

SINGAPORE LAW SOCIETY
CODE OF CONDUCT FOR ARBITRATORS

INTRODUCTION

This Code of Conduct provides guidelines for the observance of the high ethical standards expected of members of the Law Society who act as arbitrators. It applies to arbitration proceedings conducted under the Arbitration Rules of the Law Society.

The Code is drafted and should be read in the spirit of preserving the fairness and integrity of the arbitral process. It does not purport to furnish any new grounds for challenge to the tribunal or the award, nor does it relieve an arbitrator from any of his duties under the applicable curial law or arbitral rules.

ACCEPTANCE OF APPOINTMENT

1. An arbitrator shall accept an appointment only if fully satisfied that he is:
 - a. Independent of each of the parties and can serve impartially;
 - b. Competent to serve as arbitrator and determine the matter in dispute; and
 - c. Able to give the arbitration the time and attention which the parties are reasonably entitled to expect.

FAIRNESS AND IMPARTIALITY

2. An arbitrator has an overriding and continuing duty to act fairly and impartially throughout all stages of the arbitration.
3. When approached for a possible appointment, the arbitrator shall make reasonable enquiries to satisfy himself on the identities of the parties, their representatives and the subject matter of the dispute.
4. An arbitrator has an ongoing duty to disclose:
 - a. Any interest or relationship, whether business, professional or personal, with any party, representative of the party or potential witness, that might give rise to a reasonable perception of partiality or bias;
 - b. The extent of any prior knowledge he may have of the dispute; and
 - c. Any other circumstances likely to give rise to justifiable doubts as to his impartiality or independence.
6. An arbitrator shall not permit outside pressure, fear of criticism or any form of self-interest to affect his decision. He shall not, after his appointment and while serving as arbitrator, enter into any relationship or acquire any interest, gift or benefit that might give rise to justifiable doubts as to his impartiality or independence. This prohibition

extends to a reasonable period after the rendering of an award, to avoid circumstances that might reasonably create the impression that the award was influenced by an anticipated relationship or benefit.

CONDUCT OF PROCEEDINGS

7. An arbitrator shall proceed diligently with the arbitration in a fair and efficient manner. The parties shall be treated with equality and each party shall be allowed a reasonable opportunity to present its case. At the same time, the arbitrator shall be mindful of the need to prevent delaying tactics, abuse or disruption of the arbitral process.

8. In communications, an arbitrator shall avoid impropriety or the appearance of impropriety. There shall be no private communications between the arbitrator and one party, its representative or witness, regarding substantive issues. Unless otherwise agreed, communications shall be in writing, save for communications at hearings or meetings.

CONFIDENTIALITY

9. An arbitrator is in a relationship of trust to the parties and shall not, at any time, use confidential information acquired during the arbitration proceedings to gain personal advantage or advantage for others, or to adversely affect the interest of another.

10. The arbitrator shall keep confidential all matters relating to the arbitration proceedings and decision, save where disclosure is permitted by law or agreement of the parties.

AWARD

11. An arbitrator shall carefully deliberate and decide all issues submitted for determination, and render his award in a timely fashion.

FEES AND EXPENSES

12. An arbitrator's fees and expenses must be reasonable taking into account all the circumstances of the case. An arbitrator shall disclose and explain the basis of fees and expenses to the parties.

PUBLICITY

13. An arbitrator may publicise his expertise and experience but shall not actively solicit appointment as arbitrator. An arbitrator who is an advocate and solicitor shall continue to observe the Legal Profession (Publicity) Rules.