

UAE FEDERAL LAW NO. 6 OF 2018 ON ARBITRATION	UAE FEDERAL DECREE–LAW NO. 15 OF 2023 AMENDING CERTAIN PROVISIONS OF FEDERAL LAW NO. 6 OF 2018 ON ARBITRATION
Qualifications Required of Arbitrators Article 10	Required Qualifications of Arbitrators Article 10
1. In addition to the qualifications agreed upon by the Parties, the Arbitrator shall be a natural person who is not a minor or under court interdiction order or without civil rights by reason of bankruptcy; unless he has been discharged, or due to a felony or misdemeanour conviction for a crime involving moral turpitude or breach of trust; even if he has been rehabilitated.	1. In addition to the qualifications agreed upon by the Parties, an Arbitrator must: <ul style="list-style-type: none"> a. be a natural person who is not a minor, under court's interdiction order or deprived of civil rights by reason of bankruptcy, unless he has been discharged, or due to a felony or misdemeanour conviction for an offence involving moral turpitude or dishonesty, even if he has been rehabilitated.
2. The arbitrator cannot be on the board of trustees or the administrative body of the Arbitration Institution responsible for administering the Arbitration in the State.	b. not be a member of a board of trustees, executive management or administrative apparatus of the concerned Arbitration Institution administering the arbitration case in the State.
	c. <u>not have a direct relationship with any of the Parties to the arbitration case that would prejudice his impartiality, integrity, or independence.</u>
3. The arbitrator need not be of a specific gender or nationality, unless otherwise agreed upon by the Parties or provided for by law.	2. An Arbitrator is not required to be of a specific gender or certain nationality, unless otherwise agreed by the Parties or provided by Law.
4. When a person is approached in connection with his possible appointment as an arbitrator, he shall disclose in writing anything likely to give rise to doubts as to his impartiality or independence. An Arbitrator, from the time of his appointment and throughout the arbitral proceedings, shall without delay disclose any such circumstances to the Parties and all the arbitrators unless they have already been informed of them by him.	3. Whoever is notified of his possible appointment as an Arbitrator shall declare, in writing, all circumstances that are likely to give rise to doubts as to his impartiality or independence, and he, as from the date of his appointment and throughout the arbitration proceedings, shall, without delay, disclose to the Parties and other Arbitrators any such circumstances that may arise and which may give rise to doubts as to his impartiality or independence, unless he has already informed them of such circumstance.
	<p style="text-align: center;">Conditions for Appointing an Arbitrator from the Members of the Supervisory or Controlling Bodies of the Concerned Arbitration Institution</p> <p style="text-align: center;">Article (10) bis</p> <p><u>1. Notwithstanding the provisions of paragraph 1(b) of Article 10 of the present Decree- Law, the Parties may appoint an Arbitrator from among the board of directors, the board of trustees, or those in similar positions in the supervisory or controlling bodies of</u></p>

the concerned Arbitration Institution administering the arbitration case in the State, if the following conditions are present:

a. The regulations of the Arbitration Institution administering the arbitration case do not prohibit this.

b. The Arbitration Institution administering the arbitration case has a special governance system for regulating the work of the aforementioned Arbitrator in a way that achieves separation of duties and impartiality, and in a way that prevents the occurrence of a conflict of interest or the emergence of any case of preferential advantage for that member compared to his other counterparts, and in a way that regulates the mechanism of appointment, dismissal and recusal of the Arbitrator if any of the specified cases in this regard occurred.

c. The Arbitrator is neither sole Arbitrator nor head of the Arbitral Tribunal.

d. The Parties to the arbitration case declare in writing their knowledge of the Arbitrator's membership in the board of directors, the board of trustees, or any such supervisory or controlling body of the Arbitration Institution administering the arbitration case in the State, and that there is no objection or reservation on their part to that appointment.

e. The concerned Arbitration Institution has a special mechanism for secure reporting of any violations committed by Arbitrators.

f. The number of arbitration cases in which the Arbitrator is a member does not exceed (5) five cases per year.

g. The Arbitrator submits a written undertaking that:

1) To not use his position in a way that may create a conflict of interest, or cause him to obtain or enjoy a preferential advantage or interest compared to his other counterpart Arbitrators.

2) To not participate, deliberate, review, vote, attend meetings, or in any way influence the conduct of the arbitration case procedures, by virtue of his membership in the board of directors, the board of trustees, or similar supervisory or controlling bodies of the concerned Arbitration Institution administering the arbitration case during the period of his appointment as an Arbitrator.

