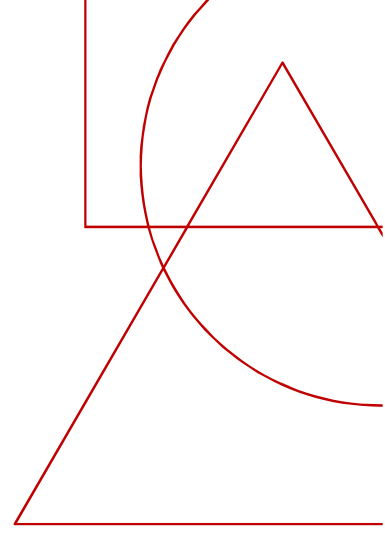


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Pakistan Branch

Law Practice and Procedure of International Arbitration

Module 1



ciarb.org

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+92 325 2 242 727

(CIARBP) 7-A, Commercial Area, XX
Block, Phase-III, DHA Lahore, Pakistan



**Law Practice
and Procedure
in International
Arbitration**



What is the aim of the course?

To provide candidates with a detailed knowledge of the procedural elements of an international arbitration, using legislation based on the United Nations Commission on International Trade Law (UNCITRAL) Model Law, regional arbitration law, and the UNCITRAL Arbitration Rules to enable them to understand and participate in such proceedings.

The course focuses on legal principles, process, practice and procedure in international arbitration. It is therefore valuable for anyone wishing to understand this topic generally, for example as a party, party representative or witness, it is also an essential requirement for qualification as a Fellow of Ciarb, after competition of the Pathway and peer interview, and for those who aim to practise as an international arbitrator

What are the learning outcomes?

On successful completion of this course candidates will be able to:

- Define what is meant by the term 'international' arbitration.
- Identify, explain and apply the legal procedural principles, rules and agreements relevant to the conduct of an international arbitration.
- The legal framework, including limitations of matters that may be legally arbitrated.
- The contractual nature of the appointment of an arbitrator.
- The range and limitations of an arbitrator's powers and jurisdiction.
- The rights, duties and responsibilities of a party to an arbitration.
- The methods of initiating and processing an arbitration.
- The relevance of the court regarding all stages in an arbitration.
- The requirements of an enforceable award.
- Evaluate and apply the principles and legal requirements of an international arbitration.
- Evaluate issues and apply the principles of the UNCITRAL Model Law as well as a regional arbitration law, appropriately.
- Demonstrate practical skill in carrying out the tasks required in preparing for and progressing an international arbitration.
- Demonstrate skill in controlling an international arbitration, communicating effectively with the parties, applying the UNCITRAL Arbitration Rules and adopting appropriate procedures.

What is covered within the syllabus?

- Dispute Resolution Processes - An Overview
- History of Arbitration
- The Arbitration Act 1996
- Choices Available to Parties
- The Arbitration Agreement and Commencement
- Appointing an Arbitral Tribunal
- The Arbitral Tribunal: Independence and Impartiality
- The Arbitral Tribunal: Jurisdiction and Powers
- The Arbitral Tribunal: Duties and Procedural Choices
- Procedures: Pleadings, Documents and Evidence
- Procedures: Applications to the Tribunal

- Procedures: The Hearing
- Remedies, Costs, Interest and Currency Awards
- The Role of the Court
- The Role of the State Court

How is the course delivered?

The course is delivered over a period of two - three months, with a combination of private study and **online** tutorials. Additionally, organizations and institutions can request on-demand delivery options tailored to their specific schedules and requirements. The course offers flexibility in delivery methods.



How will I be assessed?

Examinations are done through centralised assessment. The centralised assessment must be booked separately which is done by Ciarb HQ London and charged Separately. Candidates will be given 48 consecutive hours within a 5-day window to submit their answers online. Candidates must achieve a minimum overall mark of 65% to pass the assessment. Results are dispatched to candidates normally eight to twelve weeks from the date of the examination.

What are the entry requirements?

