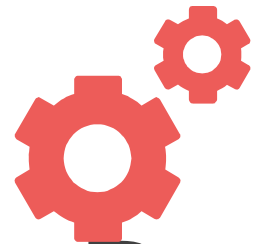




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MCCI ARBITRATION &
MEDIATION CENTER



Resolving Business Disputes through MARC



MCCI ARBITRATION AND MEDIATION CENTER



Created in 1996, as the Alternative Dispute Resolution Arm of the MCCI



Mission & Vision: An efficient, confidential and secure framework for resolving

commercial disputes

Disputes in Business

A reality to live with and manage efficiently – 'As many possibilities of disputes as there are contractual relationships'



MARC Support for Dispute Resolution

'We Work it out'

Prevention & Amicable settlement

- Use of written contracts – ITC Guide
- Simple intervention to encourage amicable settlement

Mediation

- Neutral, qualified third party assists you in finding a win-win solution to your dispute

Arbitration

- Dispute is settled in a binding way by a third party
- Faster, more flexible and confidential than going to court.

MARC Mediation Package for SMEs

Winning Solutions for SMEs



-The MARC Mediation Rules will apply.

-Reduced one-off fee

-10 hours of mediation with a qualified lawyer trained in mediation.



The Applicant party must be an SME registered with the SMEDA.



A mediator appointed from a Panel of Mediators specifically set up for 'SME Mediation Framework'



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**Thank you for your
attention**



CONFLICT MANAGEMENT

Draft your commercial contracts **SMARTLY**: Include administered arbitration and mediation clauses



Arbitration Only

- Any dispute arising in connection with the present contract shall be finally settled under the Arbitration Rules of the MCCI Arbitration and Mediation Center (MARC).



Mediation and Arbitration

- Any dispute arising in connection with the present contract shall be settled under the Mediation Rules of MCCI Arbitration and Mediation Center (MARC).
- In the event that no settlement is thereby reached within [-] days, or such further period as the parties shall agree in writing, the dispute shall be finally settled under the Arbitration Rules of the MARC.

