

MIAC

Mauritius International Arbitration Centre

DISPUTE RESOLUTION SERVICES

INTRODUCTION

TO MIAC

The Mauritius International Arbitration Centre (MIAC) brings the highest level of dispute resolution services to the international community. From its establishment in 2011 until 2018, MIAC operated as part of a joint venture with the London Court of International Arbitration (LCIA-MIAC Arbitration Centre). MIAC has operated as an independent arbitration centre since 27 July 2018, drawing on the significant expertise gained during this initial phase of its development.

MIAC operates with the support of an Advisory Board, a Board of Directors, and a Secretariat, and draws on the established legal framework for international arbitration in Mauritius including the Mauritian International Arbitration Act, 2008 and the role of the Permanent Court of Arbitration (PCA) thereunder.

MIAC benefits from the full support of the Government of Mauritius, as part of the Government's overall policy of developing Mauritius as a dispute settlement hub and a state-of-the art international arbitral seat for Africa and beyond. MIAC is operationally independent from the Government, and strict principles of non-interference by Government in the administration of MIAC cases are guaranteed by binding international agreements and are enshrined in MIAC's Constitution.

For more information, please visit: <https://miac.mu/about-us/>



MIAC DISPUTE RESOLUTION SERVICES

Arbitration Services

MIAC provides state-of-the-art institutional support to arbitral tribunals and parties in international and domestic arbitration in order to facilitate the efficient conduct of proceedings.

MIAC has developed a modern set of arbitration rules, the MIAC Arbitration Rules 2018, effective 27 July 2018.

MIAC also administers proceedings under other sets of rules such as the UNCITRAL Arbitration Rules.

Case Administration

As an administering institution, MIAC provides the following services:

- transmitting oral and written communications from the parties to the arbitral tribunal and vice-versa, and between the parties;
- maintaining an archive of filings and correspondence;
- making all arrangements concerning the amounts of the arbitrators' fees and advance deposits to be made on account of such fees in consultation with the parties and the arbitrators;
- holding the party deposits and disbursing tribunal fees and expenses;
- assisting the arbitral tribunal to establish the date, time, and place of hearings;
- making hearing and meeting rooms available to the parties and the arbitral tribunal;
- making arrangements for transcription, recording, interpretation, translation, catering, or other support associated with hearings or meetings in Mauritius or elsewhere;
- assisting with travel and hotel reservations; and
- carrying out any other tasks entrusted to it by the parties or the arbitral tribunal.

Appointing Authority

The Secretary-General of the Permanent Court of Arbitration (PCA) serves as appointing authority under the MIAC Arbitration Rules and the Mauritian International Arbitration Act, 2008.

MIAC may also act as appointing authority for the appointment of arbitrators and experts based on Parties' agreement.

Mediation and Conciliation

MIAC also provides administrative support in other forms of alternative dispute resolution, including mediation and conciliation.

For more information, please visit:
<https://miac.mu/dispute-resolution-services/>

MIAC MODEL ARBITRATION CLAUSES

For parties who wish to resort to arbitration under the MIAC Arbitration Rules, the following clauses are recommended.

Model Arbitration Clause for Contracts

“Any dispute, controversy or claim arising out of or relating to this contract, or the breach, termination or invalidity thereof, shall be settled by arbitration in accordance with the Arbitration Rules of the Mauritius International Arbitration Centre.”

Parties may consider adding the following:

- (a) “The number of arbitrators shall be [insert odd number]”;
- (b) “The seat or legal place of the arbitration shall be Mauritius”;
- (c) “The language(s) of the arbitration shall be [insert choice of one or more languages]”.

Model Arbitration Clause for Existing Disputes

“The parties agree to submit the following dispute to final and binding arbitration in accordance with the Arbitration Rules of the Mauritius International Arbitration Centre, as in effect on the date of this agreement: [insert brief description of the dispute].”

WHY MIAC?

Modern Arbitration Rules

- **Tried and tested rules:** The MIAC Arbitration Rules are based on the UNCITRAL Arbitration Rules 2010, which are widely tried and tested, and permit the predictability and procedural flexibility that are desired by parties.
- **Trusted appointing authority:** the Secretary-General of the Permanent Court of Arbitration (PCA) is entrusted with the role of appointing authority under the MIAC Arbitration Rules.
- **Trusted default seat:** Where parties have not previously agreed on the place of arbitration, cases under the MIAC Arbitration Rules are seated in Mauritius.

State-of-the-art Facility

- MIAC's state-of-the-art hearing facility is located in the heart of Port Louis, at Coaster Shed A, Port Louis Waterfront.
- The Arbitration Suite is equipped with a state-of-the-art multi-functional Audio Visual System, one of its kind in Mauritius. With several setup options which have been tailored-made to meet our requirements, MIAC can seamlessly organize virtual, in-person and hybrid hearings as well as different types of live-streamed and recorded events.