	<p><u>h. Any other conditions or requirements determined by the concerned Arbitration Institution.</u></p> <p>2. <u>Violation of the conditions referred to in this Article shall result in the invalidity of the Arbitral Award issued in the arbitration case, and the Parties shall have the right to demand any civil compensation from the concerned Arbitration Institution and the violating Arbitrator in accordance with the legislations in force in the State.</u></p>
<p>Determination of Rules of Procedure Article 23</p>	<p>Determination of Rules of Procedure Article 23</p>
<p>1. <u>Subject to Article 10-2 of this Law, the Parties are free to agree on the procedure to be followed by the Arbitral Tribunal in conducting the proceedings, including their right to subject such procedure to the rules in force of any arbitration association or institution in the State or abroad.</u></p>	<p>1. The Parties may agree on the procedures which the Arbitral Tribunal shall follow in conducting the arbitral proceedings, including the right to subject such procedures to the applicable rules of any arbitration institution or organization in the State or abroad.</p>
<p>2. Where there is no agreement to follow specific procedures, the Arbitral Tribunal may adopt the procedures it considers appropriate, subject to the provisions of this Law and the absence of conflict with the fundamental principles of litigation and international agreements to which the State is party</p>	<p>2. In the absence of any agreement to follow certain procedures, the Arbitral Tribunal may determine the procedures that it may deem appropriate subject to the provisions of this Law, and in compliance with the basic principles in litigation and international conventions to which the State is a party.</p>
<p>Place of Arbitration Article 28</p>	<p>Arbitral Proceedings and Place of Arbitration Article 28</p>
<p>1. <u>The Parties are free to agree on the place of arbitration.</u> Failing such agreement, the place of arbitration shall be determined by the Arbitral Tribunal having regard to the circumstances of the case, including the convenience of the Parties.</p>	<p>1. <u>The Parties may agree to conduct Arbitration and determine its location either to be physically or virtually through modern means of technology or in technical environments.</u> In the absence of any agreement, the Arbitral Tribunal shall determine the place of Arbitration, subject to the circumstances of the case and convenience of the place for the Parties.</p>
<p>2. <u>The Arbitral Tribunal may, unless otherwise agreed by the Parties:</u></p> <p>(a) <u>hold arbitration hearings at any place it considers appropriate to conduct any of the arbitral proceedings, while providing the Parties sufficient advance notice of the hearing.</u></p> <p>(b) <u>hold arbitration hearings with the Parties and deliberate by modern means of communication and electronic technology.</u> The Arbitral Tribunal shall deliver or communicate the minutes of hearing to the Parties.</p>	<p>2. The Arbitral Tribunal shall make available or send the hearing transcript to the Parties.</p>
	<p>3. <u>The Arbitration Institution shall provide the technologies necessary for the conduct of arbitral</u></p>

	<u>proceedings through the modern means of technology or in technical environments, in accordance with the necessary technical standards and regulations applicable in the State.</u>
Hearings and Written Proceedings Article 33	Arbitral Proceedings and Hearings Article 33
1. Arbitral hearings shall be held in camera unless the Parties agree otherwise.	1. Arbitral <u>proceedings and</u> hearings shall be held in camera, unless otherwise agreed by the Parties.
2. Subject to any contrary agreement by the Parties, the Arbitral Tribunal shall decide whether to hold oral hearings for the presentation of evidence or for oral argument, or whether the proceedings shall be conducted on the basis of documents and other materials. The Arbitral Tribunal <u>shall</u> hold such hearings at an appropriate stage of the proceedings, if so requested by a party.	2. Unless otherwise agreed by the Parties, the Arbitral Tribunal shall decide whether to hold oral hearings for the production of evidence or for oral arguments, or whether the proceedings shall be conducted on the basis of documents and other material evidence. The Arbitral Tribunal <u>may</u> hold such hearings at an appropriate stage of the proceedings, if so requested by a Party.
<u>3. Hearings may be held through modern means of communication without the physical presence of the Parties at the hearing.</u>	-
4. The Arbitral Tribunal shall give the Parties sufficient advance notice, as determined by it on a case by case basis, of any hearings of the Arbitral Tribunal.	3. The Arbitral Tribunal shall notify the Parties of the dates of the hearings it decides to hold, well in advance of the date specified for that, as estimated by the Arbitral Tribunal.
5. The Parties may, at their own expense, avail of experts and attorneys, whether lawyers or otherwise, to represent them before the Arbitral Tribunal. The Arbitral Tribunal may request from any party proof of the authority granted to its representative in such form as the Arbitral Tribunal shall specify.	4. The Parties may, at their own expense, avail of legal experts and attorneys, whether lawyers or otherwise, to represent them before the Arbitral Tribunal, and the Arbitral Tribunal may request a Party to produce a proof of authority granted to its representative, in such form as the Arbitral Tribunal shall specify.
6. A summary of the proceedings of each hearing conducted by the Arbitral Tribunal shall be recorded in minutes and a copy thereof shall be delivered to each of the Parties.	5. The summary of the proceedings of each hearing held by the Arbitral Tribunal shall be recorded in minutes and a copy thereof shall be delivered to each of the Parties.
7. Unless otherwise agreed by the Parties, the hearing of witnesses, including experts, shall be conducted under the laws of the State.	6. Unless otherwise agreed by the Parties, the hearing of witnesses, including experts, shall be conducted in accordance with the legislations in force in the State.
-	7. Unless otherwise agreed by the Parties, the Arbitral Tribunal shall have a discretionary power to determine the rules of evidence to be followed, <u>in the event that the applicable law lacks evidence to decide on the dispute, provided that these rules do not conflict with public order.</u>
8. The Arbitral Tribunal is afforded discretion to determine the rules of evidence to be followed and the admissibility, relevance or weight of evidence adduced by any of the Parties in relation to facts or	8. The Arbitral Tribunal may assess the extent of admissibility or relevance of the evidence adduced by any of the Parties about a fact or an expert opinion, and it may determine the time, manner and form for

expert opinion. The Arbitral Tribunal may also specify a time limit, method, and form for the exchange of such evidence between the Parties and a method for its submission to the Arbitral Tribunal.

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