



SCC Ad Hoc Platform

**Guidelines for parties
and arbitral tribunals**

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Content

- 1. Introduction** **3**
 - The Ad Hoc Platform – simplifying secure communication in ad hoc arbitration 3

- 2. The Ad Hoc Platform** **3**
 - Access to and use of the Platform 3

- 3. Responsibilities of the arbitrator** **4**

- 4. Platform structure and functions** **5**
 - Files 5
 - Calendar 5
 - Participants 6
 - Tribunal Notices 6

- 5 Archiving** **6**

- 6. Security** **6**

- 7. Folder structures** **8**
 - Selection of folder structures 9
 - General principles for folder structures 10
 - Option A – basic 12
 - Option B – thematic order 14
 - Option C – chronological order 21
 - Option D – amount in dispute **22**

- 8. File naming**

1. Introduction

The Ad Hoc Platform

– simplifying secure communication and file sharing in ad hoc arbitrations

The Ad Hoc Platform is a secure digital platform for communication and file sharing between the parties and the tribunal. It is offered by the SCC Arbitration Institute, independent part of the Stockholm Chamber of Commerce to ad hoc arbitrations.

These guidelines instruct participants in arbitrations on the use of the Platform and address some of the questions that may arise along the way. The guidelines are not intended, and should not be understood, as arbitration rules. Using the Ad Hoc Platform for access and storage of the case material in an ad hoc arbitration is a stand-alone service and does not entail any administration by the SCC or that the arbitration is governed by the SCC Arbitration Rules.

Further information and “how-to” guides are available on the Platform under the tab “General Information”. Feel free to contact the SCC Secretariat with any questions on the use of the Platform, which are not addressed in these guidelines or on the Platform.



2. The Ad Hoc Platform

Access to and use of the Platform

Should the parties and the arbitrator(s) to an ad hoc arbitration wish to use the Ad Hoc Platform for the arbitration, the sole arbitrator or chairperson shall submit a request to the SCC at arbitration@sccarbitrationinstitute.com. The Secretariat will address the request.

Once the request has been addressed, the case is registered on the Ad Hoc Platform. Each arbitration is allocated its own individual “site” on the Ad Hoc Platform. Only the SCC administrator and the participants in the arbitration have access to the site. The parties gain access to the site upon invitation via email from the SCC.

First-time users of the Platform will be guided through a registration process to create a user profile and accept the terms and conditions for the use of the Platform.

Users involved in multiple arbitrations use the same profile to access all sites. Users are encouraged to update their profiles with any changes to their contact information.

The purpose of the Platform is to provide participants with a secure and efficient way of communicating and sharing documents and relevant information regarding the arbitration. If participants take full advantage of this service, the Platform serves as a complete file of the case materials and as an archive up to a year after the arbitration is terminated.

3. Responsibilities of the Arbitrator

Upon a request to use the Ad Hoc Platform, the SCC will enter into an agreement with the sole arbitrator/the chairperson of the tribunal for the purpose of using the Ad Hoc Platform in the arbitration. The agreement stipulates some responsibilities of the arbitrator in relation to the use of the Platform, including the responsibility to:

- inform the SCC of the individuals who should have access to the site on the Platform and their respective roles in the arbitration (e.g. claimant's counsel, arbitrator appointed by respondent)
- inform the SCC of which folder structure to be used in the arbitration (see Appendix I)
- inform the SCC without delay of the date the final award was rendered, or the arbitration otherwise was terminated

4. Platform structure and functions

Files

The participants to the ad hoc arbitration are responsible for uploading all relevant materials onto the Platform. Once the files are uploaded, they cannot be removed from the Platform.

It is recommended that the participants agree on the allocation of responsibilities as regards the upload of files onto the Platform, both in terms of populating the site initially with existing materials as well as continuously throughout the proceedings. The SCC will not upload documents to cases at the Ad Hoc Platform.

Calendar

The tribunal has the sole right to edit the case calendar. The tribunal is encouraged to keep the calendar updated in accordance with the timetable for the proceedings.

Participants

Only participants to the arbitration will be provided with access to the Platform.

Participants in the arbitration include:

- Arbitrators;
- Administrative secretaries (if any);
- Parties; and
- Counsel

Access to the Platform is administered by the SCC. All user profiles are visible to all participants in the arbitration. Due to the technical set-up of the Platform, the SCC secretariat will have access to the information stored on the Platform but will not access it unless necessary for the administration of the Platform or otherwise upon the instruction to do so by any participant to the arbitration. All information on the Ad Hoc Platform will be kept in strict confidentiality by the SCC.

