

THE FOUNDATION FOR LAW AND INTERNATIONAL AFFAIRS REVIEW

VOLUME 2

ISSUE 2

2021



Foundation for Law &
International Affairs

A Comparison between the PRC Arbitration Law (Revised) (Draft for Comments) and the Current PRC Arbitration Law¹

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The current *Arbitration Law of the People's Republic of China* (hereinafter referred to as the Arbitration Law) in 1995 has provided a solid institutional foundation for China's commercial arbitration to break away from the administrative arbitration under the planned economic system and gradually develop into a modern commercial arbitration system based on the fundamental principle of party autonomy. However, there is a gap between China's Arbitration Law and the international arbitration legal regime. On September 7, 2018, the Standing Committee of the 13th National People's Congress included the amendment of the Arbitration Law in the second-class legislative plan with the purpose of modernizing China's Arbitration Law. On July 30, 2021, the Ministry of Justice of the People's Republic of China issued the first version of the *Arbitration Law (Revised) (Draft for Public Comments)*, which made major amendments to the Arbitration Law. The comparison is made between the Arbitration Law and the Arbitration Law (Revised) so that the deleted, added, and modified contents can be observed.

The English version of the current Arbitration Law is based on the English version provided by Mr. CAO Lijun (Senior Partner of Zhong Lun Law Firm) with a few modifications. I am very grateful for the great contributions made by the experts in proofreading the translation work (in the order of the initials of their surnames):

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Mr. ZHANG Yulin Jerry (Director of Beijing Linli Law Office), and
Mr. ZHANG Cunyuan (Chief Representative of Singapore International Arbitration Center in China).

¹ This article has been published by FOUNDATION FOR LAW AND INTERNATIONAL AFFAIRS REVIEW (Volume 2, Issue 2, 2021), pp. 177-216.

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<p>Arbitration Law of the People’s Republic of China (2017 Edition)</p>	<p>Arbitration Law of the People’s Republic of China <u>(Draft for Comments)</u></p>
<p><i>Adopted at the 9th Session of the Standing Committee of the 8th National People’s Congress on 31 August 1994; amended for the first time in accordance with the Decision of the Standing Committee of the National People’s Congress on Amending Certain Laws at the 10th Session of the Standing Committee of the 11th National People’s Congress on 27 August 2009; and amended for the second time in accordance with the Decision of the Standing Committee of the National People’s Congress on Amending Eight Laws Including the Judges Law of the People’s Republic of China at the 29th Session of the Standing Committee of the 12th National People’s Congress on 1 September 2017.</i></p>	<p>-</p>

Chapter I General Provisions	Chapter I General Provisions
<p>Article 1 This Law is formulated in order to ensure the impartial and prompt arbitration of economic disputes, to protect the legitimate rights and interests of the parties, and to guarantee the healthy development of the socialist market economy.</p>	<p>Article 1 This Law is formulated in order to ensure the impartial and prompt arbitration of economic disputes, to protect the legitimate rights and interests of the parties, and to guarantee the healthy development of the socialist market economy, <u>and to promote international economic interaction.</u></p>
<p>Article 2 Contractual disputes and other disputes arising from property rights and interests between citizens, legal persons and other organizations of equal status in law may be arbitrated.</p>	<p>Article 2 Contractual disputes and other disputes arising from property rights and interests between citizens <u>natural persons</u>, legal persons and other organizations of equal status may be arbitrated.</p>
<p>Article 3 The following disputes shall not be submitted to arbitration:</p> <p>(1) disputes over marriage, adoption, guardianship, dependents' maintenance, and inheritance; and</p> <p>(2) administrative disputes falling within the jurisdiction of the relevant administrative authorities according to the law.</p>	<p>Article 3 The following disputes shall not be submitted to arbitration:</p> <p>(1) disputes over marriage, adoption, guardianship, dependents' maintenance, and inheritance; and</p> <p>(2) administrative disputes falling within the jurisdiction of the relevant administrative authorities according to the law <u>as provided by the law.</u></p> <p><u>Where there are special provisions in other laws, such special provisions shall prevail.</u></p>
<p>Article 4 The parties' submission to arbitration to resolve their disputes shall be on the basis of both parties' free will and the arbitration agreement concluded between them.</p> <p>If a party applies for arbitration in the absence of arbitration agreement, the arbitration commission shall not accept the case.</p>	<p>Article 3 4—The parties' submission to arbitration to resolve their disputes shall be on the basis of both parties' free will and the arbitration agreement concluded between them.</p> <p>If a party applies for arbitration in the absence of arbitration agreement, the arbitration commission shall not accept the case.</p>
	<p><u>Article 4 Arbitration shall be conducted under the principle of good faith, credibility, and promise-keeping.</u></p>
<p>Article 5 If the parties have concluded an arbitration agreement, and one party institutes an action before a people's court, the people's court shall not accept the case, unless the arbitration agreement is null and void.</p>	<p>Article 5 If the parties have concluded an arbitration agreement, and one party institutes an action before a people's court, the people's court shall not accept the case, unless the arbitration agreement is null and void.</p>

<p>Article 6 The arbitration commission shall be selected by the parties through agreement. The level jurisdiction system and the territorial jurisdiction system shall not apply to arbitration.</p>	<p>Article 6 The <u>jurisdiction of</u> arbitration commission shall be selected <u>agreed upon</u> by the parties through agreement. The level jurisdiction system and the territorial jurisdiction system shall not apply to arbitration.</p>
<p>Article 7 In arbitration, disputes shall be resolved on the basis of facts, in compliance with the law, and in a fair and reasonable manner.</p>	<p>Article 7 In arbitration, disputes shall be resolved on the basis of facts, in compliance with the law, <u>with reference to transaction practices</u>, and in a fair and reasonable manner.</p>
<p>Article 8 Arbitration shall be conducted independently in accordance with the law and shall be free from interference of administrative authorities, social organizations or individuals.</p>	<p>Article 8 Arbitration shall be conducted independently in accordance with the law and shall be free from interference of administrative authorities, social organizations or individuals.</p>
<p>Article 9 The system of finality of arbitral award shall apply to arbitration. If a party applies for arbitration to an arbitration commission or institutes an action before a people’s court regarding the same dispute after an arbitral award has been rendered, the arbitration commission or the people’s court shall not accept the case.</p> <p>If an arbitral award is set aside or its enforcement is refused by the people’s court pursuant to the law, parties may apply for arbitration according to a new arbitration agreement concluded between them or institute an action before the people’s court regarding the same dispute.</p>	<p>Article 9 The system of finality of arbitral award shall apply to arbitration. If a <u>A</u> party <u>shall not re-apply</u> applies for arbitration to an arbitration commission or institutes an action before a people's court regarding the same dispute after an arbitral award has been rendered. the arbitration commission or the people's court shall not accept the case.</p> <p>If an arbitral award is set aside or its enforcement is refused by the people’s court pursuant to the law, parties may apply for arbitration according to a new arbitration agreement concluded between them or institute an action before the people’s court regarding the same dispute.</p>

	<p><u>Article 10</u> The people’s court shall support and supervise arbitration in accordance with the law.</p>
<p>Chapter II Arbitration Commissions and the Arbitration Association</p>	<p>Chapter II Arbitration <u>Commissions Institution, Arbitrator</u> and the Arbitration Association</p>
<p>Article 10 Arbitration commissions may be established in municipalities directly under the Central Government and in municipalities where the people’s governments of provinces or autonomous regions are located. They may also be established in other cities with subordinate districts if necessary. Arbitration commissions may not be established at each level of the administrative divisions.</p> <p>Arbitration commissions shall be jointly established by the relevant departments and chambers of commerce organized by the people's governments of the municipalities and the cities specified in the preceding paragraph.</p> <p>The establishment of an arbitration commission shall be registered with the judicial administrative department of the provinces, autonomous regions or municipalities directly under the Central Government.</p>	<p>Article <u>11</u> 10 Arbitration <u>commissions institutions</u> may be established in municipalities directly under the Central Government and in municipalities where the people’s governments of provinces or autonomous regions are located. They may also be established in other cities with subordinate districts if necessary. Arbitration <u>commissions institutions</u> may not be established at each level of the administrative divisions.</p> <p>Arbitration <u>commissions institutions</u> shall be jointly established by the relevant departments and chambers of commerce organized by the people’s governments of the municipalities and the cities specified in the preceding paragraph.</p> <p><u>In other areas where there is a genuine need to establish arbitration institutions, they shall be established with reference to the provisions of the preceding paragraph upon approval by the judicial administrative department of the State Council.</u></p> <p>The establishment of an arbitration commission shall be registered with the judicial administrative department of the provinces, autonomous regions or municipalities directly under the Central Government.</p>

	<p>Article 12 11 <u>Arbitration institutions shall be established upon registration with the judicial administrative department of the relevant province, autonomous region or municipality directly under the Central Government.</u></p> <p><u>The arbitration institutions established by China Chamber of International Commerce shall be registered with the judicial administrative department of the State Council.</u></p> <p><u>Foreign arbitration institutions establishing business offices and handling foreign-related arbitration business within the territory of the People’s Republic of China shall be registered with the judicial administrative department of the relevant province, autonomous region or municipality directly under the Central Government, and the registration records shall be filed with the judicial administrative department of the State Council.</u></p> <p><u>Administrative measures on registration of arbitration institutions shall be formulated by the State Council.</u></p>
	<p>Article 13 <u>Arbitration institutions are non-profit legal persons established pursuant to this Law to provide public welfare services for resolution of contractual disputes and other disputes arising from property rights and interests, including arbitration commissions and other specialized organizations conducting arbitration business.</u></p> <p><u>Arbitration institutions shall obtain legal person status upon registration.</u></p>
	<p>Article 14 <u>Arbitration institutions shall be independent of administrative authorities and shall not be subordinate to administrative authorities. An arbitration institution shall not be subordinate to any other arbitration institution.</u></p>