Competitive Fees

- MIAC does not charge any registration fee for the administration of a case, but only for work actually performed.
- The MIAC Secretariat is open to working with the parties to achieve greater predictability regarding costs and to working on an arrangement that would be beneficial to the parties and the arbitral tribunal.

Experienced Secretariat and International Support

- The MIAC Secretariat is led by a Registrar, who is also a PCA Legal Counsel. On account of her ongoing PCA experience, the Registrar brings her expertise regarding the administration of cases.
- MIAC operates with the support of an Advisory Board comprising market leaders in international arbitration.

WHY MAURITIUS?

Mauritius is a centre of excellence for international arbitration in Africa and it is widely regarded as a prime seat for arbitration.

Arbitration-Friendly Jurisdiction

• **Modern Arbitration Act:**

Mauritius has developed a remarkable legal system for international arbitration. In 2008, the country adopted the Mauritian International Arbitration Act, (the Act), a state-of-the-art arbitration law based on the UNCITRAL Model Law, with refinements to make the Mauritian legal system for international arbitration as supportive and attractive as possible.

• **Role of the Secretary-General of the PCA:** The Act entrusts the Secretary-General of the Permanent Court of Arbitration with the power to appoint arbitrators and to take other measures relating to the arbitral proceedings as provided in Parts III and V of the Act.

• **Designated Judges:**

The Act also provides that a special group of Designated International Arbitration Judges of the Supreme Court will hear all matters under the Act.

• **Legal community:**


Mauritius prides itself in having a bilingual legal community (French and English) well-versed in both common and civil law traditions.

Ideal Venue for Hearings and Meetings

• **Tropical paradise:** As a venue for hearings and meetings, the tropical paradise of Mauritius makes for an exquisite destination. The country, located at the crossroads of Africa and Asia, is endowed with world-famous beaches, volcanic mountains, world class hotels, historic buildings and estates.

• **Culturally diverse:** Mauritian society is made of a diverse blend of cultures from Europe, Africa, Asia and beyond.

• **Ideally located:** Mauritius is well-connected to the global community, with numerous direct flights from Africa, Asia, Australia, and Europe



For more information, please visit:
<https://miac.mu/why-mauritius/>

THE ARBITRATION SUITE

MIAC offers a state-of-the-art hearing facility with a modern hearing room, three breakout rooms, and a library of arbitration and international law materials.



Hearing Room



Tribunal Breakout Room



Party Breakout Room 1



Party Breakout Room 2

For more information, please visit:
<https://miac.mu/arbitration-suite/>

AUDIO VISUAL SYSTEM

The Arbitration Suite is equipped with a state-of-the-art multi-functional Audio Visual System (“AV System”), one of its kind in Mauritius. The AV System is a complete audio video presentation and audio video conferencing system which offers the latest technologies to the user. MIAC can seamlessly organize virtual and hybrid hearings as well as different types of live-streamed and recorded events.

The AV System supports:

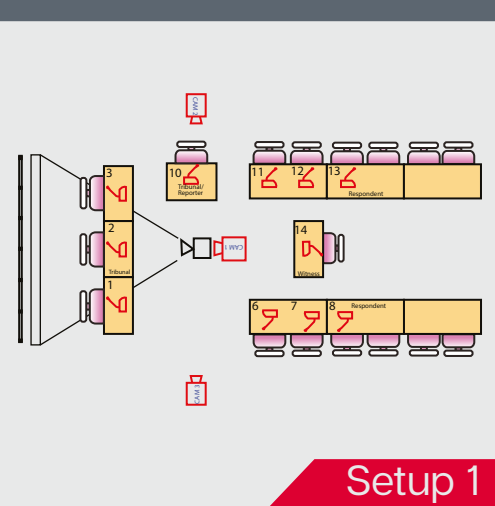
- ✓ Video & Audio Presentation
- ✓ Video Conferencing
- ✓ VoIP and SIP Call
- ✓ Recording of Internal and External Events
- ✓ Live Streaming
- ✓ Streaming of Pre-recorded Video

The Arbitration Suite is equipped with the following items:

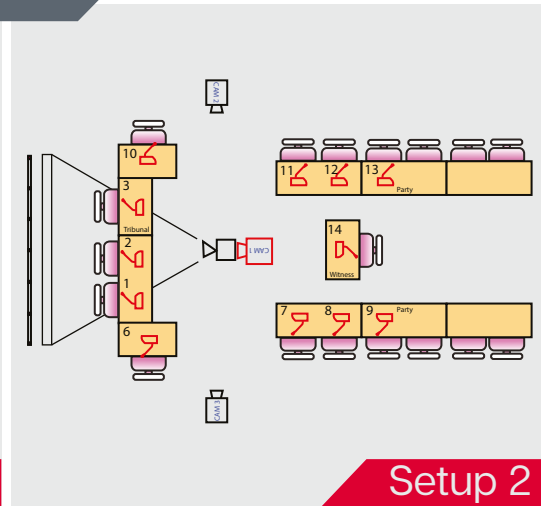
- ✓ Projector
- ✓ Projector Screen
- ✓ Three omnidirectional full HD cameras
- ✓ Six Ceiling Speakers with amplifiers
- ✓ Table-top Touch Panel kit for HDMI or WIFI presentations and calls access
- ✓ Control Touch Panel for setup options and access to microphone, projector and cameras setup
- ✓ Laptops
- ✓ Desktop with extra storage space
- ✓ 15 table-top wireless touch-to-talk microphones
- ✓ Two handheld wireless microphones
- ✓ Three charging docks for microphones
- ✓ HDMI output
- ✓ Server cabinet

The AV System can be set into eight individual setting modes. Fifteen wireless table microphones are preset on three cameras. These press-to-talk microphones command the camera to switch in the direction of the speaker, when activated. Two additional handheld microphones can also be used by the audience in conference setup.

