

Element of Arbitration	AAA International Dispute Resolution Rules	Rule	New ICC Rules	Rule
Commencement of Arbitration	The claimant submits its request for arbitration to the respondent, in addition to submitting it to the AAA	2	The claimant submits its request for arbitration to the ICC Secretariat. The arbitration is deemed to commence upon receipt by the Secretariat of the request	4
Jurisdiction	The arbitrator shall have the power to rule on his or her own jurisdiction, including any objections with respect to the existence, scope or validity of the arbitration agreement	15	Any question of jurisdiction shall be decided directly by the arbitral tribunal unless the ICC Secretary General refers the matter to the International Court of Arbitration for its decision	6.3 6.4
Time for Nomination of Arbitrators	No specific procedure for how to nominate arbitrators.	6.1	Where the parties have agreed that the dispute shall be resolved by three arbitrators, each party shall nominate in the Request and the Answer, respectively, one arbitrator for confirmation	12.4
Multiple Parties	Unless the parties have agreed otherwise no later than 45 days after the commencement of the arbitration, if the notice of arbitration names two or more claimants or two or more respondents, the administrator shall appoint all the arbitrators	6.5	Where there are multiple claimants or multiple respondents and where the dispute is to be referred to three arbitrators, the multiple claimants, jointly and the multiple respondents jointly shall nominate an arbitrator for confirmation	12.6
Terms of Reference	Not applicable		Required; contain a summary of the claims and positions, the issues to be determined, any particulars of the applicable procedural rules	23

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Emergency Arbitrator	Available on application	37	Available on application	29
Award	Issued by the tribunal without the need to have it approved by the AAA	27	Before signing any award, the tribunal must submit it in draft form to the International Court of Arbitration, which has the power to “lay down modifications as to the form of the award and, without affecting the arbitral tribunal’s liberty of decision, may also draw [the tribunal’s] attention to points of substance. No award shall be rendered by the arbitral tribunal until it has been approved by the [International Court of Arbitration] as to its form.”	33
Time of Award	No express time for issuance of award	27	Tribunal must issue its final award within six months of the execution of the Terms of Reference, although this time limit can be extended by the International Court of Arbitration on its own initiative or in response to a request from the tribunal	30.1 30.2
Arbitrators’ fees	Generally based on an appropriate daily or hourly rate	32	Generally fixed fee based on amount in dispute	37

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