Tribunal Notices

A notice board function enables the tribunal to post practical information throughout the proceedings. Information posted on this board can be edited after posting by the tribunal. The participants to the arbitration can make comments in writing to such posts made by the tribunal.

5. Archiving

Each site will remain accessible to the tribunal and the parties for one year after the end of the arbitration. During this period, participants in the arbitration will not be able to upload files to the site, however, the site will remain open for viewing and downloading files.

6. Security

The Ad Hoc Platform is powered by HighQ, part of Thomson Reuters. HighQ is a world leading supplier of secure digital solutions for the legal profession used and trusted by 250+ law firms, including some of the largest in the world. The system is ISO 27001 certified and has a SOC2 Report.

All files are kept in cloud-based storage in high-security facilities with separate back-up facilities at a different location. Both the primary and back-up facilities are located in Germany. All data is encrypted using military-grade encryption and all files are scanned for malware and viruses when uploaded.

The system has numerous security systems in place; two-factor authentication, a single encrypted https entry point, web application firewalls, intrusion detection, log file monitoring, anti-virus, code scanning technologies, etc. The interface and settings are further designed to minimize the risk of human errors compromising security or confidentiality.

The system is regularly scanned for vulnerabilities by HighQ as well as by third party security experts. In addition, the system is subjected to third-party penetration tests at regular intervals. The Platform has 99,9 % uptime and any scheduled maintenance downtime will be scheduled to minimise inconvenience to users. HighQ adheres to high confidentiality standards and are contractually bound by confidentiality to the SCC. HighQ may neither access any files uploaded to the Platform, nor is it able to view or amend the list of people with access to different sites without the prior permission of the SCC.

7. Folder structures

– Ad Hoc Platform folder structures and file naming

Selection of folder structures

The Platform provides several pre-set folder structures.

There are three options for folder structures:

- Option A – Basic (default)
- Option B – Thematical order
- Option C – Chronological order

The folder structures are further described in Appendix I and visible in the files tab on the Platform. The parties and the tribunal are advised to decide prior to requesting access to the Platform which of the three folder structures is to be used in the proceedings and inform the SCC accordingly. SCC will remove the options not selected.

General principles for folder structure

Option A – Basic will be selected in the arbitration unless the participants agree and inform the SCC otherwise upon request of access to the Platform. The participants can add sub-folders to those folders to which they have user rights. Due to security restrictions, neither folders nor files can be moved or removed from the Platform once uploaded. All folders are visible to all users, unless expressly indicated in the folder name (see Appendix I).

Selection of folder structures

The Platform provides several pre-set folder structures. One set of folders is used for communications with the SCC Secretariat. For the proceedings before the tribunal, including party submissions and communication between parties and the tribunal, there are four options for folder structures:

- Option A – Basic (default)
- Option B – Thematical order
- Option C – Chronological order
- Option D – Customizable structure; available in cases where the disputed amount exceeds EUR 500,000.

The folder structures are further described in Appendix I.