<p>Article 11 An arbitration commission shall meet the following criteria:</p> <ol style="list-style-type: none"> (1) having its own name, domicile and articles of association; (2) having necessary property; (3) having its own members; and (4) having enlisted arbitrators for appointment. <p>The articles of association of an arbitration commission shall be formulated in accordance with this Law.</p>	<p>Article 15 11-An arbitration commission-<u>institution</u> shall meet the following criteria:</p> <ol style="list-style-type: none"> (1) having its own name, domicile and articles of association; (2) having necessary property; (3) having its own members; <u>having necessary organizational body;</u> and (4) having enlisted arbitrators for appointment. <p>The articles of association of an arbitration commission <u>institution</u> shall be formulated in accordance with this Law.</p>
<p>Article 12 An arbitration commission shall comprise one chairman, two to four vice chairmen and seven to eleven members.</p> <p>The chairman, vice chairmen and members of an arbitration commission shall be experts specialized in law, economy and trade, and people having practical working experience. Specialists in law, economy and trade shall take up no less than two thirds of the members of an arbitration commission.</p>	<p>Article 16 12 <u>Arbitration institutions shall formulate their articles of association in accordance with the principles of separation of the decision-making, executive and supervisory authorities, effective checks and balance, and the authority accompanied with the corresponding responsibilities, and shall establish a non-profit legal person governance structure.</u></p> <p><u>Where an arbitration institution sets up a committee as its decision-making body, the committee</u> An arbitration commission <u>shall comprise one chairman, two to four vice chairmen and seven to eleven members.</u></p> <p>The chairman, vice chairmen and members shall be experts specialized in law, economy and trade, and people having practical working experience, <u>and</u> at least two thirds of the them shall be experts specialized in law, economy and trade. of an arbitration commission.</p> <p><u>The principal responsible person of the decision-making and executive body of an arbitration institution shall not be appointed as an arbitrator of the institution during his tenure. Civil servants shall not act concurrently as the principal responsible person of the executive body of an arbitration institution.</u></p>

	<p><u>Article 17</u> Arbitration institutions shall establish a mechanism for public disclosure of information, and timely publish information such as articles of association, registration and filing information, schedule of arbitration fees, annual work reports, financial information, et cetera.</p>
<p>Article 13 An arbitration commission shall appoint its arbitrators from among righteous and upright persons.</p> <p>An arbitrator shall meet one of the conditions set forth below:</p> <ol style="list-style-type: none"> (1) having passed the national uniform legal profession qualification examination and obtained the legal profession qualification, and conducted the arbitration work for at least eight years; (2) having worked as a lawyer for at least eight years; (3) having served as a judge for at least eight years; (4) having been engaged in legal research or legal education, possessing a senior professional title; or (5) having acquired the knowledge of law, engaged in the professional work in the field of economy, trade, et cetera, possessing a senior professional title or having an equivalent professional level. <p>An arbitration commission shall have a panel of arbitrators in different specializations.</p>	<p><u>Article 18</u> Article 13 An arbitration commission shall appoint its arbitrators from among righteous and upright persons.</p> <p>An arbitrator shall <u>be a person of impartiality and integrity, and shall</u> meet one of the conditions set forth below:</p> <ol style="list-style-type: none"> (1) having passed the national uniform legal profession qualification examination and obtained the legal profession qualification, and conducted the arbitration work for at least eight years; (2) having worked as a lawyer for at least eight years; (3) having served as a judge for at least eight years; (4) having been engaged in legal research or legal education, possessing a senior professional title; or (5) having acquired the knowledge of law, engaged in the professional work in the field of economy, trade, et cetera, possessing a senior professional title or having an equivalent professional level. <p><u>A person shall not be appointed as an arbitrator, if he or she falls under any of the following circumstances:</u></p> <ol style="list-style-type: none"> <u>(1) having no or limited capacity for civil conduct;</u> <u>(2) having been subject to criminal punishment, except for criminal negligence; or</u> <u>(3) being prevented otherwise from serving as an arbitrator pursuant to conditions set forth by the law.</u> <p>An arbitration commission <u>institution</u> shall have a <u>recommended</u> panel of arbitrators in different specializations.</p>

<p>Article 14 Arbitration commissions shall be independent from administrative authorities and shall not be subordinate to any administrative authority. Also, an arbitration commission shall not be subordinate to any other arbitration commission.</p>	<p>Article 14 Arbitration commissions shall be independent from administrative authorities and shall not be subordinate to any administrative authority. Also, an arbitration commission shall not be subordinate to any other arbitration commission.</p>
<p>Article 15 The China Arbitration Association is a social organization with the status of a legal person. Arbitration commissions are members of the China Arbitration Association. The articles of association of the China Arbitration Association shall be formulated by its national members' congress.</p>	<p>Article 19 15 The China Arbitration Association is <u>a self-governing organization of the arbitration community and</u> a social organization with the status of a legal person.</p> <p>Arbitration commissions <u>institutions</u> are members of the China Arbitration Association. <u>Arbitration-related academic and research institutes and social organizations may apply to be a member of the China Arbitration Association. The rights and obligations of the members shall be stipulated by the articles of association of the China Arbitration Association.</u></p> <p><u>The authoritative organ of the China Arbitration Association shall be its national members congress. The articles of association shall be formulated by its national members congress.</u></p>
<p>The China Arbitration Association is a self-regulated organization of arbitration commissions. It shall supervise the observation of discipline by arbitration commissions, their members and arbitrators in accordance with its articles of association.</p> <p>The China Arbitration Association shall formulate arbitration rules in accordance with this Law and the relevant provisions of the Civil Procedure Law.</p>	<p>Article 20 The China Arbitration Association is a self-regulated organization of arbitration commissions. It shall supervise the observation of discipline by arbitration commissions, their members and arbitrators in accordance with its articles of association. <u>discharge the following duties:</u></p> <p><u>(1) supervise disciplinary violations by arbitration institutions, arbitrators and other arbitration practitioners in accordance with the articles of association;</u></p> <p><u>(2) The China Arbitration Association shall formulate <u>model</u> arbitration rules in accordance with this Law <u>for arbitration institutions and parties to select and apply</u> and the relevant provisions of the Civil Procedure Law. <u>protect the legitimate rights and interests of the members pursuant to law and provide services to its members;</u></u></p>

	<p><u>(4) coordinate the relationship with relevant authorities and other industries, and optimize the arbitration development environment; and</u> <u>(5) formulate business norms for the arbitration industry, and organize vocational training for practitioners;</u> <u>(6) organize research for arbitration activities, and promote domestic and overseas business exchange and cooperation; and</u> <u>(7) any other duties stipulated by the articles of association of the China Arbitration Association.</u></p>
Chapter III Arbitration Agreement	Chapter III Arbitration Agreement
<p>Article 16 An arbitration agreement shall include the arbitration clauses provided for in a contract and agreements for arbitration that are concluded in other written forms before or after disputes arise.</p> <p>An arbitration agreement shall contain the following elements:</p> <ol style="list-style-type: none"> (1) an expression of the intention to apply for arbitration; (2) matters for arbitration; and (3) a designated arbitration commission. 	<p>Article 21 16 An arbitration agreement shall include the arbitration clause provided for in a contract agreements for arbitration that are concluded in other written forms before or after disputes arise. and agreements in other written forms <u>which express an intent to apply for arbitration before or after disputes arise.</u></p> <p>An arbitration agreement shall contain the following elements:</p> <ol style="list-style-type: none"> (1) an expression of the intention to apply for arbitration; (2) matters for arbitration; and (3) a designated arbitration commission. <p><u>Where one party alleges during an arbitration that there exists an arbitration agreement, which the other party does not deny, the arbitration agreement shall be deemed to exist between the parties.</u></p>
<p>Article 17 An arbitration agreement shall be declared null and void if any of the following circumstances exists:</p> <ol style="list-style-type: none"> (1) contains matters that shall not submitted to arbitration as provided by the law; (2) the arbitration agreement has been reached by parties who has no capacity or limited capacity of civil conduct; or (3) a party enters into the arbitration agreement under duress from the other party. 	<p>Article 22 17 An arbitration agreement shall be declared null and void if any of the following circumstances exists:</p> <ol style="list-style-type: none"> (1) contains matters that shall not submitted to arbitration as provided by the law; (2) the arbitration agreement has been reached by parties who has no capacity or limited capacity of civil conduct; or (3) a party enters into the arbitration agreement under duress from the other party.

