



# ICC CHECKLIST ON CORRECTION AND INTERPRETATION OF AWARDS (1998 - 2012 - 2017 RULES)

**Disclaimer:** This Checklist is intended to provide arbitrators acting under the ICC Rules of Arbitration with guidance in addition to the Note on Correction and Interpretation of Arbitral Awards. It does not constitute an exhaustive, mandatory or otherwise binding document. It should not be thought to reflect the opinion of the members of the International Court of Arbitration of the International Chamber of Commerce or of its Secretariat. It is simply intended to facilitate the arbitrators' mission. Moreover, this Checklist is not exhaustive of issues that may be raised by the ICC Court.

## 1. General

- A. ICC case reference number mentioned in full on front page.
- B. Document clearly identified in its title as:
  - i. “*Addendum*”, if the arbitral tribunal corrects or interprets the award; all decisions pursuant to Article 29(1) (1998 Rules) / 35(1) (2012 Rules) / 36(1) (2017 Rules) should be called “*Addendum*”;
  - ii. “*Decision*”, if the arbitral tribunal dismisses the application;
  - iii. “*Decision and Addendum on costs*”, if the arbitral tribunal dismisses the application but awards costs;
  - iv. “*Decision and Addendum*”, when there is more than one application and the arbitral tribunal decides to correct or interpret the award on the basis of one or more but not all applications.
- C. Paragraphs numbered.
- D. Pages numbered.
- E. Abbreviations defined and used consistently.
- F. Translations of quotations in languages other than the language(s) of the arbitration.

## 2. Identification of the Parties, their Representatives and the Arbitrator(s)

- A. Parties' complete addresses and correct names.
- B. Addresses of parties' representatives.
- C. Arbitrators' addresses.

## 3. Contents

- A. Summary of all procedural steps from the approval of the award to date (e.g., indication of the date of the award and when it was received by each party).
- B. Cases under Article 29(1) (1998 Rules) / 35(1) (2012 Rules) / 36(1) (2017 Rules).
  - i. Indication of the date on which the arbitral tribunal invited the parties' comments before correcting or interpreting the award upon its own initiative;
  - ii. Indication of the date on which the parties submitted comments, and the contents thereof;
  - iii. Indication of the date the arbitral tribunal submitted the draft *Addendum* to the Court for approval.

Case N° \_\_\_\_\_

- C. Cases under Article 29(2) (1998 Rules) / 35(2) (2012 Rules) / 36(2) (2017 Rules).
- i. Indication of the date on which the Application was made and whether it was made within the time limit provided under the Rules;
- ii. Indication of the time limit and any extension granted by the Court for submitting a decision;
- iii. Description of the contents of each of the requests contained in the Application(s);
- iv. Reasons for the arbitral tribunal's decision to accept or dismiss each of the requests (including an indication of whether the Application falls outside the scope of the Rules);
- v. No reasoning added to the reasoning contained in the Award, when an Application is rejected.

#### 4. Costs – Article 29(2) (1998 Rules) / 35(2) (2012 Rules) / 36(2) (2017 Rules) only

- A. If the Court has fixed an additional advance on costs pursuant to Appendix III of the Rules:
- i. Indication of the amount of the advance;
- ii. Indication of the manner in which the advance was paid by the parties;
- iii. Decision on how the advance will be borne by the parties (even if it's just an indication that the party who paid shall bear it).
- B. If one or more parties requested a decision on costs:
- i. Costs of the Application and each party's legal costs dealt with separately in the body and in the dispositive section;
- ii. Fix the amount to be borne by each party.

#### 5. Dispositive Section, Place of Arbitration, Date, Signature

- A. Contains a dispositive section mentioning all orders and nothing more:
- i. Indication of whether the award is corrected (or interpreted) and if so how;
- ii. Decisions on costs if any (Article 29(2) (1998 Rules) / 35(2) (2012 Rules) / 36(2) (2017 Rules) only).
- B. After the dispositive section, add the date on which the *Addendum* or Decision is made and the signatures in the following manner:

Place of arbitration: \_\_\_\_\_ City (Country)

Date: \_\_\_\_\_ Signature(s): \_\_\_\_\_

[date must be later than the Court session at which the award was approved and not earlier than when the last arbitrator signs]