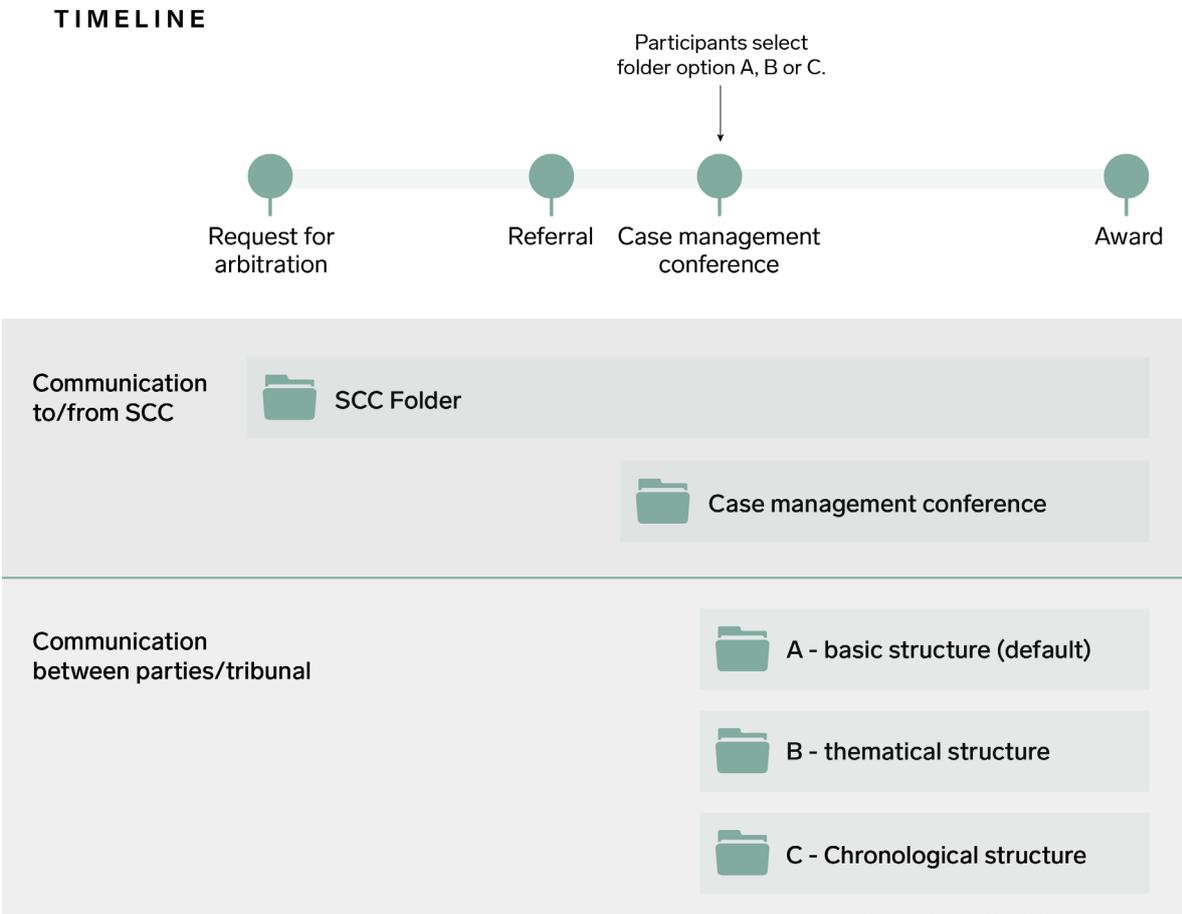
The parties and the tribunal are advised to decide at the first case management conference which of the four folder structures is to be used in the proceedings and inform the SCC accordingly.

General principles for folder structures

Option A – Basic will be made available in the arbitration unless the participants agree and inform the SCC otherwise after the first case management conference. Once a folder structure has been selected, it cannot be amended or changed except where expressly indicated. Due to security restrictions, files can neither be removed from the Platform once uploaded, nor moved between folders.

All folders are visible to all users, unless expressly indicated (see Appendix I).

The following infographic describes the folder structure pre and post selection of folder structure.



SCC folder structure for the communication with the participants, if applicable

The following structure is used by the SCC to communicate with the participants in the arbitration throughout the course of the proceedings, if there is a need for a folder for communication with the SCC.

SCC Communication and Case Management Conference

-  **Communication to the SCC, if applicable**
Participants are required to upload all communication addressed to the SCC during the course of the proceedings to the relevant sub-folder below.
 -  From claimant
E.g. request for arbitration, power of attorneys.
 -  From respondent
E.g. answer to the request for arbitration, power of attorneys.
 -  From tribunal
 -  From tribunal (NOT VISIBLE TO THE PARTIES)
E.g. communication regarding practicalities such as bank details or similar.
-  **Communication from the SCC**
 -  To tribunal (NOT VISIBLE TO THE PARTIES)
E.g. communication regarding practicalities such as bank details or similar.
-  **Arbitrator confirmation of acceptance**
-  **Case management conference**
E.g. agendas or other correspondence related to case management conferences.
-  **[Challenge to arbitrator]**
This folder is made available only if a challenge to an arbitrator is submitted.

Option A - basic

Option A – Basic will be made available in the arbitration unless the participants agree and inform the SCC otherwise after the first case management conference. Only Option A – Basic is used in emergency arbitrator proceedings.



Claimant

Only representatives of the claimant possess uploading rights, including to subfolders



Submissions



Exhibits



Hearing



Costs



Other



Respondent

Only representatives of the respondent possess uploading rights, including to subfolders



Submissions



Exhibits



Hearing



Costs



Other



Arbitral tribunal



Party communication with the tribunal



To/from the parties



From claimant (NOT VISIBLE TO THE RESPONDENT)

*Restricted to submissions in Word format,
cost submissions (if applicable)*



From respondent (NOT VISIBLE TO THE CLAIMANT)

*Restricted to submissions in Word format,
cost submissions (if applicable)*



Procedural Orders



Hearing



Decisions



Awards

The tribunal should upload the award to the Platform, as a signed and scanned PDF attachment, on the day that the award is rendered. The same day, the tribunal should send a signed hard-copy original of the award to the parties by courier or registered mail. Proof of dispatch of the award to the parties should be uploaded to the Platform and sent to the SCC together with an original hard-copy of the award.



