

Rule 4: Response to the Request for Arbitration

(1) The Respondent shall send to the Claimant and to the BIAC a Response to the Request for Arbitration within 30 days of the receipt of the Request for Arbitration from the BIAC, or within such period as may be specified by the BIAC.

(2) The Response shall contain:

(a) a brief response to the claim, the relief claimed and, if applicable, the amount of the claim;

(b) a brief statement in relation to any counterclaim, specifying the relief claimed and, where possible, the amount of the counterclaim;

(c) unless the parties have agreed otherwise, the nomination of an arbitrator if the arbitration agreement provides for more than one arbitrator or, if the arbitration agreement provides for a sole arbitrator, agreement with Claimant's proposal for a sole arbitrator or a counterproposal, or proposal for number of arbitrators if the agreement is silent;

(d) the payment of the requisite Registration Fee for any counterclaim as stated in Schedule I/Schedule II.

(3) The Secretary General may grant the Respondent an extension of the time for filing the Response, provided the application for such an extension contains the Respondent's comments concerning the number of arbitrators and their choice and, where required by Rules 6, 7 and 8, the nomination of an arbitrator. If the Respondent fails to do so, the Arbitration Committee shall proceed in accordance with these Rules.

(4) Any counterclaim(s) made by the Respondent shall be filed with its Answer and shall provide:

(a) a description of the nature and circumstances of the dispute giving rise to the counterclaim(s); and,

(b) a statement of the relief sought, including, to the extent possible, an indication of any amount(s) counterclaimed.

(5) The Claimant shall file a reply to any counterclaim within 30 days from the date of receipt of the counterclaim(s) communicated by the Secretariat. The Secretary General may grant the Claimant an extension of time for filing the Reply.