

**NOTES TO ASG 8 -
SUBMISSION TO ARBITRATION ON DOCUMENTS ALONE
- COLLISION**

1. This form of arbitration is designed to deal with comparatively small collision cases, when there is dispute as to liability and/or damages, expediently and at minimum cost. The arbitration is on documents alone and there is no right of appeal unless the parties specifically agree.

2. Whilst the forum may be used by solicitors or by the parties with legal assistance it is intended that the parties should present their own case with a view to saving costs. Should either party have insufficient information or the Arbitrator feels more is required to ensure justice, he has the power to request it.

**ASG SUBMISSION TO ARBITRATION ON DOCUMENTS ALONE
COLLISION**

MEMORANDUM OF AGREEMENT made the [] day of [] 20[]

B E T W E E N :

- (1) Messrs **[X and Co.]** of **[insert address]** for and on behalf of the owners of the vessel **["AAA"]** ("The Claimants") and
- (2) Messrs **[Y and Co.]** of **[insert address]** for and on behalf of the owners of the vessel **["BBB"]** ("The Respondents")

W H E R E A S :

A collision occurred between the said vessels off **[insert place of collision]** on or about the **[insert date]**, whereby both vessels sustained loss and/or damage and the parties are in dispute as to liability for the said collision and/or as to damages sustained in consequence.

NOW IT IS HEREBY AGREED as follows:-

1. The determination of the disputes as to liability for the said collision and/or as to the assessment of damages resulting therefrom ("the Disputes") shall be and are hereby referred to the sole arbitrament of a mutually agreed member of the Panel of Arbitrators published by the Admiralty Solicitors Group ("the ASG") or in the event of no such agreement by such person as may be appointed by the Chairman **[or Secretary]** of the ASG ("the Arbitrator") whose award shall be binding on the parties
2. There shall be no appeal from the award of the Arbitrator unless otherwise specifically agreed.
3. The Arbitrator shall give such direction as to the conduct of the case as he shall think fit but unless otherwise specifically agreed by the parties the arbitration shall be on documents alone with written submissions by the parties.
4. The Arbitrator shall have power to:-
 - (i) call for and/or admit such documentary evidence or information as he may think fit

- (ii) make interim awards on such terms as may be fair and just
 - (iii) make such orders as to interest, costs, fees and expenses as may be fair and just.
- 5. The Arbitrator shall determine the Disputes in accordance with English law and practice, and shall provide Reasons for his award which shall form part of the award.
- 6. Either party on payment of the Arbitrator's charges shall be entitled to take up the award and thereafter shall serve on the other party a true copy within 48 hours.
- 7. This agreement shall be governed by English Law.

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For and on behalf of the Claimants

For and on behalf of the Respondents