The candidates are expected to be proficient in English language and have some prior knowledge of international arbitration law. The candidates are expected to have gone through the reading material before they attend the class, which will be provided to them during the orientation session.

What is the course fee and what does it includes?

The course fee is Rs.2,35,000 + 5% VAT, **exclusive** of assessments fee. This fee includes registration on the course, study materials and virtual sessions. The assessment fee is £174 including tax. Candidates will be given up-to-date information about assessments fee and the fee shall which shall be paid directly and separately to Ciarb HQ, London, through their MyCiarb Account, in order to sit and pass the assessment.

Bank Details

Payee: TCC ADR Centre
Account Number: 09601008103213
Bankers: Bank Al-Falah Limited, DHA Phase V Branch,
Lahore, Pakistan
IBAN Number: PK96ALFH0960001008103213

What happens when I register for the course?

Upon successful registration for the course, candidates Will receive confirmation that they are bookenon the course. Candidates will receive workbook and reading material of the module approximately 2 weeks before the course start date on the condition that full payment has been received.

What is my next step when I complete the course?

On successful completion of this course and assessment, candidates:

- May be eligible to claim CPD points if the course has contributed to members' development, and evidence of participation is provided, it may count as part of the CPD requirement for Ciarb, Solicitors Regulation Authority, Bar Standards Board, ACCA, CILEX, ICE and RIBA;
- Will be awarded an Advanced Certificate
- May progress onto Module 2 or 3 of the International Arbitration Pathway. (eligibility dependent)
- Will be eligible to apply for Member grade of CIARB Membership (MCIARB) and take advantage of a range of educational and professional benefits.



Tutor Profile

Barrister Mian Sheraz Javaid

FCI Arb

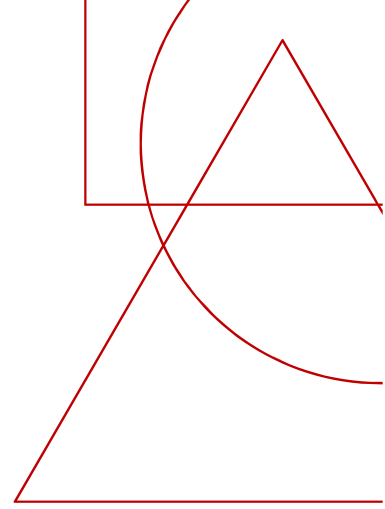
Mian Sheraz Javaid is a dual qualified Civil-Engineer-turned Barrister with a compounded 2- decade worth of invaluable experience in construction and energy law. Currently, Sheraz is an international tenant at No.5 Barristers Chambers, a top-tier set of chambers in the United Kingdom. Sheraz holds the right of audience to practice in multiple jurisdictions such as Pakistan, the United Kingdom, Dubai International Financial Centre (DIFC), Singapore International Commercial Court (SICC) and the Astana International Financial Centre (AIFC). Other than his litigation practice, Sheraz has extensive transactional and contentious commercial law experience within the construction and energy sectors. His dual qualifications make him uniquely placed to advise on complex energy and construction law matters. He advises international clients and governments on all aspects of construction law, ranging from litigation to alternative dispute resolution (ADR), Mediation, Adjudication, Neutral Evaluation, Expert Determination, Arbitration, licensing, regulatory issues, etc.

Sheraz has played a pivotal role in resuscitating the dynamics of dispute resolution in Pakistan through his role as the Founding Chair of the Chartered Institute of Arbitrators (CI Arb) Pakistan Branch. Sheraz's most recent contribution to ADR has been drafting the Domestic Arbitration Act 2023. Sheraz is also responsible for training the first set of neutrals appointed in Islamabad High Court through the Ciarb Globally Accredited Mediation Training that took place in October 2022. Being a member of the global ciarb faculty i.e., Approved Faculty List (AFL), Sheraz provides training on International Arbitration, Mediation and Adjudication to professional engineers, barristers, solicitors, and public sector organization employees across the globe.

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