                                                           | No    |                                                                                                                                                                                                                                                                                                                                            |
| XV.4   | <b>Is it required for references to the parties' submissions to contain pinpoint citations (i.e. specific paragraph numbers)?</b>                                         | No    | There is no requirement in the Federal Arbitration Law, <a href="#">DIFC Arbitration Law</a> or <a href="#">ADGM Arbitration Regulations</a> for the award to cross refer to the parties' submissions using pinpoint citations. However, often if reference is made to submissions, the exact paragraphs will be referenced.               |
|        |                                                                                                                                                                           | No    |                                                                                                                                                                                                                                                                                                                                            |
|        |                                                                                                                                                                           | No    |                                                                                                                                                                                                                                                                                                                                            |
| XV.4.a | If your answer to question <u>XV.4</u> is no, is it customary for references to the parties' submissions to contain pinpoint citations (i.e. specific paragraph numbers)? | Yes   | It is customary for an award with reasons to cross refer to parties' submissions (both written and oral) by using pinpoint citations to paragraphs in the written submissions or in the transcript.                                                                                                                                        |
|        |                                                                                                                                                                           | Yes   |                                                                                                                                                                                                                                                                                                                                            |
|        |                                                                                                                                                                           | Yes   |                                                                                                                                                                                                                                                                                                                                            |
| XV.5   | <b>Is it required to make direct quotations of a witness' declaration on a particular issue?</b>                                                                          | No    | There is no requirement in the Federal Arbitration Law, <a href="#">DIFC Arbitration Law</a> or <a href="#">ADGM Arbitration Regulations</a> for the award to make use of direct quotations of a witness' declaration on a particular issue. There is, however, no restriction against the arbitral tribunal doing so, if it is so minded. |
|        |                                                                                                                                                                           | No    |                                                                                                                                                                                                                                                                                                                                            |
|        |                                                                                                                                                                           | No    | This may of course vary depending on what the rules under which the arbitration is being conducted provide for.                                                                                                                                                                                                                            |
| XV.5.a | If your answer to question <u>XV.5</u> is no, is it allowed to summarize the essence of a witness' declaration on a particular issue?                                     | NA    | Please see comments in response to XV.5.                                                                                                                                                                                                                                                                                                   |
| XV.5.b | If your answer to question <u>XV.5.a</u> is yes, is it a custom to summarize the essence of a witness' declaration on a particular issue?                                 | NA    | Not applicable.                                                                                                                                                                                                                                                                                                                            |
| XV.6   | <b>Is it permitted to cite in the award judicial precedents that were not cited by the parties?</b>                                                                       | Maybe | See above at VIII.5. Whilst not expressly dealt with in any of the legislation, some rules (e.g. DIFC-LCIA) give arbitrators this power.                                                                                                                                                                                                   |
|        |                                                                                                                                                                           | Maybe |                                                                                                                                                                                                                                                                                                                                            |
|        |                                                                                                                                                                           | Maybe |                                                                                                                                                                                                                                                                                                                                            |
| XV.6.a | If your answer to question <u>XV.6</u> is yes, is it customary to cite in the award such judicial precedents?                                                             | Yes   | If a tribunal considers cases/precedent/legislation of its own volition, it should reference these cases properly in an award.                                                                                                                                                                                                             |
|        |                                                                                                                                                                           | Yes   |                                                                                                                                                                                                                                                                                                                                            |
|        |                                                                                                                                                                           | Yes   |                                                                                                                                                                                                                                                                                                                                            |

|                                         |                                                                                                                                                                                            |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| XV.7                                    | <b>Is it permitted to cite in the award judicial precedents that were cited by the parties?</b>                                                                                            | Yes                 | It is commonplace in an award which contains reasons for the award to identify the authorities relied upon by the parties before setting out the reasoning of the arbitral tribunal.<br><br>This may of course vary depending on what the rules under which the arbitration is being conducted provide for.                                                                                                                                                                                  |
