

2023 SCC Rules

Arbitration analysis: On 1 January 2023, the Arbitration Institute of the Stockholm Chamber of Commerce (SCC)'s revised version of, inter alia, the SCC Arbitration Rules entered into force. The rule revision committee, having examined various topics and undertaken a comprehensive approach, concluded that the SCC Arbitration Rules required few material amendments to their framework. Andreas Johard, partner at Hammariskiöld law firm, Stockholm, Sweden, and Adam Runestam, associate at Hammariskiöld provide an overview of the key changes.

This news analysis was first published on Lexis®PSL on 11/01/2023 and can be found [here](#).

Revised version of the SCC Arbitration Rules—what are the key changes?

The amendments to the SCC Arbitration Rules do not change the playing field for commercial arbitration under the SCC Arbitration Rules in any material aspects. The majority of the changes of the SCC Arbitration Rules have been introduced to provide clarification in relation to questions of practical nature, or with regard to specific issues that have arisen as a result of ongoing developments in international trade. In this context, it is worth mentioning the increased demand for arbitrations conducted remotely, which has bolstered in the wake of the coronavirus (COVID-19) pandemic. The changes of the SCC Arbitration Rules further fill potential gaps by clarifying how certain questions shall be handled by the parties and the arbitral tribunal.

The key changes of the 2023 SCC Arbitration Rules can be summarised as follows:

- a new provision in Article 32 that clarifies that the arbitral tribunal may decide on whether hearings shall be held in person or remotely
- a removal of the agreement on the number of arbitrators as a recommended addition to the SCC model clause
- the inclusion of a possibility for the arbitral tribunal to terminate the arbitral proceedings by way of an order under Article 45(2)
- Article 29 is amended in order to clarify what information shall be included in the Statement of Claim and Statement of Defence
- a change in Article 51(5), according to which a decision to terminate a case in whole or in part due to a failure to pay the advance on costs shall be made by the arbitral tribunal after the referral of the case to the arbitral tribunal
- various language revisions to improve the clarity, coherency and accessibility of the SCC Arbitration Rules
- changes made for the purpose of accommodating the SCC's change of name from the Arbitration Institute of the Stockholm Chamber of Commerce to the SCC Arbitration Institute

The SCC made further corresponding changes of the SCC Rules for Expedited Arbitrations. In addition, the SCC Mediation Rules, the SCC Rules for Express Dispute Assessment and the SCC procedures for 'United Nations Commission on International Trade Law (UNCITRAL)' cases have been updated to the current practices of the SCC and in order to improve the clarity, coherence and accessibility.

The 2023 SCC Arbitration Rules can be found [here](#).

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