**NOTES TO ASG 6**

**SUBMISSION TO ARBITRATION – COLLISION**

1. It is probably more common for disputes arising from collisions to be dealt with by means of court proceedings rather than arbitration, but in some circumstances the parties may prefer the benefits of a private resolution of the dispute and this form provides a standardised agreement to arbitrate collision disputes.
2. Submission to arbitration in collision matters may be preferable also where the parties wish to avoid multiple court fees for issuing claim forms in the High Court of Justice in London, particularly if the size of the collision claims does not justify such expense
3. The procedure the agreement envisages for arbitration is modelled on that applied to collision actions in the Admiralty Court but which also gives power to the Arbitrator appointed to adopt the ASG Fast Track Procedure (ASG 7) if applicable or appropriate.
4. The new form of submission to arbitration also incorporates the power of the Arbitrator so appointed to have the matter heard on written submissions only, thereby doing away with the need for a separate form of arbitration agreement.
5. The parties are encouraged to appoint a sole arbitrator for proportionality but provides that the Arbitrator shall be sufficiently experienced being a QC from the Admiralty Bar or a retired Judge from the Admiralty Court, also with the power to appoint an assessor (along the lines of an Elder Brethren in the Admiralty Court) to avoid the need for experts being appointed by either side again to save costs.
6. In the event of the parties not being able to agree to a sole arbitrator the parties can apply to the Chairman or the Secretary of the ASG to nominate a suitable sole arbitrator.
7. The provision relating to the appointment of an Appeal Arbitrator in the previous version has now been removed so as to make the arbitral process more cost effective.

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