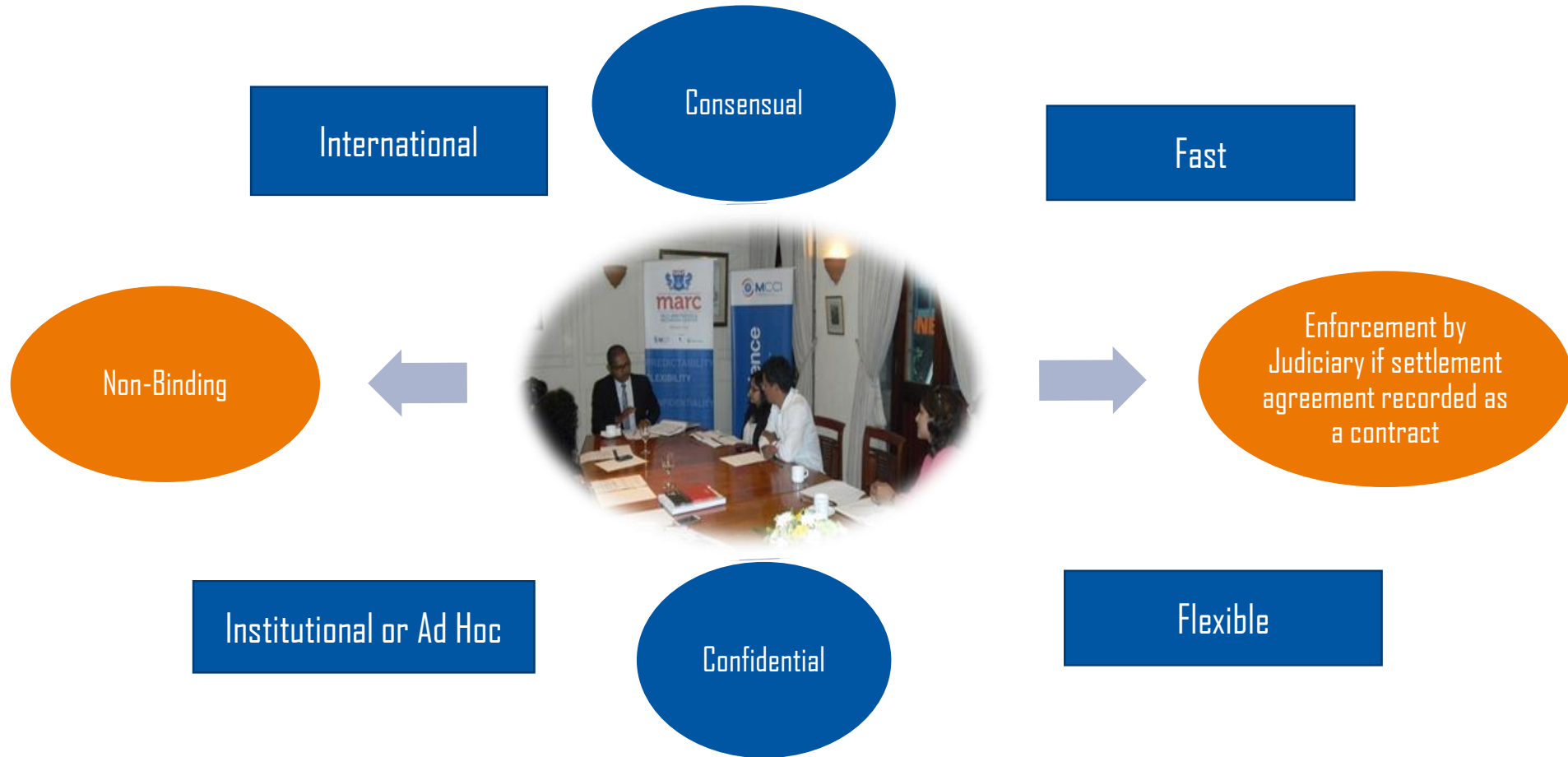


Mediation Only

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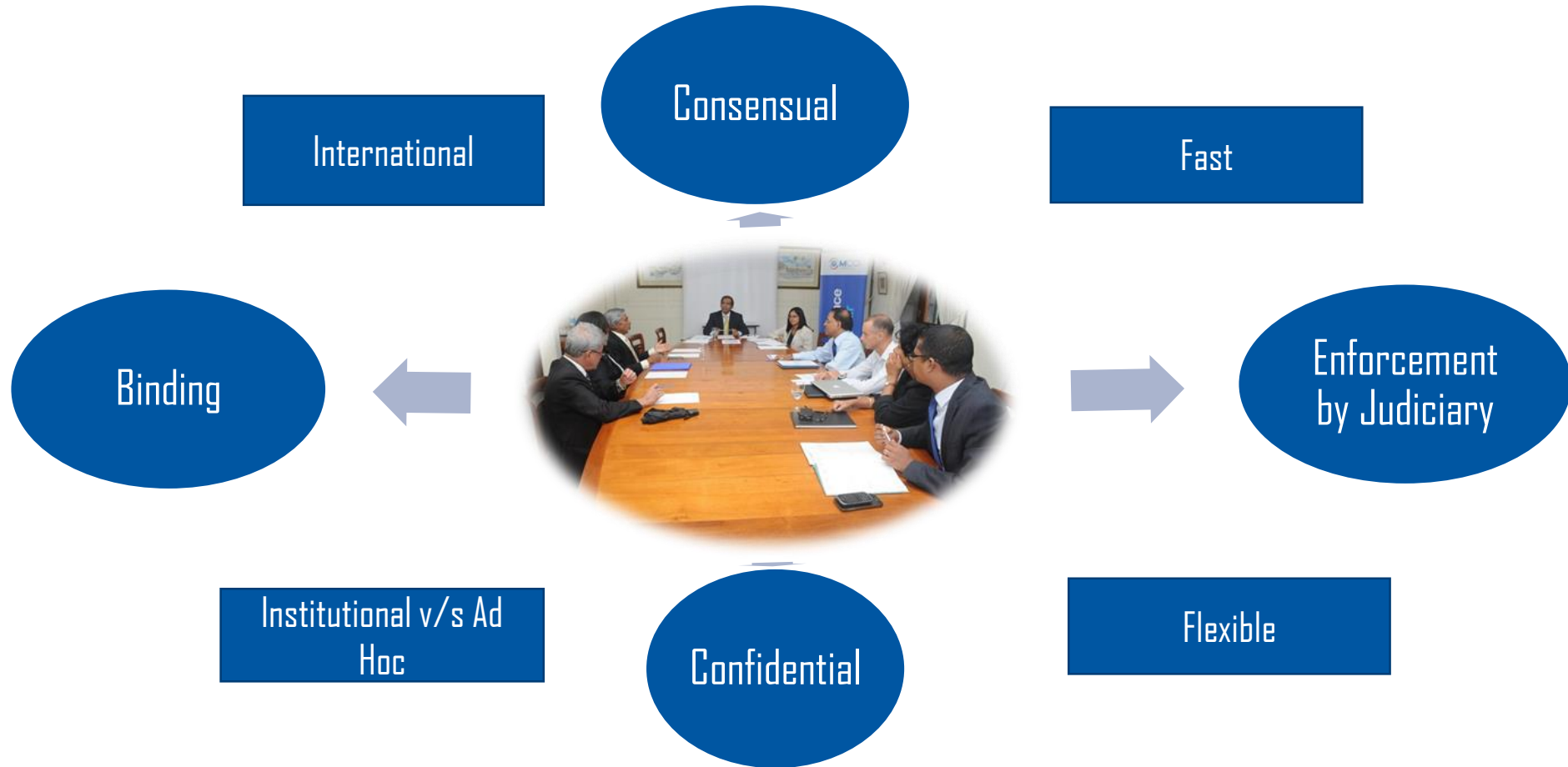
Mediation

