Interim Measures for the Registration of Arbitration Commissions

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Unofficial English translation prepared for reference only. The official Chinese text prevails.

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Effective: September 1, 1995.

Article 1 — These Measures are formulated in accordance with the Arbitration Law of the People's Republic of China (hereinafter referred to as the "Arbitration Law").

Article 2 — The registration authorities for arbitration commissions are the judicial administrative departments of provinces, autonomous regions, and municipalities directly under the Central Government.

Article 3 — An arbitration commission may be established in a municipality directly under the Central Government or in the city where the people's government of a province or an autonomous region is located, and may also, where necessary, be established in other cities divided into districts; it shall not be established level by level according to administrative divisions.

To establish an arbitration commission, establishment registration shall be completed with the registration authority; without establishment registration, arbitral awards shall have no legal effect.

To complete establishment registration, the following documents shall be submitted to the registration authority:

(1) an application for the establishment of an arbitration commission;

(2) the document by which the people's government of the city forming the arbitration commission establishes the arbitration commission;

(3) the articles of association of the arbitration commission;

(4) proof of the necessary funds;

(5) proof of the domicile of the arbitration commission;

(6) copies of the letters of appointment of the members constituting the arbitration commission; and

(7) the roster of arbitrators proposed to be engaged.

Article 4 — The registration authority shall, within 10 days from the date of receipt of the documents specified in paragraph 3 of Article 3 of these Measures, complete the establishment registration of, and issue a registration certificate to, an arbitration commission that meets the conditions for establishment; where the conditions for establishment are met but the documents provided do not conform to paragraph 3 of Article 3 of these Measures, registration shall be completed after the defects are required to be remedied; and registration shall be refused where the conditions specified in paragraph 1 of Article 3 of these Measures are not met.

Article 5 — Where an arbitration commission changes its domicile or its members, it shall, within 10 days after the change, report the change to the registration authority for the record and submit to the registration authority the documents relating to the changed matters.

Article 6 — Where an arbitration commission resolves to terminate, it shall complete deregistration with the registration authority.

To complete deregistration, an arbitration commission shall submit the following documents or certificates to the registration authority:

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(1) an application for deregistration;

(2) the document by which the people's government of the city forming the arbitration commission consents to the deregistration of the arbitration commission;

(3) a liquidation report confirmed by the relevant authorities; and

(4) the registration certificate of the arbitration commission.

Article 7 — The registration authority shall, within 10 days from the date of receipt of the documents and certificates specified in paragraph 2 of Article 6 of these Measures, complete the deregistration of an arbitration commission that meets the conditions for termination and withdraw its registration certificate.

Article 8 — The establishment registration and deregistration of an arbitration commission by the registration authority shall take effect from the date of registration, shall be publicly announced, and shall be reported to the judicial administrative department of the State Council for the record.

The registration certificates of arbitration commissions shall be printed by the judicial administrative department of the State Council.

Article 9 — Arbitration institutions established before the entry into force of the Arbitration Law in municipalities directly under the Central Government, in cities where the people's governments of provinces or autonomous regions are located, and in other cities divided into districts shall be reorganized in accordance with the Arbitration Law and the relevant provisions of the State Council, and shall apply for establishment registration in accordance with these Measures; those not reorganized shall terminate upon the expiry of one year from the date of entry into force of the Arbitration Law.

Other arbitration institutions established before the entry into force of the Arbitration Law that do not conform to the Arbitration Law shall terminate from the date of entry into force of the Arbitration Law.

Article 10 — These Measures shall enter into force on September 1, 1995.

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