

## The LCIA Rules and perspectives

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## 1. Articles 26.2 and 26.7 of the LCIA Rules

- ◆ 26.2 The Arbitral Tribunal shall make any award in writing and, unless all parties agree in writing otherwise, shall state the reasons upon which such award is based. The award shall also state the date when the award is made and the seat of the arbitration; and it shall be signed by the Arbitral Tribunal or those of its members assenting to it. Unless the parties agree otherwise, or the Arbitral Tribunal or LCIA Court directs otherwise, **any award may be signed electronically** and/or in counterparts and assembled into a single instrument.
- ◆ 26.7 The sole or presiding arbitrator shall be responsible for delivering the award to the LCIA Court, which shall transmit to the parties the award authenticated by the Registrar as an LCIA award, provided that all Arbitration Costs have been paid in full to the LCIA in accordance with Articles 24 and 28. **Such transmission may be made by any electronic means**, and (if so requested by any party or if transmission by electronic means to a party is not possible) in paper form. In the event of any disparity between electronic and paper forms, **the electronic form shall prevail**.

## 2. LCIA Guidance Note



304. Alongside making electronic communications the default method of communication, the LCIA Rules 2020 also provide that any award may be signed electronically and/or in counterparts and assembled into a single instrument, unless the parties agree otherwise or the Arbitral Tribunal or LCIA Court directs otherwise. The Arbitral Tribunal is encouraged to ask the parties before issuing the award whether there are any particular requirements under the applicable law(s) or for enforcement in a particular jurisdiction, including whether the parties require certified copies of the award, or an award with wet signatures.

305. The sole or presiding arbitrator should deliver to the LCIA a soft copy of the award for onward transmission to the parties by the LCIA, in accordance with Article 26.7. The primary method of transmission of the award is by email. For arbitrations being administered pursuant to the LCIA Rules 2020, hard copies are not required unless requested by a party or if transmission by electronic means to a party is not possible. For arbitrations being administered pursuant to the LCIA Rules 2014, the LCIA will send a certified copy of the award to the parties, in addition to the electronic copy, unless a party advises the LCIA that it does not require a certified copy.

306. Unless requested, the LCIA will not provide any hard copies of the award to the Arbitral Tribunal.

307. The LCIA can provide additional certified copies of an award to parties for enforcement, after an award has been issued to the parties, and any requests should be made to [casework@lcia.org](mailto:casework@lcia.org).

### 3. LCIA practice and statistics

- Pursuant to 2014 Rules, standard practice was to send certified copies, in addition to courtesy electronic copy, because paper copy prevailed
- Pursuant to 2020 Rules, the LCIA primary method of transmission of awards is by email (100%)
- Hard copies with wet signatures are only sent, in addition to electronic copy, if the parties request so and pay for the service (guest estimate is less than 5% of cases)
- Picture of the signature is the preferred electronic method