“The use of a mediator to settle a dispute”



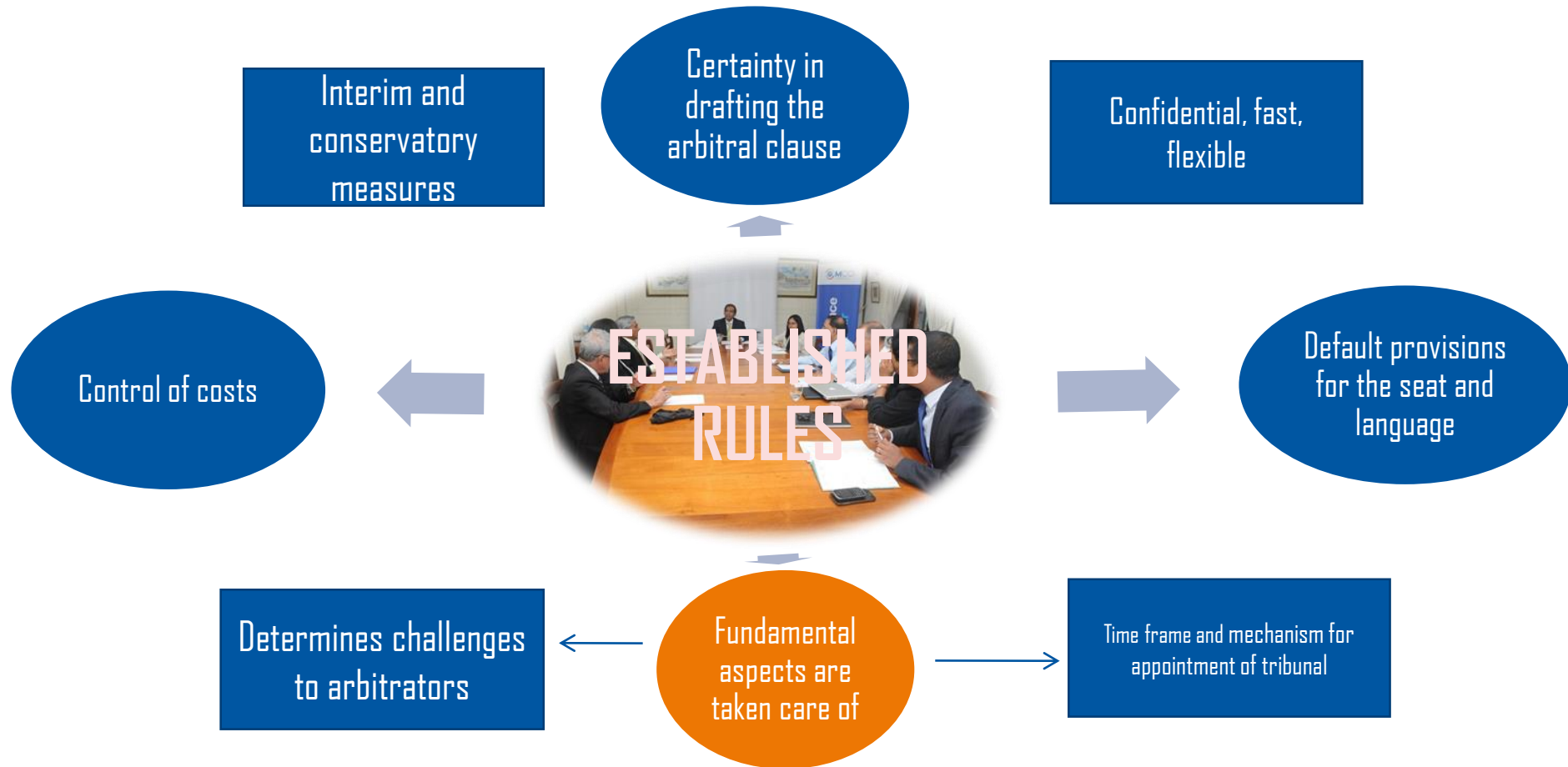
Arbitration

“The use of an arbitrator to settle a dispute”



