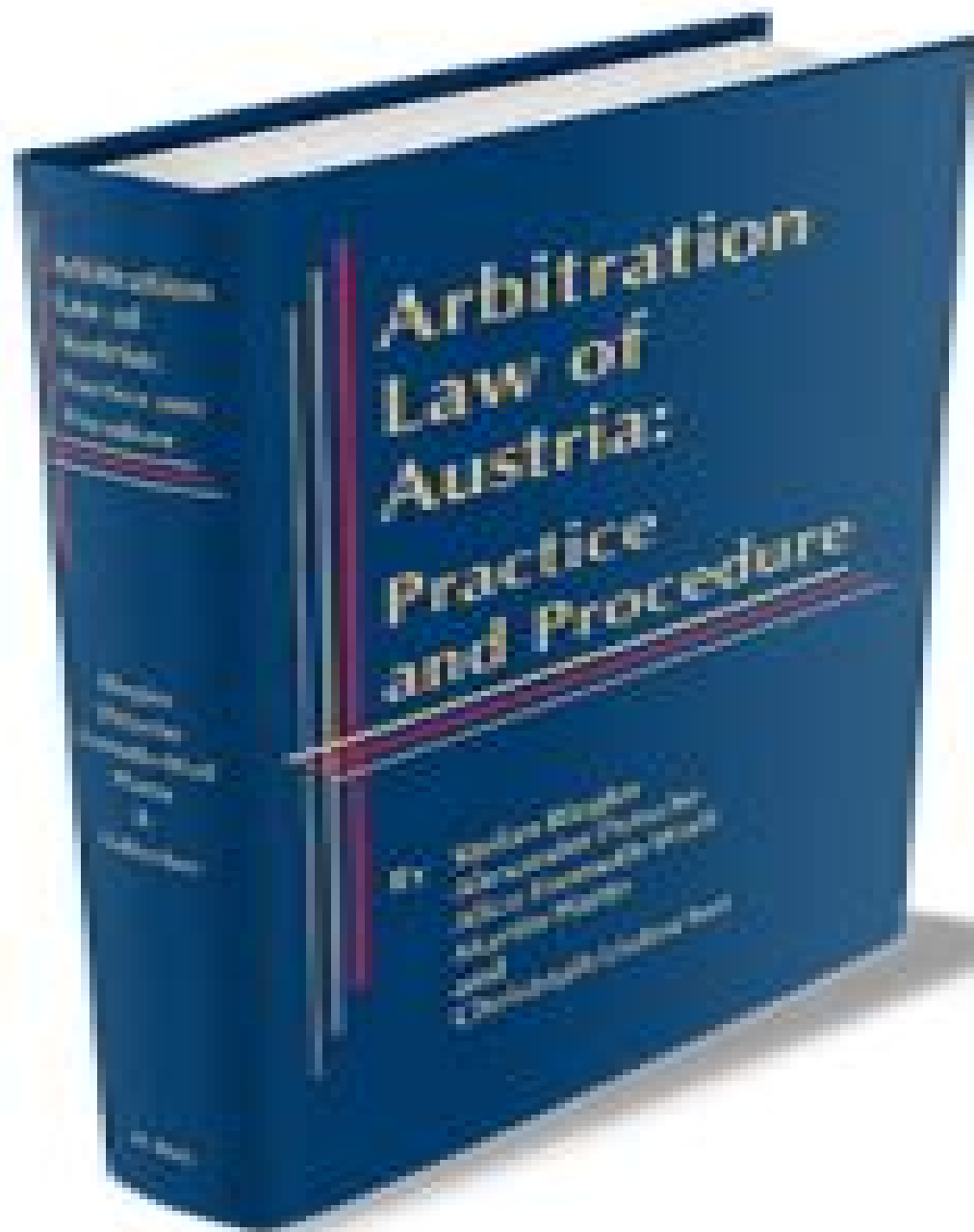




Arbitration Law of Austria:

Practice and Procedure

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Arbitration Law Of Austria Practice And Procedure

