

Rule 12: Statement of Claim and Statement of Defense

- (1) Within 30 days of the constitution of the Arbitration Tribunal, the claimant shall send to the BIAC, the Arbitration Tribunal and to the Respondent a statement of claim clearly stating all relevant facts supporting the claim, the points at issue, related legal arguments and the relief and/or remedy sought.
- (2) The Respondent shall, within 30 days following receipt of the statement of claim, send to the BIAC, the Arbitration Tribunal and the Claimant a statement of defence setting out all relevant facts in respect of the defence, any counterclaim, related legal arguments, the points at issue and the relief and/or remedy sought.
- (3) Within 14 days of the receipt of the statement of defence and counterclaim, the claimant shall send to the BIAC, the Arbitration Tribunal and the Respondent a rejoinder to the statement of defence and a statement of defence to the counterclaim, if any.
- (4) Within 14 days of the receipt of the statement of defence to the counterclaim, the Respondent shall send to the BIAC, the Arbitration Tribunal and the Claimant the rejoinder to the said statement.
- (5) The parties shall submit with their written statements, copies of all supporting documents upon which they intend to rely.
- (6) A party may amend or supplement statements of claim, counterclaim or defence during the course of the arbitral proceedings with the permission from the Arbitration Tribunal.
- (7) If the Claimant fails within the time specified to submit its statement of claim, the Arbitration Tribunal may issue an order for the termination of the proceedings and/or give such other orders as it may consider appropriate.
- (8) If the Respondent fails to submit a statement of defence, or if at any point any party fails to avail itself of the opportunity to present its case in the manner directed by the Arbitration Tribunal, the Arbitration Tribunal may proceed with the arbitration.
- (9) If the Arbitration Tribunal deems it necessary, it may extend the periods or time limits referred to above, keeping in view that the arbitration process should be concluded expeditiously.