<p>Article 18 If an arbitration agreement contains no or unclear provisions concerning the matters to be submitted to arbitration or concerning the designation of an arbitration commission, the parties may conclude a supplementary agreement. If no such supplementary agreement can be concluded, the arbitration agreement shall be null and void.</p>	<p>Article 18 If an arbitration agreement contains no or unclear provisions concerning the matters to be submitted to arbitration or concerning the designation of an arbitration commission, the parties may conclude a supplementary agreement. If no such supplementary agreement can be concluded, the arbitration agreement shall be null and void.</p>
<p>Article 19 An arbitration agreement shall exist independently. The amendment, rescission, termination or invalidity of a contract shall not affect the validity of the arbitration agreement.</p> <p>The arbitral tribunal shall have the power to rule on the validity of a contract.</p>	<p>Article 23 An arbitration agreement shall exist independently. The amendment, rescission, <u>ineffectiveness, invalidity, revocation or termination</u> or invalidity of a contract shall not affect the validity of the arbitration agreement.</p> <p>The arbitral tribunal shall have the power to rule on the validity of the contract.</p>
<p>Article 20 If a party objects to the validity of the arbitration agreement, it can request the arbitration commission to make a decision or request people’s court to render a ruling. If one party requests the arbitration commission to make a decision and the other party requests the people’s court to render a ruling, the validity of the arbitration agreement shall be determined by the people’s court.</p> <p>If a party objects to the validity of the arbitration agreement, it shall raise the objection before the first hearing.</p>	<p><u>Article 24 Where a dispute involves a principal contract and an accessory contract, and discrepancies exist between the arbitration agreement of the principal contract and that of the accessory contract, the principal contract’s stipulation prevails. Where no arbitration agreement is stipulated in the accessory contract, the parties are bound by the arbitration agreement in the principal contract.</u></p>

	<p><u>Article 25</u> <u>A shareholder of a company and a limited partner of a partnership are bound by the arbitration agreement concluded between the company or the partnership and the opposing parties, where the shareholder or the limited partner raises a claim in its own name on behalf of the company or the partnership in accordance with the law.</u></p>
	<p><u>Article 26</u> <u>Where the law provides that a party may institute civil proceedings in a people’s court, without clearly stating that the matter involved is not arbitrable, the arbitration agreement concluded by the parties which complies with the provisions of this Law shall be valid.</u></p>
	<p><u>Article 27</u> <u>The parties may specify the seat of arbitration in an arbitration agreement. Where the parties have not specified the seat of arbitration or the seat of arbitration is not explicitly agreed upon, the place where the arbitration institution administering the case is located shall be the seat of arbitration.</u></p> <p><u>An arbitral award shall be deemed to have been made at the seat of arbitration.</u></p> <p><u>The determination of the seat of arbitration shall not affect the parties or the arbitral tribunal to, depending on the circumstances of the case, agree on or decide a suitable place differently from the seat of arbitration to conduct arbitration activities such as deliberation and hearings.</u></p>
	<p><u>Article 28</u> <u>An objection to the validity of an arbitration agreement, such as whether it exists or is valid, or an objection to the jurisdiction over an arbitration case, shall be raised no later than the submission of the statement of defense as requested by the applicable arbitration rules and shall be ruled upon by the arbitral tribunal.</u></p> <p><u>Prior to the composition of the arbitral tribunal, the arbitration institution may decide, on the basis of <i>prima facie</i> evidence, whether or not it is to continue the arbitration proceedings.</u></p>

	<p><u>The people’s court shall not accept such objection directly filed by the parties, where no objection has been raised according to the preceding paragraph.</u></p> <p><u>Where a party has objection to the decision on validity of an arbitration agreement or on the jurisdiction over an arbitration case, that party shall, within ten days of receipt of the decision, request the intermediate people’s court at the seat of arbitration to review the decision. Where a party disagrees with the ruling which confirms the invalidity of the arbitration agreement or the lack of jurisdiction over an arbitration case, that party shall, within ten days of receipt of the ruling, request the people’s court at the higher level for reconsideration. The people’s court shall make a ruling on the reconsideration within one month of receipt of such application for reconsideration.</u></p> <p><u>Such review and reconsideration of the people’s court shall not affect the continuation of the arbitration proceedings involved.</u></p>
Chapter IV Arbitration Proceedings	Chapter IV Arbitration Proceedings
	<u>Section 1 General Provisions</u>
	<p><u>Article 29</u> <u>The parties shall be treated with equality in arbitration and each party shall be given a full opportunity of presenting his case.</u></p>
	<p><u>Article 30</u> <u>The parties may agree upon the arbitration procedures or the applicable arbitration rules, to the extent that such agreements do not violate the mandatory provisions of this Law.</u></p> <p><u>Where there is no agreement by the parties, or the agreement is not explicit, the arbitral tribunal may conduct the arbitration in such manner as it considers appropriate, to the extent that the manner does not violate the mandatory provisions of this Law.</u></p> <p><u>Arbitration proceedings may be conducted online.</u></p> <p><u>Arbitration procedures shall avoid unnecessary delays and expenses.</u></p>

<p>Article 40 The arbitration shall be held in camera. It may be conducted openly if the parties so agree, unless state secrets are involved.</p>	<p><u>Article 31</u> 40 The arbitration shall be held in camera. It may be conducted openly if the parties so agree, unless state secrets are involved.</p>
	<p><u>Article 32</u> <u>The parties may resolve their disputes through mediation during arbitration proceedings.</u></p>
	<p><u>Article 33</u> <u>A party who knows or ought to have known that any provision of the arbitration procedures or any requirement under the arbitration agreement has not been complied with and yet takes part in or proceeds with the arbitration proceedings without stating his objection to such non-compliance without undue delay in writing, shall be deemed to have waived his right to object.</u></p>
	<p><u>Article 34</u> <u>Arbitration documents shall be served upon the parties in a reasonable and <i>bona fide</i> manner.</u></p> <p><u>Where the parties have agreed on a method of service, such agreement prevails.</u></p> <p><u>Where the parties have not agreed on the method, service may be conducted in person or by registered mail, courier, facsimile, or other recorded electronic means such as email and instant messenger.</u></p> <p><u>The service shall be effective if the arbitration documents have reached the parties in accordance with the preceding paragraph, or are delivered to the parties' place of business, registration address, domicile, habitual residence or mailing address.</u></p> <p><u>If, despite reasonable inquires, none of the above address can be found, service shall be deemed to have been effective if the arbitration documents are delivered to the addressee's last known place of business, registration address, domicile, habitual residence or mailing address by any other means of delivery which allows for a record of such delivery.</u></p>

Section 1 Application and Acceptance	Section 21 Application and Acceptance
<p>Article 21 A party’s application for arbitration shall meet the conditions set forth below:</p> <ol style="list-style-type: none"> (1) there is an arbitration agreement; (2) there is a specific claim and facts and grounds; and (3) the application is within the jurisdiction of the arbitration commission. 	<p>Article 35 21 A party’s application for arbitration shall meet the conditions set forth below:</p> <ol style="list-style-type: none"> (1) there is an arbitration agreement; (2) there is a specific claim and facts and grounds; and (3) the application is within the jurisdiction of the arbitration commission. <u>the dispute is arbitrable under this Law.</u> <p><u>The parties shall apply for arbitration to an arbitration institution stipulated in their arbitration agreement.</u></p> <p><u>Where the arbitration agreement has not specified an arbitration institution, the arbitration institution which could be determined through the arbitration rules agreed to be applicable may accept the case concerned. Where no arbitration rules are agreed to be applicable, the parties may reach a supplementary agreement. Where no supplementary agreement is reached, the arbitration institution which received the application in the first place may accept the case concerned.</u></p> <p><u>Where the arbitration agreement has no agreed arbitration institution and no supplementary agreement has been reached, the parties may apply for arbitration at the arbitration institution at their common domicile. The parties may apply for arbitration at an arbitration institution located at a place other than the domicile of the parties, if no common domicile exists, and in such a case, the arbitration institution which receives the application in the first place may accept the case concerned.</u></p> <p><u>The arbitration proceedings shall commence on the date on which the arbitration application is submitted to the arbitration institution.</u></p>

<p>Article 22 Where a party applies for arbitration, it shall submit the arbitration agreement and the request for arbitration and copies thereof to the arbitration commission.</p>	<p>Article 36 22 Where a party applies for arbitration, it shall submit the arbitration agreement and the request for arbitration and copies appendices thereof to the arbitration commission institution.</p>
<p>Article 23 A request for arbitration shall specify the following matters:</p> <p>(1) the name, gender, age, occupation, work unit and domicile of the party; or the name and domicile of the legal person or other organizations, and the name and position of its legal representative or person in charge;</p> <p>(2) the claim, and the facts and grounds on which the claim is based; and</p> <p>(3) the evidence, the source of the evidence, and the names and domiciles of witnesses.</p>	<p>Article 37 23 A request for arbitration shall specify the following matters:</p> <p>(1) the name, gender, age, occupation, work unit and domicile of the party; or the name and domicile of the legal person or other organizations, and the name and position of its legal representative or person in charge;</p> <p>(2) the claim, and the facts and grounds on which the claim is based; and</p> <p>(3) the evidence, the source of the evidence, and the names and domiciles of witnesses.</p>
<p>Article 24 When the arbitration commission receives the request for arbitration and considers that the request complies with the conditions for acceptance, it shall accept the request and notify the party within five days from the date of receipt. If the arbitration commission considers that the request does not comply with the conditions for acceptance, it shall inform the party in writing of its rejection of the request and explain the reasons.</p>	<p>Article 38 24 When the arbitration commission institution receives the request for arbitration and considers that the request complies with the conditions for acceptance, it shall accept the request and notify the party within five days from the date of receipt. If the arbitration commission institution considers that the request does not comply with the conditions for acceptance, it shall inform the party in writing of its rejection of the request and explain the reasons.</p>

Article 25 After the arbitration commission accepts the request for arbitration, it shall, within the specified time period in the arbitration rules, deliver a copy of the arbitration rules and the panel of arbitrators to the claimant, and serve one copy of the request for arbitration together with the arbitration rules and the panel of arbitrators upon the respondent.

After receiving the copy of the request for arbitration, the respondent shall file a statement of defense to the arbitration commission within the time period specified in the arbitration rules. After receiving the statement of defense, the arbitration commission shall serve a copy thereof upon the claimant within the specified time period in the arbitration rules. The failure of the respondent to file a statement of defense shall not affect the conduct of the arbitral proceedings.

Article 26 If the parties have concluded an arbitration agreement and one party has instituted an action before a people's court without declaring the existence of the arbitration agreement, and, after the people's court has accepted the case, the other party submits the arbitration agreement prior to the first hearing, the people's court shall dismiss the case unless the arbitration agreement is null and void; if, prior to the first hearing, the other party has not raised an objection to the acceptance of the case by the People's court, it shall be deemed to have renounced the arbitration agreement and the people's court shall continue to hear the case.

