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New Year, New  
Rules: The SIAC  
Releases its 2025  
Rules with  
Innovations

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**LEGAL**  
**UPDATE**

# In this Update

The Singapore International Arbitration Centre (“SIAC”) 2025 Arbitration Rules will come into force on 1 January 2025. In this update, we highlight the key procedural mechanisms newly introduced in the Rules which clients and users of the SIAC will need to be aware of.

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## **INTRODUCTION**

On 1 January 2025, the Singapore International Arbitration Centre (“SIAC”) 2025 Arbitration Rules (“**2025 Rules**”) will come into force after extensive consultation with stakeholders. The 2025 Rules will automatically apply to all arbitrations commenced on or after 1 January 2025 unless the arbitration agreement provides otherwise.

The new rules introduce several significant changes designed to modernise and streamline the arbitration process, enhance efficiency, and ensure greater transparency — key priorities for businesses engaged in cross-border disputes. We set out some of the key changes that you need to be aware of.

## **ACCELERATED PROCEEDINGS**

The 2025 Rules introduce several procedural innovations to accelerate arbitration proceedings. These offer faster and more cost-effective solutions for parties seeking quicker resolutions.

### ***A. Streamlined Procedure***

Under Rule 13, the newly introduced Streamlined Procedure is designed to offer an even quicker and more cost-effective way to resolve disputes than the Expedited Procedure framework. The Streamlined Procedure applies only to disputes not exceeding SGD 1 million, or where parties have agreed to it before the constitution of the Tribunal.

Under the Streamlined Procedure, disputes are heard by a sole arbitrator and the final award must be issued within 3 months of the Tribunal’s constitution. Unless the Tribunal decides otherwise, the arbitration will be conducted based on written submissions and documentary evidence only, without any witness evidence or document production. Arbitrations under the Streamlined Procedure are run on a significantly tighter schedule – for instance, the first case management conference with the parties must be held within 5 days from the constitution of the Tribunal. These processes are expected to reduce both time and costs significantly.

The fees for both the Tribunal and SIAC will also be capped at 50% of the maximum limits under the applicable Schedule of Fees, further lowering the costs for the parties. Notably, the Streamlined Procedure does not provide a cap on the amount of recoverable legal costs.

The Streamlined Procedure is expected to provide parties with a compelling solution to resolving low-value, low-complexity claims, where traditional arbitration might have been considered too expensive or time-consuming in matters where speed is critical. Importantly, parties can still opt out of the procedure by mutual agreement.

### ***B. Increase in the threshold for Expedited Procedure***

The 2025 Rules have increased the monetary threshold for the Expedited Procedure from SGD 6 million to SGD 10 million. The SGD 10 million threshold is one of the highest quantum thresholds for the application of an expedited procedure amongst institutions, allowing for more disputes to fall under the accelerated procedure.

Further, parties may now request for the Expedited Procedure to apply so long as “*the circumstances of the case warrant*”, which appears to be a relaxation of the previous requirement of “*exceptional urgency*” under the 2016 Rules.

### ***C. Emergency Arbitrators can grant ex parte relief in the form of Protective Preliminary Orders***

The scope of Emergency Arbitration has been expanded. The 2025 Rules introduce significant changes to the Emergency Arbitrator procedure, streamlining access to urgent interim relief, especially in situations where immediate action is required before the formal constitution of a tribunal.

Parties will be able to apply for emergency interim relief before filing a Notice of Arbitration, which must then be submitted within seven days of the Emergency Arbitrator application. This is a departure from the previous Rules, where a party seeking emergency relief was required to submit the application for emergency relief concurrent with, or only after the filing of a Notice of Arbitration.

The 2025 Rules also allow the Emergency Arbitrator to issue Protective Preliminary Orders (“**PPOs**”) which are interim measures designed to prevent a party from undermining emergency relief. PPOs can now be granted *ex parte*, enabling urgent relief, such as asset preservation or preventing evidence destruction, to be secured without the risk of pre-emptive action from the other side. Once an Emergency Arbitrator is appointed, he must decide on the PPO application within 24 hours. If granted, the applicant must provide the PPO and all relevant documents to the other parties within 12 hours, ensuring the respondent has an opportunity to object at the earliest stage.

These changes significantly enhance the effectiveness of the emergency arbitration procedure, making (emergency) arbitration a more responsive and attractive option. This is expected to expedite the process of obtaining emergency relief and reduce associated legal costs.

### ***D. Preliminary determination***

A Preliminary Determination procedure (Rule 46) now complements the existing Early Dismissal procedure (Rule 47), allowing Tribunals to make a final and binding determination on specific issues at an early stage of the arbitration process. This procedure will be available if the parties agree or the applicant demonstrates that such a determination is “*likely to contribute*”

to time and cost savings, as well as the more efficient resolution of the dispute.

The introduction of the Preliminary Determination provides a clear framework for the Tribunal to make preliminary determinations, which should encourage Tribunals to make use of it to improve the efficiency of proceedings where appropriate. This is a welcome change, especially where a commercial dispute turns on a threshold issue that could potentially be determinative of the entire dispute – for example, a question on the interpretation of a particular contractual clause or a question of whether a settlement agreement has been reached.