|                                         |                                                                                                                                                                                            | Yes                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                         |                                                                                                                                                                                            | Yes                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| XV.7.a                                  | If your answer to question <u>XV.7</u> is yes, is it customary to cite in the award judicial precedents?                                                                                   | Yes                 | Please see comments in response to XV.7.                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| XV.8                                    | <b>Is it permitted to cite in the award legal authors and doctrine?</b>                                                                                                                    | Yes                 | It is commonplace in an award which contains reasons for the award to identify the authorities relied upon by the arbitral tribunal to reach its decision.                                                                                                                                                                                                                                                                                                                                   |
|                                         |                                                                                                                                                                                            | Yes                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                         |                                                                                                                                                                                            | Yes                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| XV.8.a                                  | If your answer to question <u>XV.8</u> is yes, is it customary to cite in the award such legal authors and doctrine?                                                                       | Yes                 | Please see comments in response to XV.8.                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| XV.8.b                                  | If your answer to question <u>XV.8</u> is yes, is it permitted to cite legal authors and doctrine that were not cited by the parties?                                                      | Yes                 | There is no restriction in the Federal Arbitration Law, <a href="#">DIFC Arbitration Law</a> or <a href="#">ADGM Arbitration Regulations</a> .<br><br>This may of course vary depending on what the rules under which the arbitration is being conducted provide for.                                                                                                                                                                                                                        |
|                                         |                                                                                                                                                                                            | Yes                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                         |                                                                                                                                                                                            | Yes                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>XVI. Use of annexes and diagrams</b> |                                                                                                                                                                                            | <b>(Yes/No /NA)</b> | <b>Additional comments, if any.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| XVI.1                                   | <b>Are annexes to the award permitted?</b>                                                                                                                                                 | Yes                 | There is no restriction on the use of annexes to arbitral awards in the Federal Arbitration Law, <a href="#">DIFC Arbitration Law</a> and <a href="#">ADGM Arbitration Regulations</a> .                                                                                                                                                                                                                                                                                                     |
|                                         |                                                                                                                                                                                            | Yes                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                         |                                                                                                                                                                                            | Yes                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| XVI.1.a                                 | If you answer to question <u>XVI.1</u> is yes, is it customary?                                                                                                                            |                     | It is not uncommon.                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| XVI.2                                   | <b>Is it permitted for the award (interim, partial and/or final) to include tools used by the arbitral tribunal during the deliberation process (tables, diagrams, flow charts, etc.)?</b> | Yes                 | There is no restriction in the Federal Arbitration Law, <a href="#">DIFC Arbitration Law</a> and <a href="#">ADGM Arbitration Regulations</a> on the arbitral tribunal including tools as annexures which explain or expand upon or complement the reasons contained within the award based upon the evidence which has been submitted to the Tribunal.<br><br>The power to include such annexures may, however, vary depending on the rules under which the arbitration is being conducted. |
|                                         |                                                                                                                                                                                            | Yes                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                         |                                                                                                                                                                                            | Yes                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| XVI.2.a                                 | If your answer to question <u>XVI.2</u> is yes, is it customary to use such tools in the award?                                                                                            | No                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                         |                                                                                                                                                                                            | No                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                         |                                                                                                                                                                                            | No                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| XIV.2.b                                 | If your answer to question <u>XVI.2</u> is yes, is it permitted for such tools to be produced by the arbitral tribunal, in other words, to use items that are not on the                   |                     | Please see comments in response to XIV.2.                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                                         |                                                                                                                                                                                            |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                         |                                                                                                                                                                                            |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

|               |                                                                                                                                |                    |                                     |
|---------------|--------------------------------------------------------------------------------------------------------------------------------|--------------------|-------------------------------------|
|               | record?                                                                                                                        |                    |                                     |
| <b>XVII.</b>  | <b>Miscellaneous</b>                                                                                                           | <b>(Yes/No/NA)</b> | <b>Additional comments, if any.</b> |
| <b>XVII.1</b> | <b>Are there any other local requirements for the validity on an award?</b>                                                    |                    |                                     |
| XVII.1.a      | If you answer to question <u>XVII.1</u> is yes, please briefly indicate (in the comments column) which requirements are needed |                    |                                     |