Article 27 The claimant may renounce or amend its claim. The respondent may accept or refute the claim and shall have the right to file a counterclaim.

Article 39 25 After the arbitration ~~commission~~ institution accepts the request for arbitration, it shall, within the specified time period in the arbitration rules, deliver a copy of the arbitration rules and the panel of arbitrators to the claimant, and serve ~~one copy of~~ the request for arbitration and appendices thereof together with the arbitration rules and the panel of arbitrators upon the respondent.

After receiving ~~the copy of~~ the request for arbitration, the respondent shall file a statement of defense to the arbitration ~~commission~~ institution within the time period specified in the arbitration rules. After receiving the statement of defense, the arbitration ~~commission~~ institution shall serve ~~a copy thereof~~ the statement of defense and appendices thereof upon the claimant within the specified time period in the arbitration rules. The failure of the respondent to file a statement of defense shall not affect the conduct of the arbitral proceedings.

Article 40 26 If the parties have concluded an arbitration agreement and one party has instituted an action before a people's court without declaring the existence of the arbitration agreement, and, after the people's court has accepted the case, the other party submits the arbitration agreement prior to the first hearing, the people's court shall dismiss the case unless the arbitration agreement is null and void; if, prior to the first hearing, the other party has not raised an objection to the acceptance of the case by the People's court, it shall be deemed to have renounced the arbitration agreement and the people's court shall continue to hear the case.

Article 41 27 The claimant may renounce or amend its claim. The respondent may accept or refute the claim and shall have the right to file a counterclaim.

<p>Article 28 A party may apply for property preservation if it may become impossible or difficult to enforce the arbitral award due to the acts of the other party or other reasons.</p> <p>If a party applies for property preservation, the arbitration commission shall forward the party’s application to the people’s court in accordance with the relevant provisions of the Civil Procedure Law.</p> <p>If the application turns out to be improper, the applicant shall compensate the respondent for loss suffered due to the property preservation measures.</p>	
<p>Article 29 A party or its legal representative may appoint lawyers or other representatives to carry out arbitration activities. In the event that lawyers or other representatives are appointed to carry out arbitration activities, a power of attorney shall be submitted to the arbitration commission.</p>	<p>Article 42 29 A party or its legal representative may appoint lawyers or other representatives to carry out arbitration activities. In the event that lawyers or other representatives are appointed to carry out arbitration activities, the power of attorney shall be submitted to the arbitration commission <u>institution</u>.</p>
	<p><u>Section 3 Interim Measures</u></p>
	<p><u>Article 43</u> <u>In order to ensure the conduct of arbitral proceedings, establish the facts of the dispute or enforce the arbitral award, a party may, before or during the arbitration proceedings, request from a people’s court or an arbitral tribunal an interim or emergency measure relevant to the subject matter of the dispute.</u></p> <p><u>Interim measures include preservation of assets or evidence, measures requiring a party to take or to refrain from taking certain actions, and any other short-term measures deemed necessary by the arbitral tribunal.</u></p>

	<p><u>Article 44 28</u> <u>If the enforcement of an award is likely to become impossible or difficult or if any other detriment is likely to be caused to a party as the result of the conduct of the other party or of the existence of any other grounds, that party may apply for an order to preserve assets of the other party, or to require that party to take actions or to refrain from taking certain actions.</u></p>
	<p><u>Article 45</u> <u>A party may apply for an order to preserve evidence if there is a risk that such evidence might be lost or destroyed, or might subsequently become difficult to obtain.</u></p>
	<p><u>Article 46</u> <u>Where a party applies for preservation measures before submitting its application for arbitration, he shall submit its application directly to the competent people’s court in accordance with relevant laws.</u></p> <p><u>Where a party applies for preservation measures after the arbitration has been initiated, he may apply directly to the people’s court at the place where the assets to be preserved are located, where the evidence is located, where the action is to be taken, where the respondent is located or where the arbitration takes place, as the case may be; and it may also apply to the arbitral tribunal.</u></p>
	<p><u>Article 47</u> <u>Where a party applies to the people’s court for preservation measures, the people’s court shall grant such preservation measures in a timely manner in accordance with relevant laws.</u></p> <p><u>Where a party applies to the arbitral tribunal for preservation measures, the arbitral tribunal shall make a decision in a timely manner, and require the party to provide guarantee. Upon submission of the decision granting such measures by the party or the arbitral institution to the competent court, the court shall implement the decision in a timely manner in accordance with relevant laws.</u></p> <p><u>The party requesting preservation measures shall be liable for any costs and damages caused to the other party due to the wrong request of such measures.</u></p>

	<p><u>Article 48</u> Where a party applies for other interim measures, the arbitral tribunal shall rule upon the necessity and feasibility of granting such interim measures and make a decision in a timely manner.</p> <p>Upon request of the party and where it is deemed necessary, the arbitral tribunal may decide to modify, suspend or terminate an interim measure it has granted in accordance with the preceding paragraph.</p> <p>Where the assistance of the people’s court is required for enforcing an interim measure, the party may apply to the people’s court for assistance in enforcement. Where the people’s court determines that the assistance can be provided, it shall do so in accordance with relevant laws.</p>
	<p><u>Article 49</u> Where the interim measures need to be enforced outside the territory of the People’s Republic of China, the party may apply directly to a foreign court with jurisdiction for enforcement.</p> <p>Before the constitution of the arbitral tribunal, a party that needs to appoint an emergency arbitrator to grant an interim measure may submit the application to the arbitration institution for the appointment of an emergency arbitrator in accordance with the arbitration rules. The power of the emergency arbitrator is preserved until the arbitral tribunal is constituted.</p>
<p>Section 2 Constitution of the Arbitral Tribunal</p>	<p>Section 4 2 Constitution of the Arbitral Tribunal</p>
<p>Article 30 An arbitral tribunal may be composed of either three arbitrators or one arbitrator. An arbitral tribunal composed of three arbitrators shall have a presiding arbitrator.</p>	<p>Article 50 30 An arbitral tribunal may be composed of either three arbitrators or one arbitrator. An arbitral tribunal composed of three arbitrators shall have a presiding arbitrator.</p> <p><u>The parties may appoint arbitrators within the panel of recommended arbitrators, and may appoint arbitrators outside such panel. Arbitrators chosen by the parties outside such panel shall meet the conditions set forth in this Law.</u></p> <p><u>Where the parties have agreed upon the conditions for arbitrators, such agreement shall prevail, except where such agreement cannot be performed or where there are circumstances under which a person may not act as an arbitrator as stipulated in this Law.</u></p>

<p>Article 31 If the parties agree that the arbitral tribunal shall be composed of three arbitrators, they shall each appoint or entrust the chairman of the arbitration commission to appoint one arbitrator.</p> <p>The parties shall jointly appoint or jointly entrust the chairman of the arbitration commission to appoint the third arbitrator. The third arbitrator shall be the presiding arbitrator.</p> <p>If the parties agree that the arbitral tribunal shall be composed of one arbitrator, they shall jointly appoint or jointly entrust the chairman of the arbitration commission to appoint the arbitrator.</p>	<p>Article 51 31 If the parties agree that the arbitral tribunal shall be composed of three arbitrators, they shall each appoint or entrust the chairman of the arbitration commission to appoint one arbitrator; <u>where a party fails to do so, the arbitration institution shall make the appointment.</u></p> <p>The parties shall jointly appoint or jointly entrust the chairman of the arbitration commission to appoint the third arbitrator; <u>where the parties fail to do so, the nominated or appointed two arbitrators shall jointly make the appointment; where the nominated or appointed two arbitrators fail to do so, the arbitration institution shall appoint such third arbitrator.</u> The third arbitrator shall be the presiding arbitrator.</p> <p>If the parties agree that the arbitral tribunal shall be composed of one arbitrator, they shall jointly appoint or jointly entrust the chairman of the arbitration commission to appoint the arbitrator <u>such arbitrator; where the parties fail to jointly make the appointment, the arbitration institution shall appoint such arbitrator.</u></p>
<p>Article 32 If the parties fail to agree on the method of formation of the arbitral tribunal or fail to nominate the arbitrator(s) within the time period specified in the arbitration rules, the arbitrator(s) shall be appointed by the chairman of the arbitration commission.</p>	<p>Article 32 If the parties fail to agree on the method of formation of the arbitral tribunal or fail to nominate the arbitrator(s) within the time period specified in the arbitration rules, the arbitrator(s) shall be appointed by the chairman of the arbitration commission.</p>
<p>Article 33 After the arbitral tribunal has been composed, the arbitration commission shall notify the parties in writing of the composition of the arbitral tribunal.</p>	<p>Article 52 33 After the arbitral tribunal has been composed, the arbitration commission shall notify the parties in writing of <u>the arbitrators shall sign a declaration to promise its independence and impartiality during the arbitration. The declaration shall be served upon the parties by the arbitration institution along with</u> the composition of the arbitral tribunal.</p> <p><u>Where an arbitrator is aware of circumstances which may give rise to reasonable doubt as to his independence or impartiality, he shall disclose such circumstances in writing.</u></p>