## **INCREASED EFFICIENCY IN ARBITRAL PROCEEDINGS**

The 2025 Rules will further enhance arbitration efficiency by introducing the Coordinated Proceedings mechanism, allowing tribunals to streamline related arbitrations and reduce fragmentation. This is complemented by new provisions for administrative conferences, early jurisdictional determinations, and mandatory issue identification, ensuring a smoother, faster process for complex disputes.

### ***E. Coordinated proceedings***

The Coordinated Proceedings mechanism (Rule 17) will allow tribunals to coordinate the proceedings of separate but related arbitrations, improving efficiency and reducing the risks associated with fragmentation of disputes through multiple arbitrations. Where the same tribunal is appointed in two or more arbitrations, and a common question of law or fact arises, a party to the arbitrations may apply for Coordinated Proceedings. The Tribunal has several options to manage the proceedings:

- i. **Concurrent or sequential hearings:** The Tribunal can decide whether the arbitrations should be conducted at the same time or in sequence.
- ii. **Hearing the cases together:** The Tribunal can opt to hear the arbitrations together, aligning procedural aspects to streamline the process.
- iii. **Suspension of one arbitration:** The Tribunal may suspend one arbitration until a key issue in another arbitration is resolved.

Importantly, the difference between Coordinated Proceedings and consolidation is that in Coordinated Proceedings, each arbitration remains a separate proceeding by default and that unless otherwise agreed by parties, the Tribunal shall continue to issue separate decisions, rulings, orders, and awards in each arbitration.

The Coordinated Proceedings mechanism will be particularly beneficial in cases involving standard form agreements or projects with interconnected contracts and when consolidation and joinder are not possible. This mechanism aligns SIAC's rules with those of other leading arbitral institutions, providing greater flexibility for parties dealing with complex, multi-arbitration scenarios.

#### ***F. Administrative Conferences***

The 2025 Rules introduce the concept of an Administrative Conference (Rule 11), which enables the SIAC Registrar to conduct and discuss any procedural or administrative directions prior to the constitution of the Tribunal.

This addition allows the SIAC Registrar to deal with any interim procedural or administrative issues pending the constitution of the Tribunal, especially where there are complexities around the appointment of the Tribunal. This express power will allow various pre-constitution applications, as well as issues related to the commencement of the arbitration or constitution of the Tribunal, to be handled swiftly and without superfluous written submission.

#### ***G. Identification of issues for determination***

Rule 34 now requires the Tribunal to consult with the parties at the appropriate stage and use reasonable efforts to identify the issues to be determined in the arbitration, to be recorded in a procedural order. While in practice, many tribunals already require parties to submit a list of issues in dispute following the submission of pleadings or memorials, the express inclusion of Rule 34 will promote better case management in cases administered by the SIAC.

## **THIRD PARTY FUNDING**

Rule 38 now requires parties to disclose the existence of any third-party funding agreement, as well as the identity and contact details of the funder, in their Notice of Arbitration or Response or as soon as practicable after entering into such an agreement. The Tribunal will also have the authority to order further disclosure regarding the third-party funding agreement (including details of the funder's interest in the outcome of the proceedings and any commitment to undertake adverse costs liability), and is empowered to take appropriate measures to deal with a party's non-compliance with its disclosure obligations under this rule.

Further, once the Tribunal has been constituted, Rule 38.3 prohibits parties from entering into a third-party funding agreement which may give rise to a conflict of interest with any member of the Tribunal. This aims to safeguard the integrity of the proceedings and prevent potential bias or impartiality issues.

The new rules formalise guidance previously provided in SIAC's Practice Note on Cases Involving External Funding, and reflect the growing role of third-party funding in international arbitration. Parties involved in third-party-funded arbitrations must familiarise themselves with these new requirements and ensure compliance from the outset.

## **OTHER KEY CHANGES**

Other notable changes in the 2025 Rules include:

- **Scrutiny of Award:** Within 30 days of the last oral or written submission, Tribunals must now provide parties with an estimate of when a draft award will be submitted to the SIAC Secretariat for scrutiny. The Tribunal will generally be required to submit the draft award to the SIAC Secretariat no later than 90 days from the date of the last submission, unless the Registrar determines otherwise.
- **Security for Claims:** Apart from the power to order security for costs against a party asserting a claim, counterclaim or cross-claim, Rule 49.1 now makes clear that the Tribunal also has power to order security against any party responding to a claim, counterclaim or cross-claim.
- **Information Security:** As part of the push for greater data protection, the 2025 Rules also contain provisions for safeguarding the security of information shared, stored, or processed in relation to the arbitration.

## **COMMENTARY**

The SIAC is one of the leading arbitral institutions globally and it continually seeks to reinvent itself. The 2025 SIAC Rules introduce new procedural mechanisms, streamlining the arbitral process and enhancing flexibility, efficiency and transparency. These changes are welcomed as they empower the parties and the Tribunal to tailor the arbitral process in a manner that is appropriate to their individual case, and should prove attractive to parties moving forward.

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