

Topic / Area	2023 Rules	2026 Rules	Key Impact / Comment
<b>Structure</b>	Contained <i>Part II</i> incorporating the UNCITRAL Arbitration Rules.	UNCITRAL chapter removed; key principles assimilated into the AIAC Rules themselves.	Streamlined single-document regime; UNCITRAL essence retained but now localised.
<b>Applicable Law &amp; Procedure</b>	No express requirement for parties to state applicable law/procedure.	Parties must propose governing law and procedure in Notice of Arbitration and Response –  ( <i>R. 5.1(h), R. 6.1(e) of the 2026 Rules</i> ).	Improves clarity from the outset; avoids later jurisdictional uncertainty.
<b>Counterclaims</b>	Respondent <i>may</i> include counterclaim in Response.  ( <i>Part II, Article 4 of the 2023 Rules</i> )	Respondent <i>shall</i> include counterclaim in Response –  ( <i>R. 6.1(c) of the 2026 Rules</i> .)	Mandatory inclusion ensures procedural efficiency.
<b>Third-Party Funding (TPF)</b>	Disclosure requirement not too extensive.  ( <i>R. 12 of the 2023 Rules</i> )	Mandatory disclosure in Notice and Response; detailed guidelines –  ( <i>R. 5.1 (f), 6.1(d), and 31 of the 2026 Rules</i> )	Enhances transparency; aligns with Malaysian Arbitration (Amendment) Act 2024.
<b>Objection &amp; Waiver</b>	No specific waiver rule.	Parties waive right to object to	Encourages procedural discipline and finality.

SUMMARY OF CHANGES TO AIAC ARBITRATION RULES 2026

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		irregularities if not raised promptly –  (R. 53 of the 2026 Rules).	
<b>Appointment of Arbitrators</b>	Does not contain specific and explicit requirements for considerations.	Detailed list of factors AIAC must consider –  (R. 16 of the 2026 Rules).	More transparent appointment process.
<b>Impartiality / Independence / Availability</b>	No explicit rule despite scattered reference to the principles.	Explicit adoption of UNCITRAL standards –  (R. 17 of the 2026 Rules).	Brings consistency with international practice.
<b>Challenge to Arbitrators</b>	Grounds: justifiable doubts on impartiality/independence or lack of qualifications.  (R. 4 of the 2023 Rules)	Adds new grounds – failure/impossibility to act; failure to perform duties  Adds new requirement – Only if aware after the appointment of arbitrator.  (R. 23.1–23.2 of the 2026 Rules).	Clarifies challenge procedure and timing.
<b>Removal of Arbitrator</b>	No express rule on removal by AIAC.	AIAC may remove an arbitrator under exceptional circumstances after consulting	Strengthens institutional oversight.

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		parties –  (R. 24. of the 2026 Rules)	
<b>Replacement of Arbitrator</b>	Briefly covered.  (Rule 5 of the 2023 Rules)	Extended provisions on procedure and costs –  (R. 25 of the 2026 Rules).	Reduces uncertainty during replacement process.
<b>Tribunal Jurisdiction</b>	Adopted by reference through UNCITRAL Part II.	Directly incorporated with local adjustments –  (R. 26 of the 2026 Rules).	Codifies competence-competence within main rules.
<b>Tribunal Powers</b>	Limited outline.  (R. 6 of the 2023 Rules)	Significantly expanded enumeration of powers which includes, express powers to limit or exclude irrelevant testimony or other evidence or materials –  (R. 28 of the 2026 Rules).	Clarifies tribunal authority.
<b>Seat of Arbitration (Award)</b>	Award deemed made at seat –	Clause removed –  (R. 29 of the 2026 Rules)	Simplifies seat determination, consistent with Model Law.

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	<i>(R. 7 of the 2023 Rules)</i>	<i>Rules)</i>	
<b>Fast-Track Procedure</b>	<p>Provided as a Schedule to the Rules.</p> <p><i>(Schedule 4 of the 2023 Rules)</i></p>	<p>Expanded and more detailed –</p> <p><i>(R. 7 of the 2026 Rules).</i></p>	Promotes time and cost efficiency.
<b>Summary Determination</b>	<p>Not extensively covered.</p> <p><i>(R. 11 of the 2023 Rules)</i></p>	<p>Expanded and more detailed, including a time limit to deliver decision allowing Summary Determination –</p> <p><i>(R. 9 of the 2026 Rules).</i></p>	Streamlines claims without merit.
<b>Joinder of Parties</b>	<p>Limited reference.</p> <p><i>(R. 9 of the 2023 Rules)</i></p>	<p>Detailed procedural framework –</p> <p><i>(R. 10 of the 2026 Rules).</i></p>	Supports complex multi-party disputes.
<b>Interim Measures</b>	<p>Provisions in 2 parts under Rule 8, Part I and Article 26, Part II.</p> <p><i>(R. 8 of the 2023 Rules)</i></p>	<p>Streamlined, comprehensive and modernised –</p> <p><i>(R. 11 of the 2026 Rules).</i></p>	Clarifies tribunal and party powers.
<b>Emergency Arbitration</b>	<p>Detailed only in Schedule.</p> <p><i>(Schedule 3 of the 2023 Rules)</i></p>	<p>Formalised in three new rules -</p> <p><i>(R. 12, 13 and 14 of the 2026 Rules).</i></p>	Institutionalises emergency relief procedures.

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<b>Multi-Party Appointments</b>	Basic provisions in UNCITRAL Rules  <i>(Article 10 of Part II of the 2023 Rules).</i>	Adopts UNCITRAL Article 10 (with modifications) –  <i>(R. 20 of the 2026 Rules).</i>	Clarifies process for appointing tribunal when it is a multi-party arbitration.
<b>Amicable Settlement</b>	Not mentioned.	Introduces Arb-Med, Arb-Med-Arb, and Med-Arb options –  <i>(R. 49 of the 2026 Rules).</i>	Promotes settlement flexibility.
<b>Interpretation / Correction / Additional Award</b>	Incorporated via UNCITRAL Part II.	Directly adopted from UNCITRAL Articles 37–39 –  <i>(R. 44–46 of the 2026 Rules).</i>	Improves procedural clarity for award post-issuance.
<b>Early Termination</b>	Not expressly covered.	Allows tribunal to terminate early if settled or continuation impossible –  <i>(R. 51 of the 2026 Rules).</i>	Adopt Article 36 UNCITRAL Rules and section 34 of the Arbitration Act 2005 and clarifies the process.
<b>AIAC Decisions</b>	No explicit provision.	AIAC decisions binding; not required to reasoning unless ordered by court or rules provide otherwise –  <i>(R. 55 of the 2026 Rules).</i>	Clarifies institutional authority.

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		<i>Rules).</i>	
<b>Technical Review of Awards</b>	AIAC Director could waive technical review – <i>R. 16(8).</i>	No provision for waiver of technical review –  <i>(R. 42 of the 2026 Rules).</i>	Ensures consistency and quality control.
<b>Timing (Three-Arbitrator Cases)</b>	30 days from service of Notice.  <i>(R. 3(5)(b) of the 2023 Rules)</i>	30 days from receipt of Notice –  <i>(R. 19.1(b) of the 2026 Rules).</i>	Clarifies timeline trigger.