	<p><u>Upon receipt of the disclosure of an arbitrator, if a party intends to challenge the arbitrator on the grounds of the disclosed matters, he shall raise the challenge in writing within ten days. Where a party fails to do so within the stipulated period, he shall not challenge an arbitrator on the basis of the matters disclosed by the arbitrator.</u></p>
<p>Article 34 In one of the following circumstances, the arbitrator shall withdraw from the arbitration, and the parties shall also have the right to challenge the arbitrator:</p> <p>(1) the arbitrator is a party in the case, or is a close relative of a party or its representative in the case;</p> <p>2) the arbitrator has personal interests in the case;</p> <p>(3) the arbitrator has other relationships with a party or with its representative in the case which may affect the fairness of arbitration; or</p> <p>(4) the arbitrator meets with a party or its representative privately or has accepted entertainment or gift from the party or its representative.</p>	<p>Article 53 34 In one of the following circumstances, the arbitrator shall withdraw from the arbitration, and the parties shall also have the right to challenge the arbitrator:</p> <p>(1) the arbitrator is a party in the case, or is a close relative of a party or its representative in the case;</p> <p>(2) the arbitrator has personal interests in the case;</p> <p>(3) the arbitrator has other relationships with a party or with its representative in the case which may affect the fairness of arbitration; or</p> <p>(4) the arbitrator meets with a party or its representative privately or has accepted entertainment or gift from the party or its representative.</p>
<p>Article 35 A party’s challenge of arbitrator shall specify the grounds and shall be submitted before the first hearing. If the ground for challenge become known after the first hearing, the challenge may be made before the conclusion of the last hearing.</p>	<p>Article 54 35 A party’s challenge of arbitrator shall specify the grounds and shall be submitted before the first hearing. If the ground for challenge become known after the first hearing, the challenge may be made before the conclusion of the last hearing, <u>or where the proceedings are conducted on a documents-only basis, the party shall raise the challenge within ten days after becoming aware of the ground for challenge.</u></p>
	<p><u>A party challenging an arbitrator whom it has appointed may only raise the challenge for grounds which are only become known to him subsequent to the appointment of the arbitrator.</u></p>

<p>Article 36 The decision on whether the arbitrator shall be withdrawn from his office shall be made by the chairman of the arbitration commission. If the chairman of the arbitration commission is serving as the arbitrator, the decision shall be collectively made by the arbitration commission.</p>	<p>Article 55 36 The decision on whether the arbitrator shall be withdrawn from his office shall be made by the chairman of the arbitration commission <u>institution</u>. If the chairman of the arbitration commission is serving as the arbitrator, the decision shall be collectively made by the arbitration commission. <u>The decision of withdrawal shall state the reason.</u></p> <p><u>Before the decision of withdrawal is made, the arbitrator who has been challenged may continue to participate in the arbitration proceedings.</u></p>
<p>Article 37 If an arbitrator cannot fulfill his functions due to challenge or other reasons, a substitute arbitrator shall be nominated or appointed in accordance with this Law.</p> <p>After a substitute arbitrator has been nominated or appointed due to the challenge, a party may request that the previous arbitral proceedings be repeated; the decision on such request shall be made by the arbitral tribunal. The arbitral tribunal may also make a decision of its own initiative as to whether the previous arbitral proceedings should be repeated.</p>	<p>Article 56 37 If an arbitrator cannot fulfill his functions due to challenge or other reasons, a substitute arbitrator shall be nominated or appointed in accordance with this Law.</p> <p>After a substitute arbitrator has been nominated or appointed due to the challenge, a party may request that the previous arbitral proceedings be repeated; the decision on such request shall be made by the arbitral tribunal. The arbitral tribunal may also make a decision of its own initiative as to whether the previous arbitral proceedings should be repeated.</p>
<p>Article 38 If an arbitrator is involved in the circumstances described in Article 34 (4) of this Law and the circumstances are serious, or involved in the circumstances described in Article 58 (6) of this Law, he shall assume legal liability in accordance with the law and the arbitration commission shall remove that arbitrator from the panel.</p>	<p>Article 57 38 If an arbitrator is involved in the circumstances described in Article 34 <u>53 (4)</u> of this Law and the circumstances are serious, or involved in the circumstances described in Article 58 <u>77 (6)</u> of this Law, he shall assume legal liability in accordance with the law and the arbitration commission <u>institution</u> shall remove that arbitrator from the panel.</p>

Section 3 Hearing and Award	Section 3 ⁵ Hearing and Award
<p>Article 39 The arbitration shall be conducted with oral hearing. If the parties agree to arbitration without oral hearing, the arbitral tribunal may render an arbitral award based upon the request for arbitration, the statement of defense and other documents.</p>	<p>Article 39⁵⁸ The arbitration shall be conducted with oral hearing. If the parties agree to arbitration without oral hearing, the arbitral tribunal may <u>conduct proceedings on a documents-only basis and</u> render an arbitral award based upon the request for arbitration, the statement of defense and other documents.</p>
<p>Article 40 The arbitration shall be held in camera. An open hearing can be conducted if the parties so agree, unless state secrets are involved.</p>	<p>Article 40 The arbitration shall be held in camera. An open hearing can be conducted if the parties so agree, unless state secrets are involved.</p>
<p>Article 41 The arbitration commission shall notify the parties of the date of the hearing(s) within the time period specified in the arbitration rules. A party may, within the time period specified in the arbitration rules, request postponement of the hearing if the party has justified reasons. The arbitral tribunal shall decide whether to postpone the hearing.</p>	<p>Article 41⁵⁹ The arbitration commission <u>institution</u> shall notify the parties of the date of the hearing(s) within the time period specified in the arbitration rules. A party may, within the time period specified in the arbitration rules, request postponement of the hearing if the party has justified reasons. The arbitral tribunal shall decide whether to postpone the hearing.</p>
<p>Article 42 If the claimant who has been notified about the oral hearing in writing fails to appear at the oral hearing without justified reasons or withdraws from the on-going oral hearing without the permission of the arbitral tribunal, the claimant may be deemed to have withdrawn its application for arbitration.</p> <p>If the respondent who has been notified in writing fails to appear at the oral hearing without justified reasons or withdraws from the on-going oral hearing without the permission of the arbitral tribunal, the arbitral tribunal may make a default arbitral award.</p>	<p>Article 42⁶⁰ If the claimant who has been notified about the oral hearing in writing fails to appear at the oral hearing without justified reasons or withdraws from the on-going oral hearing without the permission of the arbitral tribunal, the claimant may be deemed to have withdrawn its application for arbitration.</p> <p>If the respondent who has been notified in writing fails to appear at the oral hearing without justified reasons or withdraws from the on-going oral hearing without the permission of the arbitral tribunal, the arbitral tribunal may make a default arbitral award.</p>
<p>Article 43 Each party bears the burden of proof to adduce evidence to support that party's claim.</p> <p>The arbitral tribunal may collect evidence on its own motion as it considers necessary.</p>	<p>Article 43⁶¹ Each party bears the burden of proof to adduce evidence to support that party's claim.</p> <p>The arbitral tribunal may collect evidence on its own motion as it considers necessary. <u>It may request assistance from the people's court where necessary.</u></p>

<p>Article 44 If the arbitral tribunal considers that a specific issue requires expert evaluation, it may refer the issue for appraisal to an appraisal entity agreed by the parties or to an appraisal entity appointed by the arbitral tribunal.</p> <p>If it is requested by a party or required by the arbitral tribunal, the appraisal entity shall send its appraiser to attend the oral hearing. Subject to the approval of the arbitral tribunal, the parties may pose questions to the appraiser.</p>	<p>Article 62 44 If the arbitral tribunal considers that a specific issue requires expert evaluation, it may refer the issue for appraisal to an appraisal entity agreed by the parties or to an appraisal entity appointed by the arbitral tribunal.</p> <p>If it is requested by a party or required by the arbitral tribunal, the appraisal entity shall send its appraiser to attend the oral hearing. Subject to the approval of the arbitral tribunal, the parties may pose questions to the appraiser.</p>
<p>Article 45 The evidence shall be produced at the oral hearings and may be examined by the parties.</p>	<p>Article 63 45 The evidence shall be produced at the oral hearings and may be examined by the parties. <u>served upon the parties and the arbitral tribunal in a timely manner.</u></p> <p><u>The parties may agree on a method of examination of evidence or conduct examination of evidence in such a manner as the arbitral tribunal deems appropriate.</u></p> <p><u>The arbitral tribunal shall have the right to determine the admissibility and probative force of evidence and allocate the burden of proof reasonably in accordance with the law.</u></p>
<p>Article 46 If evidence may be destroyed or lost, or may be difficult to obtain in the future, a party may apply for evidence preservation. If a party applies for evidence preservation, the arbitration commission shall forward the party’s application to the basic-level people’s court at the place where the evidence is located.</p>	<p>Article 46 If evidence may be destroyed or lost, or may be difficult to obtain in the future, a party may apply for evidence preservation. If a party applies for evidence preservation, the arbitration commission shall forward the party’s application to the basic-level people’s court at the place where the evidence is located.</p>
<p>Article 47 Both parties shall have the opportunity to debate. At the end of the debate, the presiding arbitrator or the sole arbitrator shall inquire final opinions from the parties.</p>	<p>Article 64 47 Both parties shall have the opportunity to debate. At the end of the debate, the presiding arbitrator or the sole arbitrator shall inquire final opinions from the parties.</p>

