

New E-Arbitration Rules of TAI

In response to the Covid-19 pandemic, on 24th April 2020, the Thai Arbitration Institute (TAI) issued its Arbitration Rules on E-Arbitration B.E. 2563 (“**Rules**”) to improve efficiency and practicality of its e-arbitration system (TAI EASY System). The Rules repealed and replaced its predecessor Arbitration Rules on E-Arbitration B.E. 2562.

1. Registration

Parties or their authorized representatives who wish to file a claim or arbitration documents with TAI online must register themselves as a user with the e-arbitration system of TAI through <http://etai.coj.co.th> by uploading a copy of their Thai national ID card or passport if they are individuals or a copy of their Registration Affidavit of Company or Registered Partnership if they are a legal entity. TAI may also ask for copies of other documents.

After verifying the identity documents and finding them acceptable, TAI will issue a username and a password for the user to access the system and for the system to verify the identity of the user and to confirm receipt of documents uploaded in the system by the user. If the user fails to comply with the Rules or commits any act that may be harmful to the security of the e-arbitration system of TAI, his access to the e-arbitration system can be blocked by TAI.

2. Documents Filing

The user can upload documents to the e-system any time. However, uploading documents after 12:00 a.m. (midnight) will be deemed uploading on the following working day. If the e-system is down, the user can submit document by email.

Documents to be uploaded must be in the PDF format with a resolution of at least 200 dpi. If they are required to be signed by a wet signature or affixed with a duty stamp, e.g. a power of attorney and the arbitral tribunal appointment form, they must be so signed or affixed before they are converted into the PDF format. Uploading documents with the e-system is deemed that the user has confirmed that the originals of the documents are kept with the user.

3. E-Witness Hearing, Arbitration Award and Payment

Arbitration proceedings can be conducted online if it is not agreed otherwise by the parties and if approval is granted by the arbitration tribunal. The parties are bound by e-arbitration proceedings.

Online witness hearings are allowed. Electronic signatures are acceptable for the signing of the documents necessary during the e-arbitration proceedings. If online witness hearing of a witness is recorded or capable of audio and video broadcast, it will be deemed that such witness has signed his/her written witness statements.

The arbitral tribunal can grant an award through an online conference and such award is binding and enforceable against the parties.

The payment associated with the online filing of a claim with TAI can be made by debit or credit card, bank transfer and other means to be specified by TAI.



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