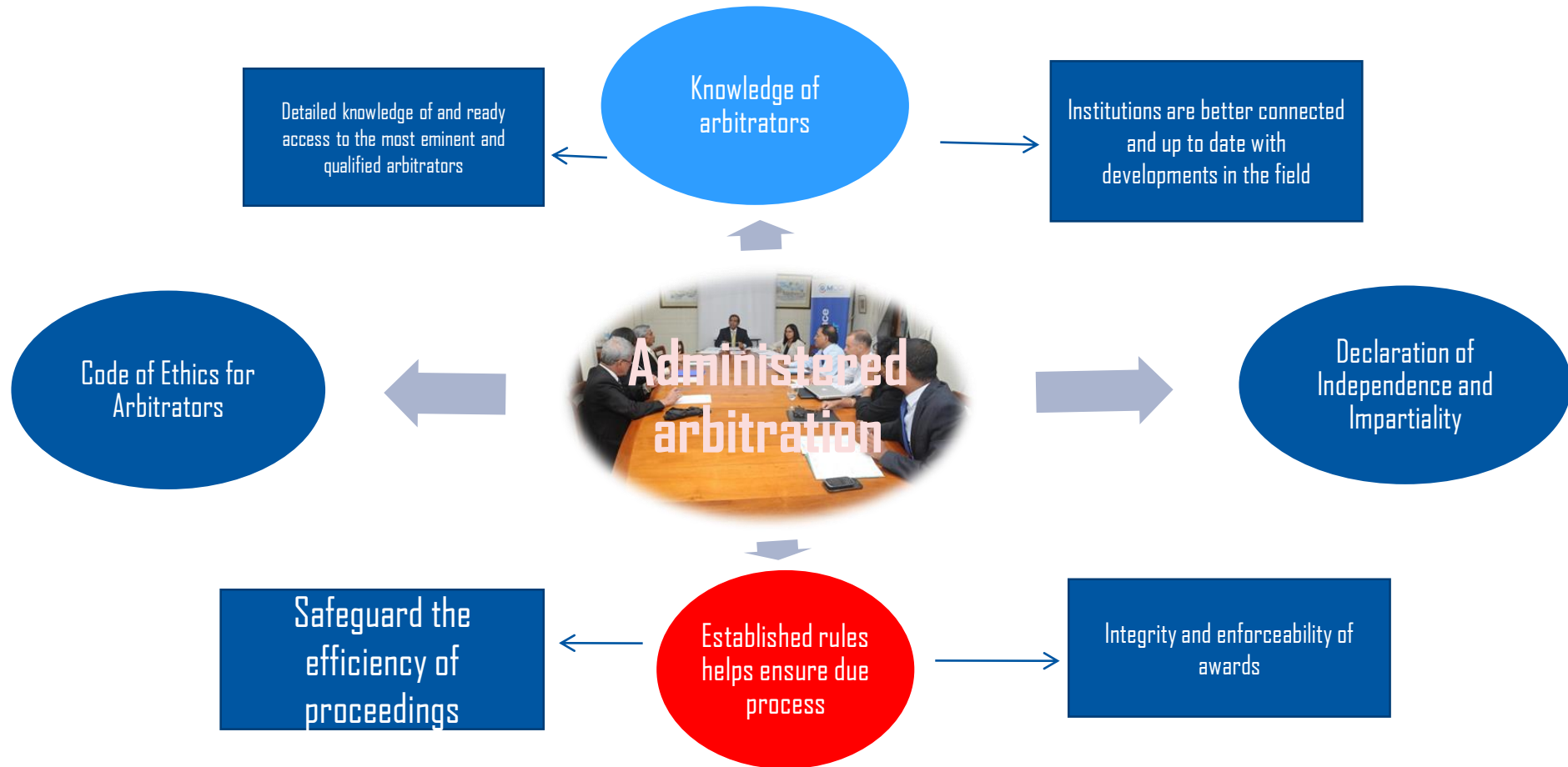
Administered v/s Ad hoc Arbitration

Why choose administered arbitration?



