



Law, Practice & Procedure

Course Application Form – 2023

About the Course

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

Tutorial 1 – 5th October, 2023

Tutorial 2 – 2nd November, 2023

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 two (2) 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 CIARB.

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 an 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 an 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 an international arbitration.
- ∞ Demonstrate skill in controlling an international arbitration, communicating effectively with the parties, applying UNCITRAL and adopting appropriate procedures.

The Course contents

- ▲ Dispute Resolution Processes – An Overview
- ▲ A History of Arbitration
- ▲ The Three Pillars of International Arbitration
- ▲ Growing Global Harmonization 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

Due to the current COVID-19 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 including mentorship.
- May progress onto Module 2 or 3 of the International Arbitration pathway.

Tutorial and Examination Fees

Tutorials fee is **Kshs 45,000/=** which covers the tutorials & the course materials. The fee can be paid in installment provided the first installment of Kshs 20,000/- is received on or before the closing date of **Friday 22nd September, 2023 and the balance paid in full before Friday 27th October, 2023**. Extra cost for postage or delivery of the materials 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 the UNCITRAL Model law.

The **Examination fee** is One Hundred Seventy-Eight Great Britain Pounds Only (**£178**) payable to the CIArb Kenya Pounds account provided. The examination fee must be received on or before Friday 3rd November, 2023.

Materials

Course materials (Workbook) will be available in hard copy for collection or delivery 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.

PAYMENT OPTIONS:

Course fee payable in KES can be remitted by:

1. Cheque dropped at the Secretariat made payable to: **Chartered Institute of Arbitrators**
or
2. Direct Deposits/ Transfers to:
NCBA Bank, Mama Ngina Branch
Ac Name: Chartered Institute of Arbitrators
KES Ac No: 6435390017
SWIFT Code: CBAFKENX
or
3. Mpesa Paybill No; **975743 Ac MOD1INT**

Exams fees payable in GBP are to be deposited directly to:

NCBA Bank, Mama Ngina Branch
Ac Name: Chartered Institute of Arbitrators
GBP Ac No: 6435390046
SWIFT Code: CBAFKENX

Applications

Application forms together with the requisite course fee must be submitted on or before **Friday 22nd September, 2023** to the following email address: -
info@ciarbkenya.org cc accounts@ciarbkenya.org

MODULE I

INTERNATIONAL Arbitration

Registration Form - 2023

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

CIArb Education & Programs Manager, Chartered Institute of Arbitrators Nicholson Court, Nicholson Drive
P.O. Box 50163 – 00200 NAIROBI • E info@ciarbkenya.org • M +254 (020) 0722 200496/ 0734 600000



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Kenya Branch

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.

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 deferrals 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' NCBA Bank , 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:



PROGRAMME

2023		Type
By Friday 22 nd September	Application and collection of Module 1 WORKBOOK	Registration
	Module 1 WORKBOOK – Read Chapters 1 -5 Inclusive	Private study
Thursday 5th October	Tutorial 1 (7 hours)	Online (Face-to-Face)
	Module 1 WORKBOOK – Read Chapters 6 - 11 Inclusive	Private study
Thursday 2nd November	Tutorial 2 (7 hours)	Online (Face-to-Face)
	Module 1 WORKBOOK – Read Chapters 6 - 11 Inclusive	
Friday 3rd November	Start Revision	Private Study
By 29 th November	Complete revision	Private study
Thursday 30th November	Module 1 (Closed Book) 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.