



## Saudi Arabia

### Saudi Center for Commercial Arbitration reveals new Arbitration Rules

On 1 May 2023, the Saudi Centre for Commercial Arbitration (“SCCA”) announced the publication of its new SCCA Arbitration Rules, the modernity and sophistication of which is unsurprising, given the institution’s intention to become the preferred arbitral institution in the region by 2030.

The 2023 SCCA Arbitration Rules introduced some key updates to existing provisions along with a number of new provisions. Some of the most noteworthy changes include :

- **The introduction of a new SCCA Court**, consisting of 15 renowned international arbitration practitioners and academics, from 12 different countries. Similarly to the courts of other reputable international institutions, the SCCA Court will be in charge of making key administrative decisions vis-à-vis arbitrations conducted under the SCCA Rules ;
- **The removal of a reference to Sharia law** as a law applicable to all SCCA arbitrations, irrespective of the applicable law chosen by the parties. This concretely means that a tribunal sitting under the SCCA Rules will now simply - and unconditionally - have to apply the substantive law chosen by the parties, or, if no such law has been chosen, the law that the tribunal determines most appropriate ;
- **The introduction of a procedure for the early disposition of claims and defences**, a form of summary judgment in which the Arbitral Tribunal can expeditiously decide issues pertaining to jurisdiction, admissibility of evidence or even the merits of a claim, which, if requested by a party and allowed by an Arbitral Tribunal, shall be determined within 30 days. Notably, an Arbitral Tribunal is allowed to strike out a claim based on an allegation of fact or law material to the outcome of the case that is manifestly without merit. It is also allowed to dismiss a claim where, assuming the facts advanced by a party are true, no award could be made in that party’s favour.
- **The introduction of an obligation for a party to disclose the identity of its third-party funder, if any.**

The 2023 SCCA Arbitration Rules can be found on the following link : [Arbitration\\_Rules\\_2023\\_En.pdf\(sadr.org\)](#).

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