Other



Internal tribunal files (NOT VISIBLE TO THE PARTIES)

E.g. draft awards

Option B – thematic order



Claimant

Only representatives of the claimant possess uploading rights, including to subfolders.



Submissions

E.g. Statement of Claim, Statement of Reply.



Exhibits



Reports



Experts



Legal opinions



Witness statements



Hearing



Opening statements



Expert presentations



Additional exhibits



Closing arguments



Costs



Other



Other



Respondent

Only representatives of the Respondent possess uploading rights, including to subfolders.



Submissions

E.g. Statement of Defence, Statement of Rejoinder



Exhibits



Reports



Experts



Legal opinions



Witness statements



Hearing



Opening statements



Expert presentations



Additional exhibits



Closing arguments



Costs



Other



Other

 Arbitral tribunal

 Party communication with the Tribunal

 To/from the parties

 From claimant (NOT VISIBLE TO RESPONDENT)
*Restricted to submissions in Word format,
cost-submissions (if applicable)*

 From respondent (NOT VISIBLE TO CLAIMANT)
*Restricted to submissions in Word format,
cost-submissions (if applicable)*

 Procedural orders

 Hearing

 Transcripts

 Practical and procedural

 Other

 Decisions

 Awards

The tribunal should upload the award to the Platform, as a signed and scanned PDF attachment, on the day that the award is rendered. The same day, the tribunal should send a signed hard-copy original of the award to the parties by courier or registered mail. Proof of dispatch of the award to the parties should be uploaded to the Platform and sent to the SCC together with an original hard-copy of the award.

 Other

 Internal tribunal files (NOT VISIBLE TO THE PARTIES)
E.g. draft awards.

Option C – chronological order

 Submissions I

 Claimant Submission I – Statement of Claims

 Submission in Word format (NOT VISIBLE TO RESPONDENT)

 Exhibits

 Legal exhibits

 Witness statements

 Expert reports

 Other

 Respondent Submission I - Statement of Defence

 Submission in Word format (NOT VISIBLE TO CLAIMANT)

 Exhibits

 Legal exhibits

 Witness statements

 Expert reports

 Other

 Submissions II

 Claimant Submission II - Statement of Reply

 Submission in Word format (NOT VISIBLE TO RESPONDENT)

 Exhibits

 Legal exhibits

 Witness statements

 Expert reports

 Other

 Respondent Submission II - Statement of Rejoinder

 Submission in Word format (NOT VISIBLE TO CLAIMANT)

 Exhibits

 Legal exhibits

 Witness statements

 Expert reports

 Other

Should the need for additional submissions folders arise, the tribunal may request the SCC case administrator to make available the relevant number of additional submission folders in accordance with the structure above.

 Hearing

 Opening statements

 Claimant

 Respondent

 Expert presentations

 Claimant

 Respondent

 Additional exhibits

 Claimant

 Respondent

 Closing arguments

 Claimant

 Respondent

 Costs

 Claimant (NOT VISIBLE TO RESPONDENT)

 Respondent (NOT VISIBLE TO CLAIMANT)

 Transcripts

 Practical and procedural

 Other

Should the need for additional hearing folders arise, the tribunal may request the SCC case administrator to make available the relevant number of additional hearing folders in accordance with the structure above.

 Procedural orders

 Decisions

 Awards

The tribunal should upload the award to the Platform, as a signed and scanned PDF attachment, on the day that the award is rendered. The same day, the tribunal should send a signed hard-copy original of the award to the parties by courier or registered mail. Proof of dispatch of the award to the parties should be uploaded to the Platform and sent to the SCC together with an original hard-copy of the award.

 Other

 Internal tribunal files (NOT VISIBLE TO THE PARTIES)

E.g. draft awards

Option D – customized – amount in dispute > EUR 500 000

In arbitrations where the amount in dispute exceeds EUR 500 000, the participants in the arbitration have the option to submit to the SCC a customized folder structure to be used during the proceedings.

Should the participants opt for the customized folder structure, the tribunal shall inform the SCC of this decision after the first case management conference. SCC will provide the tribunal with a template. The tribunal may select if they want to work from a template based on option A, B or C, or from a blank template. The customized folder proposal must be submitted in the template provided by the SCC.

Please note that the folder structure cannot be amended or changed once made available on the site by the SCC. Any customized folder structure should thus be carefully crafted.

8. File naming

Irrespective of which folder structure is used, all files uploaded to the Platform can be viewed and sorted in different ways by using different settings, e.g. as an index following the folder structure, chronologically based on the uploaded date, or alphabetically. These settings are individual to each participant and not shared with other participants.

The tribunal is encouraged to decide on a policy for file naming in accordance with its preferences and is advised to name files in a manner which makes an alphabetical sorting of them relevant.