

SCIA

# SCIA' s Practice and Experience on Electronic Notices of Arbitration

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SCIA

08/11/2023

Notice by Secretariat

SCIA Arbitration Rules

Art. 6(2):

Unless otherwise agreed by the parties, all written documents, notices and materials in relation to the arbitration proceedings may be delivered in person or sent by mail, facsimile, electronic mail, or any other means of electronic data interchange that can provide a record of delivery, or by any other means the SCIA considers appropriate.

送达给 To	内容摘要 Item	送达时间 Date	状态 Status
申请人 Claimant	受理通知书, 仲裁规则, 仲裁员名册, 缴费指引, 选定仲裁员指引	[Redacted]	送达成功 Succeed
被申请人 Respondent	仲裁通知书, 仲裁规则, 仲裁员名册, 仲裁申请书, 证据材料, 选定仲裁员指引	[Redacted]	送达成功
申请人	仲裁庭组成通知书	[Redacted]	送达成功
被申请人	仲裁庭组成通知书	[Redacted]	送达成功
申请人	裁决书	[Redacted]	送达成功
被申请人	裁决书	[Redacted]	送达成功
申请人	仲裁裁决发生法律效力证明书	[Redacted]	送达成功

Notice by Parties

SCIA Arbitration Rules

Art. 6(5):

Unless otherwise agreed by the parties, the SCIA or the arbitral tribunal may permit a party to directly send arbitral documents and evidentiary materials to the other party at the same time as the submission thereof to the SCIA or the arbitral tribunal, or to send them directly to the online arbitration platform of the SCIA, and then submit the record of delivery to the SCIA. The time of delivery will be determined by the SCIA or the arbitral tribunal according to the record of delivery.

提交到仲裁院 Submission to SCIA

根据《仲裁规则》第六条第(五)款, 您可以同时发送给其他当事人。  
You may send to other parties according to Art.6 (5) of SCIA Rules at the same time

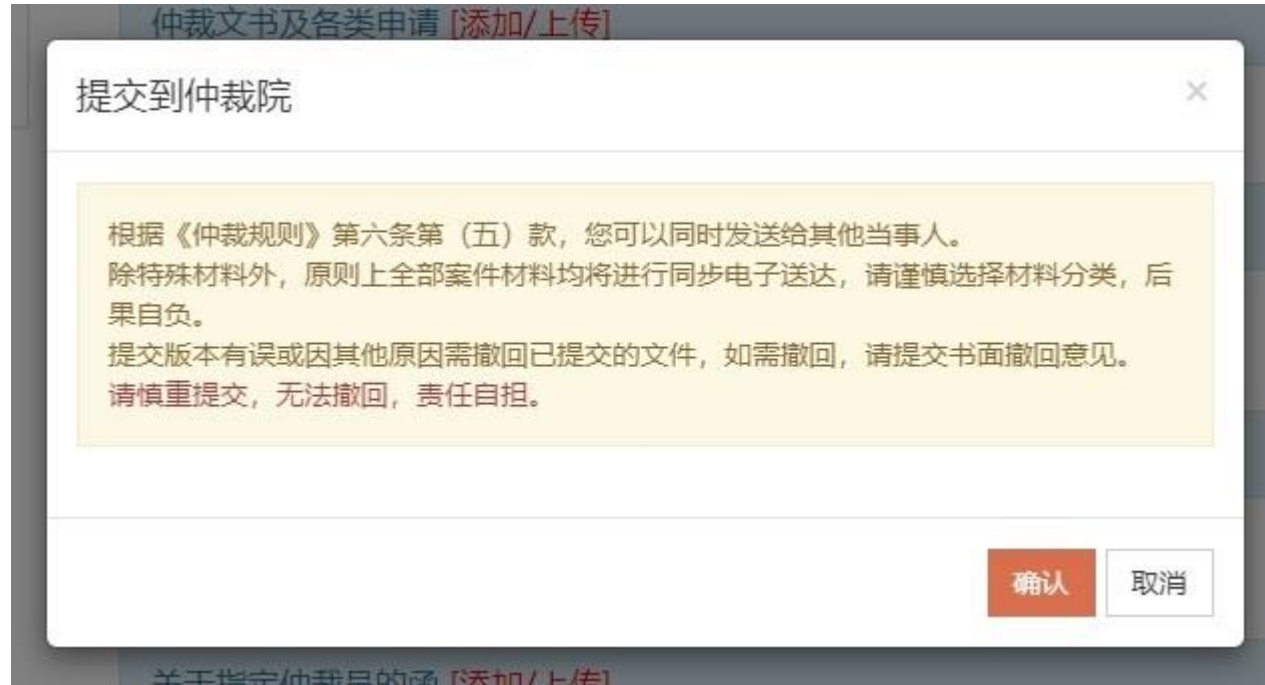
同时发送给其他当事人  
Sending to other parties

[确认] [取消]

在线存储系统设置

启用相互送达\*  On Activate notice by parties

[保存] [返回]



You may send to other parties at the same time according to Art.6 (5) of SCIA Rules.

