



Model Arbitration Clause

For an arbitration to take place, the disputing parties must reach an agreement in writing to submit their dispute to arbitration. This agreement may be made by incorporating an arbitration clause into the commercial contract or may be concluded after a dispute arises. The CIETAC recommends the following model arbitration clause to both Chinese and foreign clients:

"Any dispute arising from or in connection with this Contract shall be submitted to the China International Economic and Trade Arbitration Commission for arbitration which shall be conducted in accordance with the Commission's arbitration rules in effect at the time of applying for arbitration. The arbitral award is final and binding upon both parties."

The parties may also stipulate the following matters in the arbitration clause:

- the place of arbitration and/or hearing;
- the language of arbitration;
- the number of arbitrators;
- the nationality of arbitrators;
- the method of selection of arbitrators;
- the applicable law of the contract; and/or
- the application of general procedure or summary procedure.

[CLICK HERE](#) to see more details on CIETAC website.