DJ Losen



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Arbitration Law of Austria Stefan Riegler, Alexander Petsche, Alice Fremuth-Wolf, Christoph Liebscher, 2007-03-01 Arbitration Law of Austria with over 800 pages of commentary and analysis provides the reader in a one stop shop manner with a concise but comprehensive tool for understanding and conducting arbitrations under the Austrian Arbitration Act and the Vienna Rules Austria has taken account of international developments and revised its law on arbitration The new Arbitration Act which is based on the UNCITRAL Model Law entered into force on 1 July 2006 Arbitration Law of Austria Practice and Procedure has been designed to be a reference book for arbitration practitioners and everyone who wants to familiarize themselves in depth with Austrian arbitration law and practice including the Vienna Rules It gives a concise introduction and provides a practical commentary to each section of the new Arbitration Act and each article of the Vienna Rules Section by section the book analyzes which case law rendered under the old regime still applies and for the first time summarises Austrian case law in English In addition five topics of particular interest are covered in detail arbitration agreements and third parties confidentiality in arbitration arbitrators liability enforcement and recognition of arbitral awards and arbitration and bankruptcy *The Vienna Rules* Franz T. Schwarz, Christian W. Konrad, 2009-01-01 This book examines the new Vienna Rules and the Austrian Arbitration Act that both came into effect on 1 July 2006 as the result of a major reform It is devoted to two principles First it recognizes that no two international arbitrations are the same Arbitration thrives and is today the predominant method of transnational dispute resolution because it meets the demands of international business for flexibility and efficacy Arbitration will continue to succeed if it retains those properties allowing for the adoption of procedures that are customized to satisfy the commercial prerogatives of the individual case This book seeks to provide its readers with a general framework and specific instruments to negotiate that process *Baker & McKenzie International Arbitration Yearbook: 2011-2012* Baker & McKenzie, 2012-03-01 This is the fifth edition of the Baker McKenzie International Arbitration Yearbook an annual series established by the Firm in 2007 This collection of articles is comprised of reports in key jurisdictions around the globe on arbitration Leading lawyers of the Firm s International Arbitration Practice Group a division of the Firm s Global Dispute Resolution Practice Group report on recent developments in national laws relating to arbitration and address current arbitral trends and tendencies in the jurisdictions in which they practice This Yearbook highlights the more important recent developments in international arbitration without aspiring to be an exhaustive case reporter or a text book to arbitration in the broad sense This volume will prove a useful tool for those contemplating and using arbitration to resolve international business disputes **Dispute Resolution in Austria** Manfred Heider, Michael Nueber, 2015-10-16 This very useful book arms litigation and arbitration practitioners and in house counsel with a detailed description of the Austrian procedural law governing proceedings before both Austrian domestic courts and arbitral tribunals seated in Austria Divided equally between arbitration and litigation with a concluding chapter on the role of

relevant international conventions and treaties the book provides a practical approach to users of the Austrian law on dispute resolution While it includes detailed references and examples of the jurisprudence of Austrian courts and the opinions of Austrian academics its great value lies in the straightforward answers it provides foreign lawyers to questions that arise during proceedings in Austria Issues and topics covered include the following the rules governing arbitration agreements and arbitrability the taking of evidence in arbitration interim measures costs recognition and enforcement of arbitral awards court structure and jurisdiction of Austrian courts the evidentiary proceedings before Austrian courts and European Civil Procedure This is the first detailed English language portrayal of the Austrian legal situation propos dispute resolution It allows practitioners to quickly grasp an overview of the Austrian practice in both arbitration and litigation while simultaneously ensuring the required depth to fully understand the legal background of this practice

Interim Measures in International Arbitration Lawrence W. Newma, Colin Ong, 2014-06-01 The first edition of Interim Measures in International Arbitration edited by Lawrence Newman and Dr Colin Ong is most auspicious in its timing The editors have compiled a shrewd and very practical questionnaire and they have gathered together a formidable group of some of the most reputed and talented practising arbitration lawyers academics and arbitrators from 43 leading jurisdictions to inform the reader about the essential elements of the different interim measures which are available as part of the arbitral process in a very large number of different national jurisdictions This book thus combines the best elements of a focused legal textbook with the essential practicalities of a practitioners procedural handbook This should be a standard travelling companion of international arbitrators and counsel as well as many international lawyers not just those who are arbitration specialists

The Chamber of Arbitration of Milan Rules: A Commentary Ugo Draetta, Riccardo Luzzatto, 2012-04-01 The Chamber of Arbitration of Milan Rules A Commentary is a Guide to the 2010 revision of the Arbitration Rules of the Arbitration Chamber of Milan CAM The Guide consists of article by article commentary on the Rules made by prominent scholars and arbitrators both Italians and non Italians CAM started its activities in the administration of domestic and international arbitrations more than 20 years ago It has a case load of about 150 new cases per year Additional information on CAM can be found on its website www.camera-arbitrale.it