All documents and materials will be served electronically at the same time in principal except for some specific materials. Please carefully check and classify your documents to be submitted at your own risk.

You are required to submit a written application to withdraw any documents already submitted.

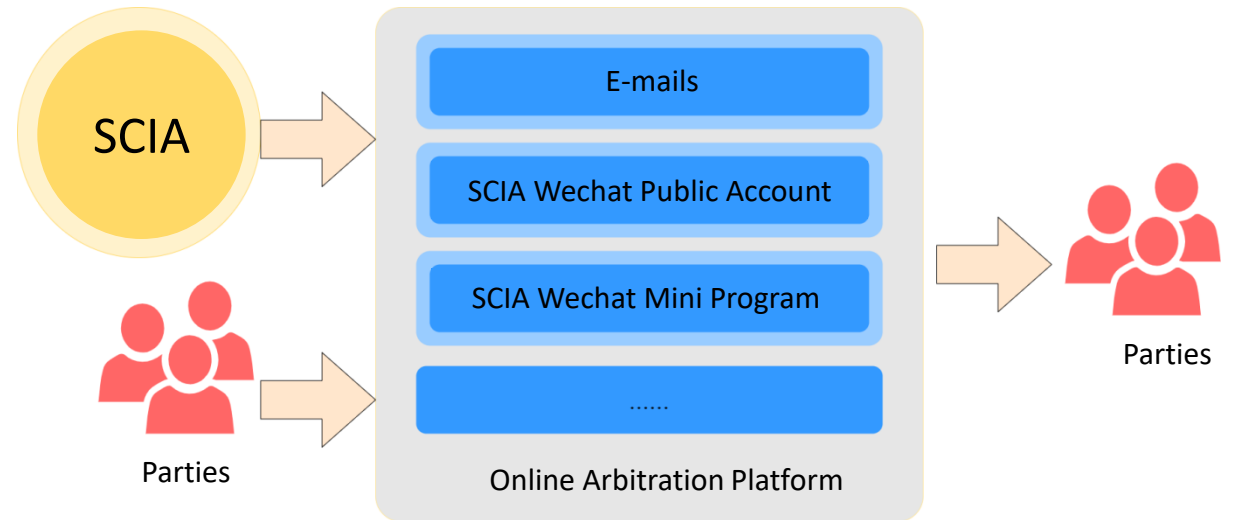
The submission can not be recalled. Please carefully confirm to submit at your own risk.

## Confirmation by parties

# SCIA Electronic Notices

Online Arbitration Platform will serve the electronic document instantly by multiple means upon the submission

Contents and the time of E-Notices will be recorded in the Online Arbitration Platform, and available for parties and Arbitrators.



## Advantages

Cost saving and Efficient

All Process Record Tracking

Guiding parties to participate in good faith

## Practices

To Claimants

To Respondent

- Respondent aboard
- Respondent in default of absence

# SCIA Judicial Supervision of Chinese Courts on E-Notices

Case No.	Court	Arbitral Institution	Ruling	Briefing
(2022) 辽06执304号	Dandong Intermediate People's Court, Liaoning Province	Lishui Arbitration Commission	Refuse to enforce	.....As per the agreement between parties, the Institution only sent the topics of documents and access links where parties are required to log into the website to acquire detailed documents. Such agreement limited the fundamental rights of the Respondent. Also the E-notices records can not guarantee Respondent's certain knowing, understanding and knowledge of contents. Therefore, the Institution failed to safeguard the parties' fundamental rights which constitutes a severe violation of legal procedure.....
(2019) 吉07执70号	Songyuan Intermediate People's Court, Jilin Province	Chengdu Arbitration Commission	Refuse to enforce	.....The Institution served exhibits and documents to Respondent's e-mail address provided by Claimant and rendered an award by internet arbitration without hearing. Such process lacked the safeguard for parties' fundamental rights under Civil Procedure Law and Arbitration Law, violating legal procedures.....
(2019) 内01执87号	Hohhot Intermediate People's Court, Inner Mongolia Autonomous Region	Guangzhou Arbitration Commission	Refuse to enforce	.....The Institution should have confirmed if any Respondent's contact information and address have changed upon accepting of claims. The Institution directly serve the arbitration notice electronically to the e-mail address provided by the debtor when signing the contract, which can not sufficiently safeguard the Respondent's fundamental rights provided by laws.....

# SCIA Judicial Supervision of Chinese Courts on E-Notices

Case No.	Court	Arbitral Institution	Ruling	Briefing
〔2006〕民四他字第34号	Supreme People's Court	Ad hoc arbitration	Refuse to enforce	.....Claimant served documents via a third party by e-mails according to provisions under Arbitration Act 1996 of UK. Such means of notice are not precluded by Chinese law and should be deemed valid provided the Claimant could prove the Respondent has been properly noticed, however Claimant failed to provide evidence to prove that Respondent has received e-mails. Tianjin Maritime Court should refuse to enforce such award according to Art.5(1)(b) of New York Convention.



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# Thanks

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