

# NCC Update Nr. 3

December 2018

Dear Sir/Madam

This is the third Update on the Netherlands Commercial Court (NCC) and progress toward its creation. For previous Updates see our website [www.ncc.gov.nl](http://www.ncc.gov.nl).

The NCC (NCC District Court and NCC Court of Appeal) is being set up in Amsterdam to deal with international business disputes. The NCC will hear cases in English and its judgments will be in English.

The NCC is well positioned to swiftly and effectively resolve international business disputes.



## Legislation

On 11 December 2018 the Dutch Senate voted to create the Netherlands Commercial Court (NCC District Court and NCC Court of Appeal) as part of the Amsterdam courts.

The NCC legislative process is now close to completion.

The final step is for the Minister of Justice and Security to issue a decree for the NCC legislation to enter into force. A decision is expected soon.

In addition, the eNCC upload/download system has completed testing and is ready to go. However, technical and administrative discussions are ongoing on how and when to fully implement it.

The KEI legislation has been delayed and will therefore not apply to proceedings before the NCC until further notice. So the Civil Procedure Code rules will be as they are now, for the time being.

### Minor changes to the NCC Rules

Until further notice a few limited amendments to the NCC Rules will apply in view of the KEI legislation delay. See the addendum (attachment) to find out what these changes are.

### Public relations

In the last 3 months the NCC Project Team has expanded its efforts to inform practitioners about NCC and dispute resolution in complex international matters:

- 24-26 September: meetings with New York law firms



- 8-12 October: our stand at the IBA Annual Conference in Rome



*Mr Willem Visser, NCC's Project Manager*

- 11 October: presentations to the Dutch General Counsel Network



*Mr Lincoln Frakes and Duco Oranje, prospective Presidents of the NCC District Court and NCC Court of Appeal*

- 22 November 2018: the IPBA Conference “International Commercial Courts in Various European Jurisdictions & in Singapore” in Brussels

### **Focus: NCC and arbitration**

Arbitration and court litigation are, obviously, options that practitioners should and do consider as they think about how to deal with international business disputes.

Arbitration may offer real advantages. But sometimes proceedings are time-consuming, and there’s a price tag. Time and cost may be an issue.

Check the fact sheet (attachment) to see how NCC may be an alternative to arbitration. And what role NCC could play in enforcing or setting aside arbitral awards.

### **Questions?**

We’ll keep you posted. The next Update is scheduled for January-February.

If you have any questions, please contact us at [NCC@rechtspraak.nl](mailto:NCC@rechtspraak.nl).

Or visit our website [www.ncc.gov.nl](http://www.ncc.gov.nl).

Follow us on Twitter:



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### **Unsubscribe?**

This update was sent to you because you have expressed interest in the NCC. If you would prefer not to receive further updates, please unsubscribe by sending an email to [NCC@rechtspraak.nl](mailto:NCC@rechtspraak.nl).

Best regards,

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