<p>Article 48 The arbitral tribunal shall make a transcript of the oral hearings in writing. The parties and other participants in the arbitration shall have the right to apply for supplementation or correction of the record of their own statements if they consider that such record contains omissions or errors. If an application for supplementation and correction is denied, the application shall be recorded.</p> <p>The record shall be signed or sealed by the arbitrators, the transcriber, the parties and other participants in the arbitration.</p>	<p>Article 65 48 The arbitral tribunal shall make a transcript of the oral hearings in writing. The parties and other participants in the arbitration shall have the right to apply for supplementation or correction of the record of their own statements if they consider that such record contains omissions or errors. If an application for supplementation and correction is denied, the application shall be recorded.</p> <p>The record shall be signed or sealed by the arbitrators, the transcriber, the parties and other participants in the arbitration.</p>
<p>Article 49 After an application for arbitration has been made, the parties may settle the disputes on their own. If the parties have reached a settlement agreement, they may request the arbitral tribunal to render an arbitral award in accordance with the settlement agreement; or they may withdraw their application for arbitration.</p>	<p>Article 66 49 After an application for arbitration has been made, the parties may settle the disputes on their own. If the parties have reached a settlement agreement, they may request the arbitral tribunal to render an arbitral award in accordance with the settlement agreement; or they may withdraw their application for arbitration.</p>
<p>Article 50 If a party repudiates the settlement agreement after the application for arbitration has been withdrawn, the party may apply for arbitration in accordance with the arbitration agreement.</p>	<p>Article 67 50 If a party repudiates the settlement agreement after the application for arbitration has been withdrawn, the party may apply for arbitration in accordance with the arbitration agreement.</p>
<p>Article 51 The arbitral tribunal may carry out mediation prior to rendering an arbitral award. The arbitral tribunal shall carry out mediation if both parties voluntarily seek mediation. If the mediation is unsuccessful, an arbitral award shall be made in a timely manner.</p> <p>If the mediation leads to a settlement agreement, the arbitral tribunal shall make a mediation statement or make an arbitral award in accordance with the result of the settlement agreement. The mediation statement and an arbitral award shall have equal legal effect.</p>	<p style="text-align: center;">-</p> <p>Article 68 51 The arbitral tribunal may carry out mediation prior to rendering an arbitral award. The arbitral tribunal shall carry out mediation if both parties voluntarily seek mediation. If the mediation is unsuccessful, an arbitral award shall be made in a timely manner.</p> <p>If the mediation leads to a settlement agreement, the arbitral tribunal shall make a mediation statement or make an arbitral award in accordance with the result of the settlement agreement. The mediation statement and an arbitral award shall have equal legal effect.</p>

	<p><u>Article 69</u> Where the parties have reached a settlement agreement prior to the constitution of the arbitral tribunal, they may request the constitution of the arbitral tribunal, and request the arbitral tribunal to prepare a mediation statement or an arbitral award in accordance with the terms of the settlement agreement; or they may withdraw the application for arbitration.</p> <p>Where the parties voluntarily appoint a mediator other than the member of the arbitral tribunal to conduct mediation after the constitution of the arbitral tribunal, the arbitral proceedings shall be suspended. Where the parties reach a settlement agreement, they may request for resumption of the arbitral proceedings, and request the original arbitral tribunal to prepare a mediation statement or an arbitral award in accordance with the terms of the settlement agreement; or they may withdraw the application for arbitration. Where a settlement agreement cannot be reached, the arbitral proceedings shall continue upon the request of a party.</p>
	<p><u>Article 70</u> Where the parties request an arbitration institution to provide confirmation of a settlement agreement in accordance with the arbitration agreement, the arbitration institution shall form an arbitral tribunal. Upon examination and verification pursuant to the law, the arbitral tribunal may render a mediation statement, or an arbitral award based on the contents of the settlement agreement.</p>
<p>Article 52 A mediation statement shall specify the claim and the result of the settlement agreed upon between the parties. The mediation statement shall be signed by the arbitrator(s), sealed by the arbitration commission, and then served upon both parties.</p> <p>The mediation statement shall become legally effective immediately after both parties have signed for receipt thereof.</p>	<p>Article 71 52 A mediation statement shall specify the claim and the result of the settlement agreed upon between the parties. The mediation statement shall be signed by the arbitrator(s), sealed by the arbitration commission institution, and then served upon both parties.</p> <p>The mediation statement shall become legally effective immediately after both parties have signed for receipt thereof.</p>

<p>If the mediation statement is repudiated by a party before signing for receipt thereof, the arbitral tribunal shall make an arbitral award in a timely manner.</p>	<p>If the mediation statement is repudiated by a party before signing for receipt thereof, the arbitral tribunal shall make an arbitral award in a timely manner.</p>
<p>Article 53 The arbitral award shall be made in accordance with the opinion of the majority of the arbitrators. The opinion of the minority of the arbitrators may be kept in the record. If the arbitral tribunal is unable to form a majority opinion, the arbitral award shall be made in accordance with the opinion of the presiding arbitrator.</p>	<p>Article 72 53 The arbitral award shall be made in accordance with the opinion of the majority of the arbitrators. The opinion of the minority of the arbitrators may be kept in the record. If the arbitral tribunal is unable to form a majority opinion, the arbitral award shall be made in accordance with the opinion of the presiding arbitrator.</p>
<p>Article 54 An arbitral award shall specify the claim, the facts of the disputes, the reasons for the arbitral award, the results of the arbitral award, the allocation of arbitration fees and the date of the arbitral award. If the parties agree that they do not wish the facts of the dispute and the reasons for the decision to be specified in the arbitral award, the same may be omitted. The arbitral award shall be signed by the arbitrator(s) and sealed by the arbitration commission. An arbitrator with dissenting opinions as to the arbitral award may choose to sign the arbitral award or not to sign it.</p>	<p>Article 73 54 An arbitral award shall specify the claim, the facts of the disputes, the reasons for the arbitral award, the results of the arbitral award, <u>the seat of arbitration</u>, the allocation of arbitration fees and the date of the arbitral award. If the parties agree that they do not wish the facts of the dispute and the reasons for the decision to be specified in the arbitral award, the same may be omitted. The arbitral award shall be signed by the arbitrator(s) and sealed by the arbitration commission <u>institution</u>. An arbitrator with dissenting opinions as to the arbitral award may choose to sign the arbitral award or not to sign it.</p>
<p>Article 55 When arbitrating disputes, if a part of the facts involved has already been determined, the arbitral tribunal may first make an award in respect of such part of the facts.</p>	<p>Article 74 55 When arbitrating disputes, if a part of the facts involved has already been determined, the arbitral tribunal may first make <u>a partial</u> award in respect of such part of the facts.</p>

	<p><u>When arbitrating disputes, if a disputed matter affects the progress of the arbitration proceedings or needs to be clarified before the final award is made, the arbitral tribunal may make an interim award in advance.</u></p> <p><u>The parties shall implement the partial award and interim award if there are matters for implementation.</u></p> <p><u>Where the party fails to implement the partial award, the other party may apply to the people’s court to enforce the award in accordance with the law.</u></p> <p><u>The arbitral proceedings and the making of the final award shall not be affected by the performance of the partial award or interim award.</u></p>
<p>Article 56 If there are clerical errors or calculation errors in the arbitral award, or if the matters which have been decided by the arbitral tribunal are omitted in the arbitral award, the arbitral tribunal shall make due corrections or supplementation. The parties may, within thirty days from the date of receipt of the arbitral award, request the arbitral tribunal to make such corrections or supplementation.</p>	<p>Article 75 56 If there are clerical errors or calculation errors in the arbitral award, or if the matters which have been decided by the arbitral tribunal are omitted in the arbitral award, the arbitral tribunal shall make due corrections or supplementation. The parties may, within thirty days from the date of receipt of the arbitral award, request the arbitral tribunal to make such corrections or supplementation.</p> <p><u>Where the matters decided in the award and applied for enforcement are unclear, making it impossible to be enforced, the people’s court shall notify the arbitral tribunal in writing and the arbitral tribunal may make a supplementation or explanation. The explanatory statement of the arbitral tribunal shall not form a part of the arbitral award.</u></p>
<p>Article 57 The arbitral award shall be legally effective as of the date on which it is rendered.</p>	<p>Article 76 57 The arbitral award shall be legally effective as of the date on which it is rendered.</p>

Chapter V Application for Setting Aside an Arbitral Award	Chapter V Application for Setting Aside an Arbitral Award
<p>Article 58 A party may apply for setting aside an arbitral award to the intermediate people’s court at the place where the arbitration commission is located if the party can provide evidence to prove that the arbitral award involves one of the following circumstances:</p> <ol style="list-style-type: none"> (1) there is no arbitration agreement; (2) the matters decided in the arbitral award fall outside the scope of the arbitration agreement or beyond the authority of the arbitration commission; (3) the composition of the arbitral tribunal or the arbitral procedure violates the statutory procedure; (4) the evidence on which the arbitral award is based is forged; (5) the opposing party has concealed evidence which is enough to affect the fairness of the arbitration; or (6) an arbitrator, in deciding the case, has solicited or accepted bribes, or has engaged in other misconducts that prevent him from rendering a just award. 	<p>Article 77 58 A party may apply for setting aside an arbitral award to the intermediate people’s court at the place where the arbitration commission is located <u>seat of arbitration</u>, if the party can provide evidence to prove that the arbitral award involves one of the following circumstances:</p> <ol style="list-style-type: none"> (1) there is no arbitration agreement <u>or the arbitration agreement is null and void</u>; (2) the matters decided in the arbitral award fall outside the scope of the arbitration agreement or beyond the authority of the arbitration commission <u>beyond the scope of arbitrable matters as provided by this Law</u>. (3) <u>the respondent was not notified of the appointment of the arbitrator(s) or of the arbitration proceedings or was otherwise unable to present the case due to the reasons for which the respondent is not responsible</u>; (4) the composition of the arbitral tribunal or the arbitral procedure violates the statutory procedure <u>or the agreement of the parties, which seriously harms the rights of the parties</u>; (4) the evidence on which the arbitral award is based is forged; (5) the opposing party has concealed evidence which is enough to affect the fairness of the arbitration; or <u>the award is obtained as a result of fraudulent means such as malicious collusion and falsification of evidence; or</u> (6) an arbitrator, in deciding the case, has solicited or accepted bribes, or has engaged in other misconducts that prevent him from rendering a just award.

