***Form for the Statement of Defence***

*Place and date*

**STATEMENT OF DEFENCE**

*Subject: Dispute No … between … (Name of Claimant and Respondent)*

**To: HTA Commercial Arbitration Center**

1. **Information on Respondent**

**Respondent:** …………………………………………………..

Legal Representative: Mr. / Mrs. ……………………………….

Address: ……………………………………………………………

Telephone: …………………… Fax: ………………………….

Authorized representative (if any): Mr. / Mrs. ………………- followed the power of attorney (or Authorization contract) dated ……..

1. **Basis of Defence[[1]](#endnote-1)**

* Indicate that the Respondent has received the Claimant’s Request of Arbitration.
* Explain the rights and obligations of the Respondent under the contract, as well as the performance of the contractual obligations of the Respondent from the Respondent's perspective.
* Present the objections (or acceptances) to the Claimant's requests along with the provision of factual and legal background and evidence for the objections[[2]](#endnote-2).

1. **The name of the person chosen by the Respondent as Arbitrator[[3]](#endnote-3)**

The Respondent chooses Mr. / Mrs. ……………… to act as Arbitrator to resolve the dispute between Claimant and Respondent. Mr. / Mrs. ……………… is an Arbitrator named in the List of arbitrators of the HTA.

OR

The Respondent chooses Mr. / Mrs. ……………… to act as Arbitrator to resolve the dispute between Claimant and Respondent. Mr. / Mrs. ……………….. is not on the List of arbitrators of the HTA.

Contact information of Mr. / Mrs. ……………………………... is as follow:

Address: ……………………………………………………………………

Phone number: ………………………….

OR

The Center is requested to appoint an arbitrator for the Respondent.

1. **Signature**

* Signature of the legal representative or an authorized representative (attached valid authorization) of the Respondent in case the Respondent is an organization.
* Signature of the Respondent or an authorized representative (attached valid authorization) in case the Respondent is an individual.

1. In the course of arbitration proceedings, the Respondent has the right to amend and supplement this content. The Arbitral Tribunal may also request the Respondent to provide further explanation or additional evidence if it is deemed necessary in order to resolve the dispute. [↑](#endnote-ref-1)
2. It should be noted that the Respondent should not set out the counterclaim against the Claimant in the Statement of Defence. The Counterclaim shall be made in a separate document and submitted to the Center at the same time as the submission of the Statement of Defence. [↑](#endnote-ref-2)
3. Even if the Respondent believes that HTA has no authority to resolve the dispute between the Claimant and the Respondent, the Respondent must choose or request HTA to appoint an Arbitrator within 30 days from the receipt date of the Request of Arbitration and the attached documents. The Respondent (as well as the Claimant) is not required to choose a person from the List of Arbitrators of HTA as an Arbitrator to resolve the dispute. [↑](#endnote-ref-3)