



NAI arbitration agreement

Arbitration requires an agreement. Such an agreement may consist of a clause in an agreement stipulating that any future disputes will be submitted to arbitration (the arbitration clause). For existing disputes, an arbitration agreement is concluded in the form of a submission agreement.

Arbitration in accordance with the NAI Arbitration Rules (**Rules**) also requires that the parties have agreed to the applicability of these Rules.



Request for summary arbitration

Summary arbitral proceedings are commenced by submitting a request to the NAI. A request must contain certain particulars, *inter alia*, a description of the grounds of the claims and the grounds on which the urgent interest is based.

Claimant shall immediately bring a copy of the request to the attention of every respondent.

Claimant owes NAI administration costs based on the monetary interest of the claims.



Appointment of the arbitrator in summary proceedings

As soon as possible, often within 24 hours, the NAI shall appoint the arbitrator in summary proceedings. The arbitrator accepts the appointment and confirms to be impartial and independent.



Determination of date of the hearing and procedural order

The arbitrator shall determine the date, time and place of the hearing and shall immediately communicate this information to the parties. Normally, the hearing shall take place within two weeks after the appointment of the arbitrator.



Statement of defense and/or counterclaim

Statements shall only be presented if the arbitral tribunal so determines, however, a respondent may always present a counterclaim or an objection to the jurisdiction of the arbitrator.



Hearing

Then a (virtual) hearing is held, in which the parties and/or their counsel may each further set out their arguments.



Cost submissions

The parties may be allowed to make costs submissions (including a response to the costs submitted by the other party) to allow the arbitrator to order the unsuccessful party to pay the other party's reasonable compensation for legal assistance.



Arbitral award

After the review of a draft award on formal requirements by the NAI, the award is signed by the arbitrator and sent to the parties. Normally, the award is rendered within two weeks after the hearing.

The majority of NAI arbitral awards are complied with voluntarily. However, arbitral awards are worldwide enforceable through the New York Convention (with 172 contracting states). For enforcing arbitral awards made in the Netherlands, a fast enforcement procedure is available.