Recognition and Enforcement of Foreign Arbitral Awards George A. Bermann, 2017-07-17 This book examines how the Convention on the Recognition and Enforcement of Foreign Arbitral Awards commonly known as The New York Convention has been understood and applied in insert number jurisdictions including virtually all that are leading international arbitration centers It begins with a general report surveying and synthesizing national responses to a large number of critical issues in the Convention s interpretation and application It is followed by national reports all of which are organized in accordance with a common questionnaire raising these critical issues Following introductory remarks each report addresses the following aspects of the Convention which include its basic implementation within the national legal system enforcement by local courts of agreements to arbitrate including grounds for

withholding enforcement recognition and enforcement of foreign awards by local courts under the Convention including grounds for denying recognition and enforcement and essential procedural issues in the courts conduct of recognition and enforcement Each report concludes with an overall assessment of the Convention s interpretation and application on national territory and recommendations if any for reform The New York Convention was intended to enhance the workings of the international arbitral system primarily by ensuring that arbitral awards are readily recognizable and enforceable in States other than the State in which they are rendered subject of course to certain safeguards reflected by the Convention s limited grounds for denying recognition or enforcement It secondarily binds signatory states to enforce the arbitration agreements on the basis of which awards under the Convention will be rendered Despite its exceptionally wide adoption and its broad coverage the New York Convention depends for its efficacy on the conduct of national actors and national courts in particular Depending on the view of international law prevailing in a given State the Convention may require statutory implementation at the national level Beyond that the Convention requires of national courts an apt understanding of the principles and policies that underlie the Convention s various provisions Through its in depth coverage of the understandings of the Convention that prevail across national legal systems the book gives practitioners and scholars a much improved appreciation of the New York Convention on the ground

Czech Yearbook of International Law - Rights of Host States within the System of International Investment Protection - 2011 Alexander J. Bělohávek, Prof. JUDr. Naděžda Rozehnalová, 2011-03-01 With the successful introduction in 2010 of the Czech Yearbook of International Law Professor Alexander J B lohl vek and Professor Nad da Rozehnalov the editors present the 2011 volume of this ambitious project The second volume focuses on the admittedly controversial topics relating to a shift from the investors viewpoints on investment protection to the contrasting viewpoints of the host states which are facing growing numbers of alleged claims by investors Volume II has set as its objective to plot the shift in the paradigm towards a new balance between investors and host states in the investment protection system Such a shift can be observed in the rising number of counterclaims brought by host states against investors by the introduction of new standards for evaluation of investments in light of the good faith of the investor at the time of an investment and by the choice of an absolute means of protection of a host state s interest against investor claims by termination of an existing investment treaty These topics represent pieces of the whole mosaic of this problem to which the second volume of the Czech Yearbook of International Law is dedicated to a wide professional audience The Czech Yearbook of International Law CYIL is a collective effort by the following persons and institutions

International Arbitration and International Commercial Law Eric E. Bergsten, 2011-01-01 Over the last half century as UNCITRAL official professor arbitrator and father of the Willem C Vis Arbitration Moot Eric Bergsten has been at the forefront of progress in international commercial arbitration Now on the occasion of his eightieth birthday the international arbitration and sales law community has gathered to honour him with this substantial collection of new essays on the many facets of the field to which

he continues to bring his intellect integrity inquisitive nature eye for detail precision and commitment to public service Celebrating the long standing and sustained contribution Eric Bergsten has made in international commercial law international arbitration and legal education more than fifty colleagues among them quite a few of the best known arbitrators and arbitration academics in the world present 45 pieces that individually both engaging and incisive collectively present a thorough and far reaching account of the state of the field today with contributions covering international sales law commercial law commercial arbitration and investment arbitration In addition nine essays on issues in legal education mirror the great importance of the renowned Willem C Vis International Commercial Arbitration Moot Eric s Vienna project which has offered a life changing experience for so many young lawyers from all over the world

Practitioner's Handbook on International Commercial Arbitration Frank-Bernd Weigand, 2009-12-24 The Practitioner s Handbook on International Commercial Arbitration provides concise country reports on important jurisdictions for international arbitral proceedings as well as commentaries on well known arbitration rules which are frequently incorporated in international legal agreements Most international commercial contracts now include an arbitration clause as an alternative to resolving disputes in the state courts This second edition of the Practitioner s Handbook includes newly updated country chapters expanded international coverage and commentary on the most important arbitration rules worldwide It is written by world leading arbitration practitioners and academics and combines a practical approach with in depth legal research and analysis of important national and international case law The book is unique in its coverage providing uniformly designed country reports and thorough commentaries on internationally recognized arbitration rules in just one volume There are individual chapters for the following countries Austria Belgium China and provides details of national arbitration laws arbitral institutions in the jurisdiction model arbitration clauses and a bibliography including a list of key judicial decisions The first edition was reviewed as an outstanding book and an extremely useful tool The work is an indispensable one stop reference point for lawyers drafting international arbitration clauses or handling arbitration proceedings in different countries

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