<p>The people’s court shall render a ruling to set aside the arbitral award if a collegiate bench formed by the people’s court reviews and verifies that the arbitral award involves one of the circumstances set forth in the preceding paragraph.</p> <p>If the people’s court determines that the arbitral award is contrary to the social and public interest, it shall render a ruling to set aside the arbitral award.</p>	<p>The people’s court shall render a ruling to set aside the arbitral award if a collegiate bench formed by the people’s court reviews and verifies that the arbitral award involves one of the circumstances set forth in the preceding paragraph.</p> <p><u>Where the application for setting aside an arbitral award by the party involves only part of the matters awarded, the people’s court may set aside part of the award. If the awarded matters are indivisible, the award shall be set aside.</u></p> <p>If the people’s court determines that the arbitral award is contrary to the social and public interest, it shall render a ruling to set aside the arbitral award.</p>
<p>Article 59 An application for setting aside an arbitral award shall be submitted within six months from the date of receipt of the arbitral award.</p>	<p>Article 78 59 An application for setting aside an arbitral award shall be submitted within six <u>three</u> months from the date of receipt of the arbitral award.</p>
<p>Article 60 The people’s court shall, within two months from the date of accepting an application for setting aside an arbitral award, render a ruling to either set aside the arbitral award or to deny the application.</p>	<p>Article 79 60 The people’s court shall, within two months from the date of accepting an application for setting aside an arbitral award, render a ruling to either set aside the arbitral award or to deny the application.</p>
<p>Article 61 If the people’s court considers that the case may be re-arbitrated by the arbitral tribunal after accepting an application for setting aside an arbitral award, it shall notify the arbitral tribunal that it shall re-arbitrate the case within a specified time period and shall render a ruling to suspend the setting-aside proceedings. If the arbitral tribunal refuses to re-arbitrate the case, the people’s court shall render a ruling to resume the setting-aside proceedings.</p>	<p>Article 80 61 If the people’s court considers that the case may be re-arbitrated by the arbitral tribunal after accepting an application for setting aside an arbitral award, it shall notify the arbitral tribunal that it shall re-arbitrate the case within a specified time period and shall render a ruling to suspend the setting-aside proceedings. If the arbitral tribunal refuses to re-arbitrate the case, the people’s court shall render a ruling to resume the setting-aside proceedings.</p>

	<p><u>Where an arbitral tribunal commences re-arbitration pursuant to the period stipulated by the people’s court, the people’s court shall render a ruling to terminate the setting-aside proceedings. Where the arbitral tribunal does not commence the re-arbitration, the people’s court shall render a ruling to resume the setting-aside proceedings.</u></p> <p><u>Where a party applies for setting aside an arbitral award, and the people’s court finds that any of the following circumstances exists, it may notify the arbitral tribunal to re-arbitrate:</u></p> <p>(1) <u>the evidence on which the award is based proves to be false as a result of objective reasons:</u></p> <p>(2) <u>the presence of circumstances stipulated in item (3) and item (4) of Article 77 of this Law, which may be remedied through re-arbitration.</u></p> <p><u>The people’s court shall state the specific reasons for re-arbitration in the notice.</u></p> <p><u>The people’s court may, depending on the circumstances of the case, specify the time limit for re-arbitration.</u></p> <p><u>The re-arbitration shall be conducted by the original arbitral tribunal. Where a party applies for setting aside an arbitral award due to irregularities in the composition of the arbitral tribunal or the conduct of the arbitrator(s), a new arbitral tribunal shall be formed to arbitrate the case.</u></p>
	<p><u>Article 81</u> <u>Where a party disagrees with the ruling on setting aside an arbitral award, that party may apply to the people’s court of the higher level for a reconsideration within ten days from the date of receipt of the ruling. The people’s court shall render its ruling on the reconsideration within one month from the date of accepting the review application.</u></p>

Chapter VI Enforcement	Chapter VI Enforcement
<p>Article 62 The parties shall comply with the arbitral award. If a party fails to comply with the arbitral award, the other party may apply to the people’s court for enforcement in accordance with the relevant provisions of the Civil Procedure Law. The people’s court to which the application has been made shall enforce the arbitral award.</p>	<p>Article 82 62 The parties shall comply with the arbitral award. If a party fails to comply with the arbitral award, the other party may apply to <u>the competent intermediate people’s court</u> for enforcement, in accordance with the relevant provisions of the Civil Procedure Law. The people’s court to which the application has been made shall enforce the arbitral award.</p> <p><u>The people’s court shall, upon review, render a ruling confirming the enforcement of the arbitral award, unless it finds that the enforcement is contrary to social and public interest, in which case the court shall reject the enforcement.</u></p> <p><u>The written ruling shall be served upon the parties and the arbitral institution.</u></p> <p><u>Where the application for enforcement of an arbitral award is rejected by the people’s court, the parties may apply for arbitration based on a new arbitration agreement or commence an action in the people’s court.</u></p>
<p>Article 63 If the party against whom the enforcement is sought presents evidence which proves that the arbitral award involves one of the circumstances set forth in the second paragraph of Article 213 of the Civil Procedure Law(as the Civil Procedure Law was revised in 2017, Article 213 mentioned here refers to Article 237 of the current Civil Procedure Law), after review and verification by a collegiate bench formed by the people’s court, a ruling shall be rendered to refuse the enforcement of the arbitral award.</p>	<p>Article 63 If the party against whom the enforcement is sought presents evidence which proves that the arbitral award involves one of the circumstances set forth in the second paragraph of Article 213 of the Civil Procedure Law(as the Civil Procedure Law was revised in 2017, Article 213 mentioned here refers to Article 237 of the current Civil Procedure Law), after review and verification by a collegiate bench formed by the people’s court, a ruling shall be rendered to refuse the enforcement of the arbitral award.</p>
<p>Article 64 If one party applies for enforcement of the arbitral award where the other party applies for setting aside the arbitral award, the people’s court shall render a ruling to suspend the enforcement proceedings.</p>	<p>Article 83 64 If one party applies for enforcement of the arbitral award where the other party applies for setting aside the arbitral award, the people’s court shall render a ruling to suspend the enforcement proceedings.</p>

<p>If the people’s court later renders a ruling to set aside the arbitral award, it shall render a ruling to terminate the enforcement proceedings. If the application for setting aside the arbitral award is dismissed, the people’s court shall render a ruling to resume the enforcement proceedings.</p>	<p>If the people’s court later renders a ruling to set aside the arbitral award, it shall render a ruling to terminate the enforcement proceedings. If the application for setting aside the arbitral award is denied, the people’s court shall render a ruling to resume the enforcement proceedings.</p>
	<p><u>Article 84 Where, in the course of enforcing an arbitral award, a person who is not a party to the arbitration raises a written objection to the subject matter of the enforcement, the people’s court shall make a review within fifteen days from the date of receipt of the written objection. If the objection is reasonable, the people's court shall render a ruling to terminate the enforcement of the subject matter; if the objection is untenable, the people’s court shall dismissit.</u></p> <p><u>A person who is not a party to the arbitration shall file an application within thirty days from the date on which he knows or should have known that the people's court has taken enforcement measures against the subject matter and before the completion of the enforcement of the subject matter that affects that third-person’s legal interests.</u></p>
	<p><u>Article 85 Where a person who is not a party to the arbitration has evidence to prove that a portion or the entirety of the award has been made in error, which harms his civil interests, he may institute an action against the party in accordance with the law.</u></p> <p><u>If a person who is not a party to the arbitration institutes a lawsuit and has provided guarantee, the enforcement of the arbitral award shall be suspended. The people’s court shall make a ruling to resume or terminate the enforcement of the arbitral award in accordance with the outcome of the lawsuit.</u></p>

	<p><u>Article 86</u> 72 <u>If a party applies for enforcement of a legally effective arbitral award, rendered by a foreign-related arbitration commission and if the party against whom the enforcement is sought, or such party's property, is not within the territory of the People's Republic of China, the party shall directly apply to a competent foreign court for the recognition and enforcement.</u></p>
	<p><u>Article 87</u> <u>An application to recognize and enforce an arbitral award rendered outside the territory of the People's Republic of China shall be made by the party to the intermediate people's court at the place of the domicile of the party against whom the enforcement is sought or the location of the property.</u></p> <p><u>Where the party against whom the enforcement is sought, or that party's property is not in the territory of the People's Republic of China, but the case is related to a case pending before the people's court, the party may apply for enforcement to the people's court which hears the related case.</u></p> <p><u>Where the party against whom the enforcement is sought or that party's property is not in the territory of the People's Republic of China, and the case is related to an arbitration case in the territory of China, the party may apply for enforcement to the intermediate people's court at the place where the arbitration institution is located or at the seat of arbitration.</u></p> <p><u>The people's court shall handle matters in accordance with the applicable international treaties which the People's Republic of China has concluded or acceded to or based on the principle of reciprocity.</u></p>

Chapter VII Special Provisions for Arbitration Involving Foreign-related Elements	Chapter VII Special Provisions for Arbitration Involving Foreign-related Elements
<p>Article 65 The provisions of this chapter shall apply to the arbitration of disputes arising from foreign-related economy and trade, transportation and maritime activities. For matters that are not covered in this chapter, other relevant provisions of this Law shall apply.</p>	<p>Article 88 65 The provisions of this chapter shall apply to the arbitration of disputes arising from foreign-related economy and trade, transportation and maritime activities. <u>The provisions of this Chapter shall apply to arbitration of disputes involving foreign-related elements.</u> For matters that are not covered in this Chapter, other relevant provisions of this Law shall apply.</p>
<p>Article 66 A foreign-related arbitration commission may be organized and established by the China Chamber of International Commerce.</p>	<p>Article 66 A foreign-related arbitration commission may be organized and established by the China Chamber of International Commerce.</p>
<p>A foreign-related arbitration commission shall be composed of one chairman, a certain number of vice chairmen and members.</p> <p>The chairman, vice-chairmen and members of a foreign-related arbitration commission may be appointed by the China Chamber of International Commerce.</p>	<p>A foreign-related arbitration commission shall be composed of one chairman, a certain number of vice chairmen and members.</p> <p>The chairman, vice-chairmen and members of a foreign-related arbitration commission may be appointed by the China Chamber of International Commerce.</p>
<p>Article 67 A foreign-related arbitration commission may appoint arbitrators from among foreigners with special knowledge in the fields of law, economy and trade, science and technology, et cetera.</p>	<p>Article 67 A foreign-related arbitration commission may appoint arbitrators from among foreigners with special knowledge in the fields of law, economy and trade, science and technology, et cetera.</p>
<p>Article 68 If the parties to a foreign-related arbitration apply for evidence preservation, the foreign-related arbitration commission shall forward the application to the intermediate people's court at the place where the evidence is located.</p>	<p>Article 68 If the parties to a foreign-related arbitration apply for evidence preservation, the foreign-related arbitration commission shall forward the application to the intermediate people's court at the place where the evidence is located.</p>
<p>Article 69 The arbitral tribunal in a foreign-related arbitration may make written record of the hearings or prepare a summary of the written record. The written summary of key points may be signed or sealed by the parties and other participants in the arbitration.</p>	<p>Article 69 The arbitral tribunal in a foreign-related arbitration may make written record of the hearings or prepare a summary of the written record. The written summary of key points may be signed or sealed by the parties and other participants in the arbitration.</p>