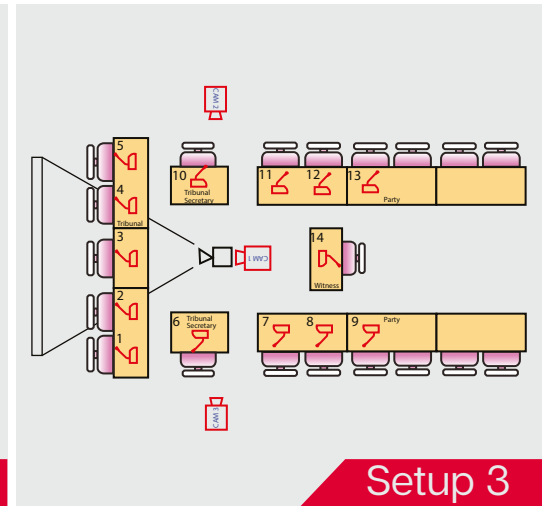
Traditional hearing setups



Setup 1

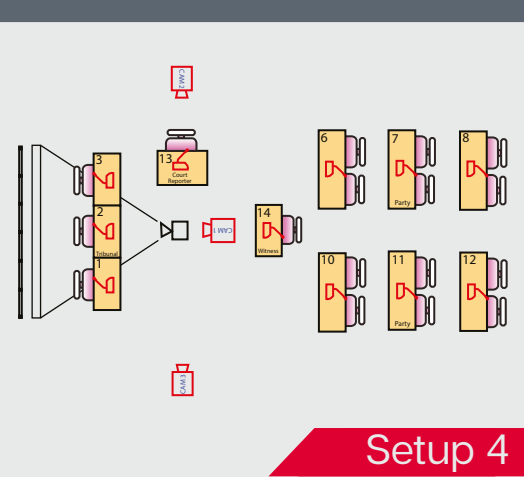


Setup 2

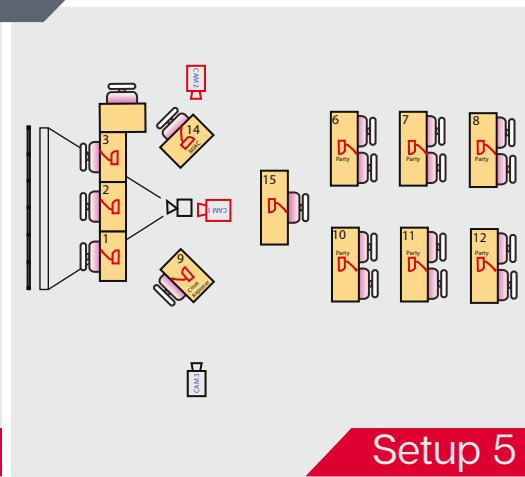


Setup 3

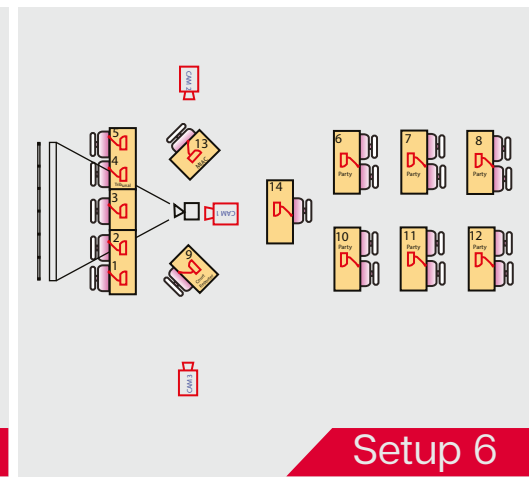
Classroom setups



Setup 4

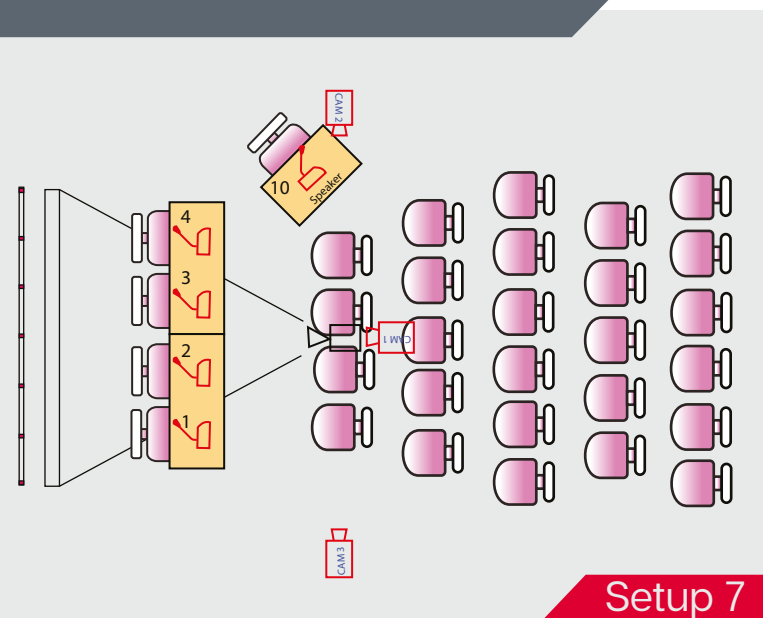


Setup 5

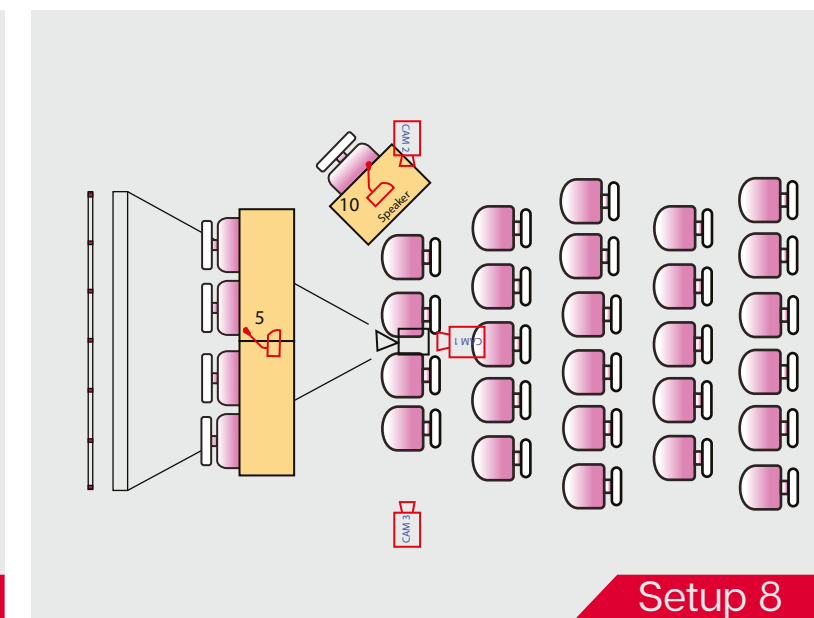


Setup 6

Conference setups



Setup 7



Setup 8

RATES

The Arbitration Suite is available free of charge for MIAC administered proceedings.

The following rates apply to other proceedings and events.

Room	Capacity	Rates
Hearing Room	Max. 60 without table Max. 30 with table	MUR 1,000 per hour (subject to a daily cap of MUR 8,000)
Party Breakout Rooms	Max. 14	MUR 500 per hour per room (subject to a daily cap of MUR 4,000)
Tribunal Breakout Rooms	Max. 10	MUR 500 per hour per room (subject to a daily cap of MUR 4,000)

An additional fee of MUR 1,500 per hour may apply for the assistance provided by MIAC staff.





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Level 1, Coaster Shed A
Port Louis Waterfront
Port Louis 11320
Republic of Mauritius

Telephone: +230 260 2460
Facsimile: +230 214 3709
Email: info@miac.mu