

Protection Measures
/Emergency Arbitrator Procedures
in CMAC Arbitration Rules 2015

Cai Hongda Huang Chenliang

Features of protection measures

- (1) The protection measures must be decided and enforced by the people's courts ;
- (2) The enforced objects may be property, evidence, the party's act or refrain from action ;
- (3) The protected object must be connected with the maritime arbitration case ;
- (4) It is not an independent civil procedure, but it is an enforceable and temporary measure

CMAC Arbitration Rules 2015 four protection measures:

preservation of property ;

preservation of evidence ;

maritime injunction ;

and limitation for maritime claims.

(1) The preservation of property

case of *M.V. "Yu Hua"* on disputes over hire

case of *M.V. "Golden Carving"* over the ship repair fee

(2) The security measures

The conditions of applying for preservation of maritime evidence :

(3)The maritime injunction

(4) limitation fund for maritime claims.

case of *M.V. "Huahai 318"*

CMAC Arbitration Rules 2015 extends upon “Article 27
Interim Measures” :

CMAC Emergency Arbitrator Procedures (Appendix III).

Article 74 “ Interim Measures and Emergency Relief”for
CMAC arbitration in Hong Kong