

Award Writing Course - Module 4

Athens 2017



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What is the aim of the course?

To provide the candidate with the knowledge required to analyse submissions, arrive at a conclusion and write a final, reasoned and enforceable arbitration Award in compliance with the UNCITRAL Model Law and Arbitration Rules.

The European Branch once more presents its Module 4 Award Writing Course in International Commercial Arbitration, which is the final module to be taken in the Institute's "Pathways to Fellowship" Programme. This Module 4 Course is carried out over a period of four months comprising a mix of two one-day tutorials and self study.

At the end of the course, the candidates will be examined on their ability to draft an enforceable Arbitration Award.

Successful completion of the Module 4 Award Writing Course will enable participants to apply for a Peer Interview and then apply for Fellowship grade of membership of the Institute.

This course focuses on the processes followed by an arbitrator in defining the issues that have to be decided by an Award, dealing with the submissions made by the parties, analysing the appropriate law, evaluating the evidence, applying the law to that evidence, arriving at a conclusion and then writing a final, reasoned and enforceable Award.

It is therefore valuable for anyone wishing to understand the processes involved in award writing. It is also an essential requirement for qualification as a Fellow and for those who aim to practice as an international arbitrator.

What are the learning outcomes?

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

- recognise and evaluate evidence;
- distil issues from the parties' submissions;
- order and deal with all the issues;
- decide matters in dispute logically and in accordance with the law;
- structure the Award;
- write the discursive and operative parts of the Award;
- deal with the parties' costs and interest;
- allocate arbitrator's fees and expenses;
- demonstrate compliance with the legal and other requirements for an enforceable Award.

What is covered within the syllabus?

- Purpose of the Award;
- Purpose of reasons;
- Formal requirements of an Award;
- Substantive requirements for an Award;
- Elements of an Award;
 - The recitals;
 - Defining the issues;
 - Defining the law;
 - Ordering and handling issues;
 - Contentions on the issues;
 - Summarising evidence;
 - Findings of fact;
 - Dealing with legal submissions;
 - Arriving at a conclusion for each issue;
 - Parties' costs and interest;
 - Arbitrator's fees and expenses;

- The seat of the arbitration;
- Publishing the Award;
- Sending out the Award and dealing with slips.

How is the course delivered?

The course is delivered over a period of five months, with a combination of private study and face-to-face tutorials.

The course date is the 15th of August and that's the start date of the course when candidates will be sent the course material and will be required to start their private study of reading. The date is **NOT** when they attend tutorials. The face-to-face tutorial dates listed on the Course Schedule to be provided.

How will I be assessed?

Assessment of this course is split into two parts:

- A written assignment to be submitted during the course (20%).
- A 4-hour open book examination (80%).

Details of the assessment are as follows:

- The assignment. This assessment is not on a pass or fail basis. The mark achieved will contribute up to 20% of the final mark.
- The examination. This assessment is on a pass or fail basis. The mark achieved will contribute up to 80% of the final mark. Candidates who fail the examination will be required to re-sit the examination.
- The overall assessment is based upon the combined marks of the assignment and examination. Candidates must achieve a minimum overall mark of 70% to pass the course.

Marks for the examination will be divided into two parts: Part A – Technical Merit; Part B – Judicial Merit. Candidates must achieve a minimum of 70% in each part.

The assignment and examination are both Award writing exercises. The Award must be reasoned and enforceable. Any candidate that submits an unenforceable Award will be deemed as a fail and awarded zero marks.

The examination is open book with no restrictions, which means candidates are permitted to take any materials they wish into the examination. The examination consists of a final Award submitted on a dispute presented in a scenario in two parts, the first provided by email approximately two weeks before the examination date, the second provided on the stipulated examination date.

Results are dispatched to candidates normally eight to twelve weeks from the date of the submission of the assignment or examination.

What are the entry requirements?

In order to register for the Module, candidates must:

- 1- Have successfully completed and passed the CIArb Introduction Module, Module 1 Law of Obligations and Civil Evidence, Module 2 Law of International Arbitration and Module 3 Practice and Procedure, a relevant course offered by a CIArb Recognised Course Provider or a course offered by a CIArb Branch.
- 2- English Language Competence - CIArb training and assessment is carried out in English it is therefore essential that candidates are proficient in both written and spoken English. Where English is not a candidate's first language it is recommended that they have achieved a standard that is, as a minimum, equivalent to the International English Language Testing System (IELTS) level 7 or a score of 94-101 in the Test of English as a Foreign Language (TOEFL) system. CIArb issues this advice as a guideline and, while it will not require any evidence of this standard prior to enrolment on a course, candidates who do not have this standard of English may be disadvantaged.

What is the course fee and what does it include?

The course fee is 1250Euro. The fee includes registration on the course, the first attempt at the assessments, study materials, lunch and refreshments throughout the day.

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What happens when I register for the course?

Upon successful registration on the course, candidates will receive confirmation they are booked on the course. Joining instructions and course materials will be sent to candidates approximately 2 weeks before the course start date by email.

Commencement August 2017 Programme

Upon Registration	CI Arb Workbook and (Introductory) Course Notes 1 'To be sent to Candidates'	private study
30 Aug 2017	Course Notes 2 'To be sent to Candidates'	private study
Saturday 14 October 2017	Tutorial 1	A one day tutorial in Athens - <i>Essential</i>
09 October 2017	Course Notes 3 'To be sent to Candidates'	private study
20 October 2017	Course Notes 4 'To be sent to Candidates'	private study
21 October 2017	Assignment out to participants	private study
30 October 2017	Submit Assignment (20% of overall exam mark) to: training@ciarb-europeanbranch.com	Deadline
07 Nov. 2017	Assignment marking sent out with comments	Self assess per mark. Reviews in Tutorial 2
09 Nov. 2017	Course Notes 5 'To be sent to Candidates'	private study
Saturday 18 November 2017	Tutorial 2	A one day tutorial in Athens - <i>Obligatory</i>
15 Nov. 2017	Stage 1 of Final Exam sent out	Prepare for exam
Saturday 25 November 2017	Award Writing Exam Stage 2 - Final Examination (4 Hours) (80% of overall examination mark)	Sitting Exam in Athens

NOTE:

- **Assignment is a pass/fail and carries 20% towards end result.**
- **Stage 1 of Award Writing Exam is mailed 2 weeks prior to sitting date of exam to allow candidates to work on and prepare a layout of the award. That layout will be the essential and integral part of the final award on the day of the exam.**
- **Please try to ensure that your submissions are clearly typed (not handwritten).**
- **Should a candidate prefer to write the award by hand, the writing must be legible and orderly. Misread or non legible awards may get a fail mark.**
- **On the day of the exam, the day will start at 9.00 am with an Award Writing Refresher Tutorial. The exam will be in the afternoon from 14:00 to 18:00**

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Contact Us: To register for the course, please contact us on TRAINING@CIARB-EUROPEANBRANCH.COM

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For more information, you can visit www.ciarb-europeanbranch.com or www.ciarb.org

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