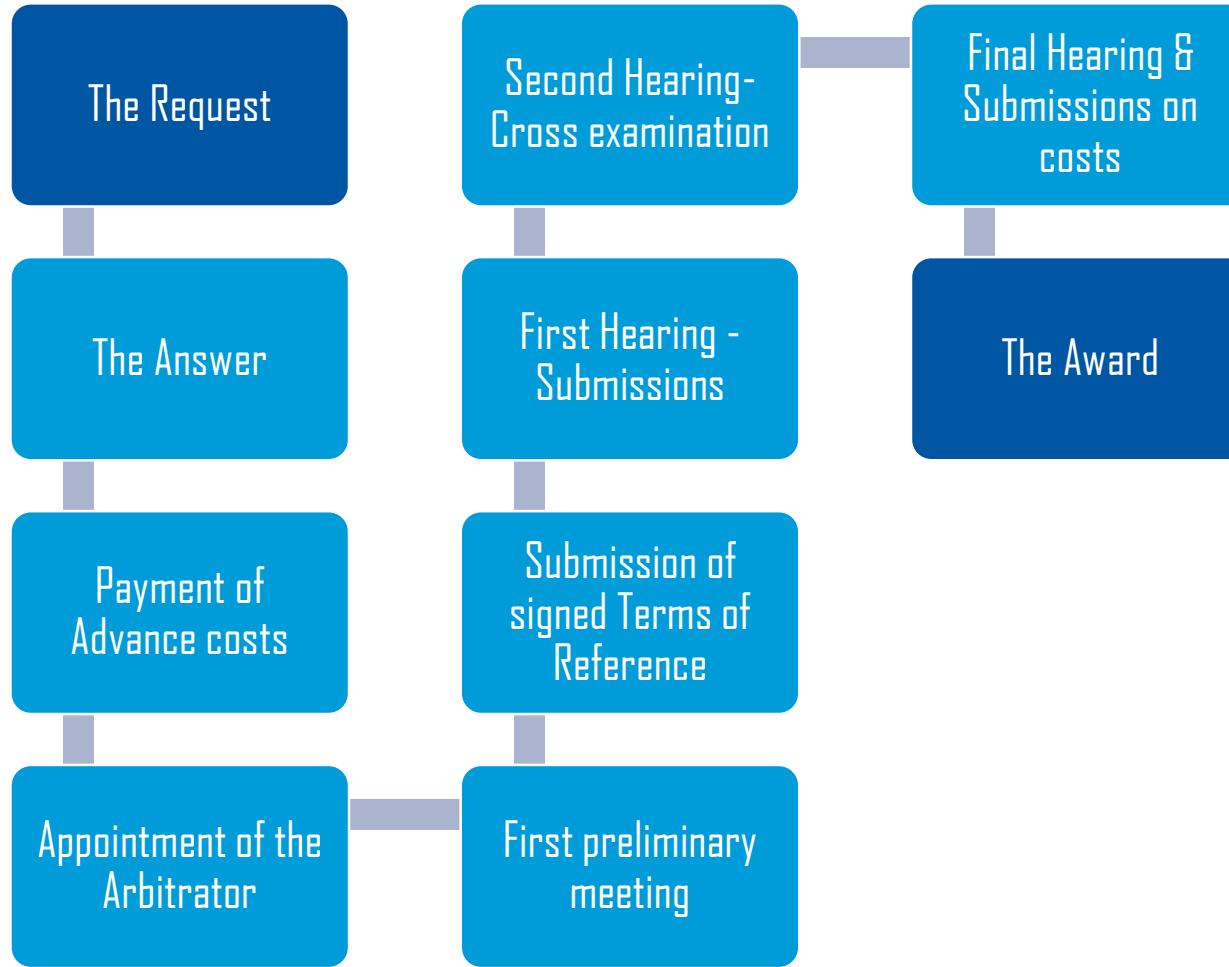
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Why choose administered arbitration?

