

**FREQUENTLY ASKED QUESTIONS ON**  
**THE LAW SOCIETY OF SINGAPORE ARBITRATION SCHEME**

**1. What is the difference between arbitration under the LSAS and going to court to resolve my dispute?**

A: Arbitration is a private process where parties agree to resolve their disputes by referring them to an arbitrator for a decision. The main differences between the LSAS arbitration and litigation in court are:

- (a) Generally, court disputes are open to public scrutiny whereas arbitrations are private and confidential.
- (b) In arbitration, the parties have an opportunity to agree on their arbitrator whereas in court litigation, a Judge is appointed to the case.
- (c) The LSAS aims to be more cost effective for small disputes than litigation.
- (d) The LSAS aims to resolve disputes quicker than litigation.

**2. What is the difference between arbitration under the LSAS and arbitration through other arbitral institutes?**

A: Arbitral institutes actively administer arbitrations. Arbitral institutes typically require the filing of all documents in the arbitration, such as notices of arbitration, case statements and witness statements. The institutes manage the progress of the arbitration proceedings and are involved in the collection of deposits for costs as well as the issue of the award. Arbitral institutes normally charge a fee for these services that they render. The LSAS is structured to allow parties the freedom to arbitrate without the involvement of any arbitral organizations. Under the LSAS, the Law Society of Singapore only assists in the arbitration by appointing the tribunal if the parties cannot agree. The Law Society of Singapore will also offer facilities for the conduct of the arbitration, subject to availability. The administrative charges of the Society can be found on the Law Society's website [www.lawsociety.org.sg](http://www.lawsociety.org.sg) and at **Appendix A** in Part 5 of the LSAS Handbook.

**3. What type of disputes can the LSAS apply to?**

A: The LSAS can be applied to all kinds of civil disputes, although the streamlined procedure is designed to expedite resolution of less complex claims. Besides the traditional areas of arbitration such as construction and commercial disputes, the LSAS can be used to arbitrate disputes in the areas of employment, tenancy, renovation works, media, entertainment and travel amongst others.

**4. Can I refer my dispute to the LSAS if there is no LSAS arbitration clause in my contract?**

A: Yes, you can, provided that the party you are in dispute with also agrees to use the LawSoc Arbitration Rules. You and the opposing party need to sign an agreement to use the LawSoc Arbitration Rules to resolve the dispute at hand. This agreement can be entered into even after the dispute has arisen.

**5. Is there any monetary limit to a dispute before the LSAS can apply?**

A: No. There is no minimum or maximum dispute amount before the LSAS can apply.

**6. What are the advantages of using the LSAS?**

A: The simple procedure in the rules for arbitration makes it convenient for parties to submit themselves to the LSAS. Parties, having party autonomy, can choose their own arbitrators. The LSAS is designed for quick resolution of disputes between parties, thus saving costs. Also, the Law Society provides facilities for the conduct of the arbitration, subject to availability. The administrative charges of the Society can be found on the Law Society's website [www.lawsociety.org.sg](http://www.lawsociety.org.sg) and at **Appendix A** in Part 5 of the LSAS Handbook.

**7. What must I do to commence arbitration proceedings under the LSAS?**

A: You should comply with the terms in your arbitration agreement if the arbitration agreement provides for a procedure for the commencement of arbitration. If there are no terms governing the procedure for commencement of arbitration, you should consult your lawyer on the procedure to be followed. Typically this would involve the notification to the other party of your intention to submit your dispute to arbitration. A nominal fee will be payable to the Law Society on the filing of the notification of arbitration.

**8. Is there a panel of arbitrators of the LSAS?**

A: Yes, there is a panel of arbitrators of the LSAS. The panel is made up of experienced lawyers practicing in various areas of law. The list of the panel of arbitrators of the LSAS can be found on the Law Society's website [www.lawsociety.org.sg](http://www.lawsociety.org.sg).

**9. Are parties restricted to arbitrators from the LSAS panel of arbitrators for an arbitration under the LawSoc Arbitration Rules?**

A: No, parties are not restricted to appointing arbitrators only from the LSAS panel of arbitrators. Parties are free to agree on their own arbitrator, and still arbitrate under the LawSoc Arbitration Rules. However, if parties are unable to agree on the choice of arbitrator, an arbitrator will be appointed by the President of the Law Society from the LSAS panel of arbitrators. A nominal fee is payable to the Law Society on the request for appointment of the arbitrators.

**10. How does one become a member of the LSAS panel of arbitrators?**

A: The Law Society has a set of criteria for selection to the LSAS panel of arbitrators. For the criteria and application form, please contact:

Practice Concerns Department  
The Law Society of Singapore  
39 South Bridge Road  
Singapore 058673  
Tel: +65 6530 0233  
Fax: +65 6533 5700  
Email: Practice\_Concerns@lawsoc.org.sg

**11. Can non-Law Society members become members of the panel of arbitrators of the LSAS?**

A: Only members of the Law Society of Singapore will be considered for selection to the LSAS panel of arbitrators.

**12. Are decisions of an arbitrator under the LSAS binding on the parties?**

A: Yes, an award made by an arbitrator is binding on the parties.

**13. Is there a right of appeal from the decision of the arbitrator under the LSAS?**

A: The right of appeal is governed by the general arbitration laws of Singapore. For arbitration under the domestic regime, a party can appeal to the High Court against an award on points of law, with the agreement of all the other parties or with the permission of the Court, provided that there has not been an agreement by the parties to exclude appeals to the High Court. There is no right of appeal where the arbitration is under the international regime.

**14. How much will it cost to arbitrate under the LSAS?**

A: Arbitrators' fees are fixed according to a scale prescribed by the Law Society. The current LSAS Scale Fees can be found at Part 3 of this Handbook. For the latest LSAS Scale Fees, please refer to the Law Society's website at [www.lawsociety.org.sg](http://www.lawsociety.org.sg). It is advisable that parties agree with the arbitrator on the categorization of the dispute at the outset.

**15. Approximately how long will an arbitration take under the LSAS?**

A: Under the LSAS, parties can expect to have the arbitration heard and an award published in 120 days (subject to adjustments by the arbitrator) from the commencement of arbitration. Alternatively, parties who conduct the dispute on a "Documents-only" basis can expect to have the award published within a shorter period.