



# Arbitration Period & Courts Power to Order Suspension of Arbitration Procedures\*

(Comment on Procedural Order Issued by President of Cairo Appeal Court)

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## Principles

- 1 The arbitration parties' agreement on the application of UNCITRAL rules to arbitration procedures serves as their consent to the judgment power of the arbitral tribunal to determine the dates of arbitration procedures, including the period for issuing the award, in accordance with the respective circumstances of each case.
- 2 The rules for determining the period for issuing the arbitration award, contained in (*Article 45 of the Egyptian Arbitration Law*), are not imperative rules. Therefore, the lapse of more than eighteen months after the commencement of arbitration procedures shall not entail the implementation of the penalty provided for in the second paragraph of such provision.

## Comment

The procedural order issued by *Cairo Appeal Court, commercial circuit (91) on the two statements Nos. 18, 19/120 of the Judicial Commercial Arbitration*<sup>1</sup>, for implementing the power of the President of the Egyptian competent court in dealing with the request for issuing an order for terminating arbitration procedures in the case where an award was not issued within the time limit may be determined upon an agreement between the disputing parties or pursuant to the law or in accordance to a particular arbitration rule.

\* This article has been translated from Arabic.

<sup>1</sup> Dated 27/10/2003. Full text of procedural order- subject of comment- is available at its end.