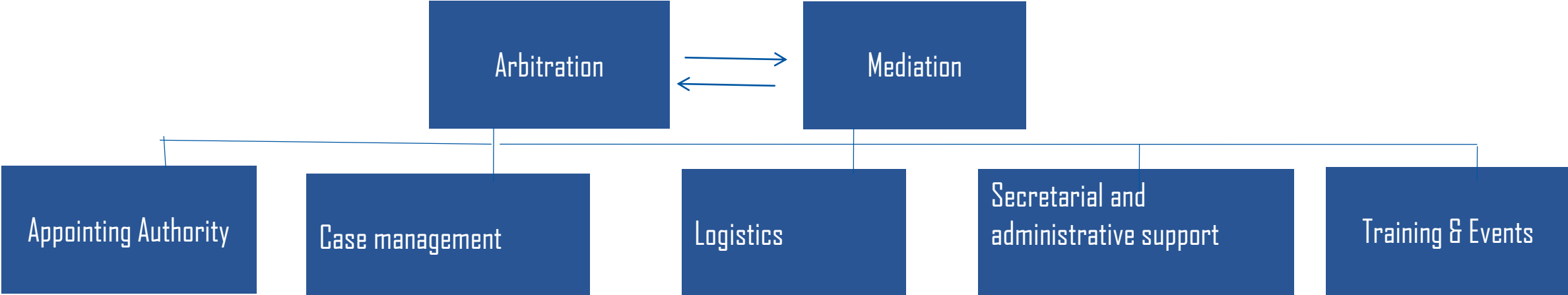


A typical arbitration process

A dispute can be resolved in a minimum of 6 months under the MARC Rules



MARC's offerings for commercial conflict resolution



Procedures

Time Limits

Appointments

Costs

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As a business operator, what do I stand to gain?

Time, resources, reputation

Time

- 6 months for arbitration
- 2 months for mediation

Resources

- A dispute resolved rapidly gives you time to dedicate to essential business activities
- Economic and cost-efficient in the long run

Reputation

- Proceedings are confidential
- Nothing goes out in public forums

As a business operator, what do I stand to gain?

Preserved business relationships, creative solutions, international outreach

Business relationships

- Commercial relationships have 3 dimensions: legal, commercial and emotional
- ADR seeks to address the 3 dimensions efficiently considering business requirements

Creative solutions

- Priority: prevent difficulties, ensure continued performance of the contract, maintain contractual relationship, progress on the joint project

International Scope

- International Enforcement of Arbitral Awards possible through the New York Convention
- Mediation and arbitration transcends national barriers



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