

Module 1 – International Arbitration Law, Practice & Procedure

Course Application Form - 2020



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Kenya Branch

About the Course

The Chartered Institute of Arbitrators Kenya Branch has organized the above Module span over four months with two, one-day tutorials to be held online on:-

Tutorial 1 – 8th October, 2021

Tutorial 2 – 29th October, 2021

Tutorial 3 – 3rd November, 2021

This course is designed to give you a detailed knowledge and understanding of the Law underpinning arbitration, procedural elements of international arbitration and general Practice of Arbitration to enable you understand and participate in such proceedings. The course focuses on legal principles, process, practice and procedure in international arbitration. The course will take the form of three (3) Tutorials (lectures & discussions). It is based on the content of a Workbook which will be collected after finalizing with the application process in advance.

This Course is for you if:

- You are at the moment classified as an “Associate Member”.
- You are one wishing to understand this topic generally, for example as a party, party representative or witness.
- You wish to improve knowledge of Arbitration especially in the field of International dispute resolution and the applicable Law & Practice even if you will not participate at the exam.
- The course is a must for those who would like to progress to “Member” level and eventually attain qualification as a Fellow of CI Arb.

What are the learning outcomes?

On successful completion of this course candidates will be able to:

- ∞ Define what is meant by the term ‘international arbitration’.
- ∞ Identify, explain and apply the legal procedural principles, rules and agreements relevant to the conduct of a international arbitration:
- ∞ The legal framework, including limitations of matters that may be legally arbitrated;
- ∞ The contractual nature of the appointment of an arbitrator;
- ∞ The range and limitations of an arbitrator’s powers and jurisdiction;
- ∞ The rights, duties and responsibilities of a party to an arbitration;
- ∞ The methods of initiating and processing an arbitration;
- ∞ The relevance of the court regarding all stages in an arbitration;
- ∞ The requirements of an enforceable award.
- ∞ Evaluate and apply the principles and legal requirements of a international arbitration.
- ∞ Evaluate issues and apply the law of international arbitration appropriately.
- ∞ Demonstrate practical skill in carrying out the tasks required in preparing for and progressing a international arbitration.
- ∞ Demonstrate skill in controlling a international arbitration, communicating effectively with the parties, applying UNCITRAL and adopting appropriate procedures.

The Course content

- ▲ Dispute Resolution Processes – An Overview
- ▲ A History of Arbitration
- ▲ The Three Pillars of International Arbitration
- ▲ Growing Global Harmonisation and Differing Statutory Approaches
- ▲ Choices Available to Parties
- ▲ The Arbitration Agreement and Commencement
- ▲ Appointing an Arbitral Tribunal
- ▲ The Arbitral Tribunal: Independence and Impartiality
- ▲ The Arbitral Tribunal: Jurisdiction and Powers
- ▲ The Arbitral Tribunal: Duties and Procedural Choices
- ▲ Procedures: Pleadings, Documents and Evidence
- ▲ Procedures: Applications to the Tribunal
- ▲ Procedures: The Hearing
- ▲ Remedies, Costs, Interest & Currency
- ▲ Awards
- ▲ The Role of the State Court

Course Assessment

Assessment of this module is by a three (3) – hour written closed-book examination, contributing 100% to overall marks respectively. In order to pass, you will be required to achieve 55% in the examination. Due to the current COVID pandemic protocols, the examination will be held virtually over a 48 hour period on “At Home – Learn ADR Platform” the pass mark under this examination format is 65%.

Successful candidates :-

- will be awarded an Advanced Certificate
- Will be eligible to apply for Member grade of CIArb, and take advantage of a range of educational and professional benefits
- May progress onto Module 2 or 3 of the International Arbitration pathway.

Tutorial and Examination Fees

Tutorials fee is **Kshs 44,500/=** which includes the course materials, and Examination fee is Great Britain One Hundred Seventy Eight Pounds Only (£178) payable through the Institute s Pounds account. The fee can also be paid by installments provided the first installment of Kshs 20,000/- is received on or before the closing date of **Friday 17th September, 2021 and the balance paid in full before Friday 22nd October, 2021**. Extra cost for postage or delivery of the materials before course commencement will be borne by the participants.

This being a membership course, participants will be required to have regularized their membership before registering the course. The Examination will be based on UNCITRAL.