<p>Article 70 If a party provides evidence which proves that a foreign-related arbitral award involves one of the circumstances set forth in the first paragraph of Article 258 of the Civil Procedure Law(as the Civil Procedure Law was revised in 2017, the first paragraph of Article 258 mentioned here refers to the first paragraph of Article 274 of the current Civil Procedure Law), after review and verification by a collegiate bench formed by the people’s court, a ruling to set aside the arbitral award shall be rendered.</p>	<p>Article 70 If a party provides evidence which proves that a foreign-related arbitral award involves one of the circumstances set forth in the first paragraph of Article 258 of the Civil Procedure Law(as the Civil Procedure Law was revised in 2017, the first paragraph of Article 258 mentioned here refers to the first paragraph of Article 274 of the current Civil Procedure Law), after review and verification by a collegiate bench formed by the people’s court, a ruling to set aside the arbitral award shall be rendered.</p>
<p>Article 71 If the party against whom the enforcement is sought presents evidence which proves that the foreign-related arbitral award involves one of the circumstances set forth in the first paragraph of Article 258 of the Civil Procedure Law (as the Civil Procedure Law was revised in 2017, the first paragraph of Article 258 mentioned here refers to the first paragraph of Article 274 of the current Civil Procedure Law), after review and verification by a collegiate bench formed by the people’s court, a ruling to refuse the enforcement shall be rendered.</p>	<p>Article 71 If the party against whom the enforcement is sought presents evidence which proves that the foreign-related arbitral award involves one of the circumstances set forth in the first paragraph of Article 258 of the Civil Procedure Law (as the Civil Procedure Law was revised in 2017, the first paragraph of Article 258 mentioned here refers to the first paragraph of Article 274 of the current Civil Procedure Law), after review and verification by a collegiate bench formed by the people’s court, a ruling to refuse the enforcement shall be rendered.</p>
<p>Article 72 If a party applies for enforcement of a legally effective arbitral award rendered by a foreign-related arbitration commission and if the party against whom the enforcement is sought, or such party's property, is not within the territory of the People’s Republic of China, the party shall directly apply to a competent foreign court for the recognition and enforcement.</p>	
<p>Article 73 Foreign-related arbitration rules may be formulated by the China Chamber of International Commerce in accordance with this Law and the relevant provisions of the Civil Procedure Law.</p>	<p>Article 73 Foreign-related arbitration rules may be formulated by the China Chamber of International Commerce in accordance with this Law and the relevant provisions of the Civil Procedure Law.</p>

	<p><u>Article 89 Chinese or foreign professionals with expertise in foreign-related law, arbitration, economics and trade, science and technology may serve as arbitrators in foreign-related arbitration.</u></p>
	<p><u>Article 90 The validity of foreign-related arbitration agreement shall be determined in accordance with the applicable law agreed upon by the parties. If the parties have not agreed on the applicable law governing the foreign-related arbitration agreement, the law of the seat of arbitration shall apply. If there is no agreement on the applicable law or the seat of arbitration or if the agreement is unclear, the people’s court may apply the law of the People’s Republic of China to determine the validity of the arbitration agreement.</u></p>
	<p><u>Article 91 The parties to a commercial dispute involving foreign-related elements may agree on arbitration by an arbitral institution or directly agree on arbitration by an <i>ad hoc</i> arbitral tribunal.</u></p> <p><u>Arbitral proceedings before an <i>ad hoc</i> arbitral tribunal shall commence on the date on which the application for arbitration has been received by the respondent.</u></p> <p><u>Where the parties have not agreed on the seat of arbitration or their agreement is unclear, the arbitral tribunal shall determine the seat of arbitration in accordance with the circumstances of the case.</u></p>
	<p><u>Article 92 Where a case is arbitrated by an <i>ad hoc</i> arbitral tribunal, if the arbitral tribunal cannot be constituted in a timely manner or it is necessary to decide on the issue of a challenge, the parties may agree to entrust an arbitral institution to assist in constituting the arbitral tribunal and to decide on the issue of the challenge. If the parties are unable to reach the entrustment agreement, the intermediate people’s court at the seat of</u></p>

	<p><u>arbitration, or at the place where the parties locate or at the place where there is a close connection with the dispute shall designate an arbitration institution to render the assistance.</u></p> <p><u>When designating the arbitral institution and determining the choice of arbitrators, considerations shall be given to the conditions of the arbitrators agreed upon by the parties, as well as the nationality of arbitrators, and the seat of arbitration and other factors that ensure independence, impartiality and efficiency of the arbitration proceeding.</u></p> <p><u>The ruling on the designation made by the people’s court shall be final.</u></p>
	<p><u>Article 93 Where a case is arbitrated by an <i>ad hoc</i> arbitral tribunal, the arbitral award shall take effect upon signature of the arbitrators.</u></p> <p><u>The arbitrator who disagrees with arbitral award may decide not to sign on the arbitral award, but shall submit his dissenting opinion in writing and serve it upon the parties. The dissenting opinion shall not form a part of the arbitral award.</u></p> <p><u>The arbitral tribunal shall deliver the arbitral award to the parties, and submit the record of service and the original arbitral award to the intermediate people’s court at the seat of arbitration for record filling within thirty days of the date of service.</u></p>
<p>Chapter VIII Supplementary Provisions</p>	<p>Chapter VIII Supplementary Provisions</p>
<p>Article 74 If provisions of law have stipulated a time period for arbitration, such provisions shall apply. If provisions of law have not stipulated a time period for arbitration, the provisions on statute of limitation shall apply.</p>	<p>Article 94 74 If provisions of law have stipulated a time period for arbitration, such provisions shall apply. If provisions of law have not stipulated a time period for arbitration, the provisions on statute of limitation shall apply.</p>

<p>Article 75 Prior to the formulation of arbitration rules by the China Arbitration Association, arbitration commissions may formulate provisional arbitration rules in accordance with this Law and the relevant provisions of the Civil Procedure Law.</p>	<p>Article 75 Prior to the formulation of arbitration rules by the China Arbitration Association, arbitration commissions may formulate provisional arbitration rules in accordance with this Law and the relevant provisions of the Civil Procedure Law.</p> <p><u>Article 95</u> Arbitration rules shall be formulated in accordance with this Law.</p>
<p>Article 76 The parties shall pay arbitration fees pursuant to the relevant regulation.</p> <p>The regulation on arbitration fees shall be submitted to the price regulation authorities for review and approval.</p>	<p>Article 96 76 The parties shall pay arbitration fees pursuant to the relevant regulation.</p> <p>The regulation on arbitration fees shall be submitted to the price regulation authorities for review and approval <u>be jointly formulated by the price supervision department under the State Council and the judicial administrative department of the State Council.</u></p>
<p>Article 77 The provisions on arbitration of labor disputes, and arbitration of rural contracting disputes arising within the agricultural collective economic organizations, shall be stipulated in other documents.</p>	<p>Article 97 77 The provisions on arbitration of labor disputes, and arbitration of rural contracting disputes arising within the agricultural collective economic organizations, shall be stipulated in other documents.</p>
<p>Article 78 If a provision on arbitration promulgated before the implementation of this Law conflicts with a provision of this Law, the provision of this Law shall prevail.</p>	<p>Article 98 78 If a provision on arbitration promulgated before the implementation of this Law conflicts with a provision of this Law, the provision of this Law shall prevail.</p>
<p>Article 79 Arbitration institutions established prior to the implementation of this Law in the municipalities directly under the Central Government, in the municipalities where the people's governments of provinces or autonomous regions are located, and in other cities with subordinate districts shall be reorganized in accordance with this Law. Those that have not been reorganized shall be terminated upon the end of one year from the date of the implementation of this Law.</p>	<p>Article 79 Arbitration institutions established prior to the implementation of this Law in the municipalities directly under the Central Government, in the municipalities where the people's governments of provinces or autonomous regions are located, and in other cities with subordinate districts shall be reorganized in accordance with this Law. Those that have not been reorganized shall be terminated upon the end of one year from the date of the implementation of this Law.</p>

<p>Other arbitration institutions which were established prior to the implementation of this Law and do not comply with the provisions of this Law shall be terminated on the date of the implementation of this Law.</p>	<p>Other arbitration institutions which were established prior to the implementation of this Law and do not comply with the provisions of this Law shall be terminated on the date of the implementation of this Law.</p>
<p>Article 80 This Law shall come into effect as of 1 September 1995.</p>	<p>Article <u>99</u> 80 This Law shall come into effect as of September 1 <u>[date/month/year]</u> 1995.</p>