Materials

Course materials will be available for collection or delivery at candidates cost or upon payment of the course fees. All participants will be expected to have the UNCITRAL Model Law.

MEMBERSHIP REQUIREMENT

*Please note that under the pathways to fellowship, all subsequent assessments are membership examinations. Thus, **ALL** applicants are expected to have regularised their membership with the Chartered Institute of Arbitrators.*

Applications

Application forms can be obtained from Chartered Institute of Arbitrators (Kenya Branch) office or from our website www.ciarbkenya.org.

Application forms together with the requisite course fee must be submitted on or before **Friday 17th September, 2021** to the following address: -

The Education & Programs Manager
Chartered Institute of Arbitrators (Kenya Branch)
Nicholson Drive, Off Ngong Road
P. O. Box 50163 - 00200,
NAIROBI
Info@ciarbkenya.org

MODULE 1 – INTERNATIONAL ARBITRATION

LAW, PRACTICE & PROCEDURE 2021



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REGISTRATION FORM

Please complete all sections in BLOCK CAPITALS and return your completed form to:

CI Arb Education & Programs Manager, Chartered Institute of Arbitrators Nicholson Court,
Nicholson Drive, off Ngong Road
P.O. Box 50163 – 00200 NAIROBI • E info@ciarbkenya.org • M +254 (020) 0722 200496/ 0734 652205

PERSONAL DETAILS

Surname:	First Name:
Other Names:	Title:
Profession/Trade	Gender: Male <input type="checkbox"/> Female <input type="checkbox"/> Date of Birth:
Address:	
Postcode:	Town : Country:
Physical (Delivery) Address if different from main address (for course materials and results):	
Cell Phone:	Email:
Employer/ Firm/ Organisation	

- Bank Transfer Deposit / transfer date: Mpesa confirmation code.....
 Cheque / Bank Draft

Any costs arising out of unpaid or uncleared cheque will be met by the applicant.

The Law society of Kenya has accredited this course for Two (2) CLE units. Other participants who wish to apply for CPD in their Professional bodies will be assisted.

Cancellation charges will STRICTLY apply as follows:

Notice Prior to commencement of event

- ≈ Over Three weeks
≈ One to two weeks
≈ Less than one week

Cancellation charges

- Full refund
50 % refund
No refund

Cancellation notice should be sent to the institute by email to info@ciarbkenya.org or a hard copy letter dropped off at the Institute. Verbal or other forms of cancellation will not apply. A deduction of 10% of Course fees will be made on all participants wishing to defer their training to the next course provided there is not more than two deferments and notice to differ is received at least seven days before the date of the 1st Tutorial.

If payment is made by bank transfer/ deposit, this should be made payable to the 'Chartered Institute of Arbitrators' Commercial Bank of Africa(CBA) , Mama Ngina Branch, Account Number: 6435390017. Or Mpesa Paybill No. 975743 Account No. MOD1INT Pounds paid in on account number 6435390046

Signature: _____ Date: _____

Receipt No:

Issued documents

Receiving officers Signature:

MODULE 1 – INTERNATIONAL ARBITRATION PROGRAMME

2021		Type
By Friday 17 th September	Application and collection of Module 1 WORKBOOK	Registration
	Module 1 WORKBOOK – Read Chapters 1-5 Inclusive	Private study
Friday 8th October	Tutorial 1 (5 hours)	Online (Face-to-Face)
	Module 1 WORKBOOK – Read Chapters 6 - 11 Inclusive	Private study
Friday 29th October	Tutorial 2 (5 hours)	Online (Face-to-Face)
	Module 1 WORKBOOK – Read Chapters 6 - 11 Inclusive	
Wednesday 3rd November	Tutorial 3 (5 hours)	Online (Face-to-Face)
	Start Revision	Private Study
By 1 st December	Complete revision	Private study
Thursday 2nd December	Module 1 (<i>Closed Book</i>) Examination comprising a range of Essay and Case Studies	Examination Centre (Online)
	Examinations results published	[Exam admin]

- Please note that you are only required to attend Face to Face Tutorials on the dates given at Fairview Hotel.
- Other dates are given to assist you in planning your private study.

The Chartered Institute of Arbitrators reserves the right to alter the contents of the programme without prior notice.