



FORM No. 5

REF No.

STATEMENT OF DEFENCE

PART A¹: *Compulsory Information to be included in the Statement of Defence*

DETAILS OF CLAIMANT²

NAME

ADDRESS

DETAILS OF RESPONDENT³

NAME

ADDRESS

For the purposes of Article 30 of the Arbitration Act, the respondent hereby provides:

1. A statement of facts supporting the defence:

2. A reply to the points at issue:

¹ Where the space provided is not sufficient, further information may be submitted in separate sheets annexed to this form.

² The term 'claimant' includes one or more claimants.

³ The term 'respondent' includes one or more respondents.

3. The relief or remedy sought:

PART B⁴: *Documents to be annexed or referred to in the Statement of Defence*

The statement of defence is accompanied by the following documents:

1. A copy of the contract, and of the arbitration agreement if not included in the contract, unless already filed with the Notice of Arbitration or the Statement of Claim.
2. Other documents, namely:

PART C⁵: *Other evidence*

Other evidence that will be submitted by respondent:

PART D⁶: *Pleas as to the Jurisdiction of the Arbitral Tribunal*

The following jurisdictional pleas are being entered by the respondent:

PART E: *Service of the Statement of Defence*

The Statement of Defence shall be served on the claimant and the arbitral tribunal: (a) by the respondent or (b) by the Malta Arbitration Centre⁷.

⁴ Where the space provided is not sufficient, further information may be submitted in separate sheets annexed to this form.

⁵ Ibid.

⁶ Ibid.

⁷ Delete as necessary.

PART F: *Composition and Appointment of the Arbitral Tribunal*

The Respondent agrees with the Claimant on the appointment of _____ as the arbitrator to hear and decide this arbitration.

OR

The Respondent does not agree with the person/s proposed by Claimant to act as arbitrator/s and recommends the following person/s:

PART G: *Additional information for the Parties' benefit*

Apart from drawing up his Statement of Defence, the respondent may wish to make a counter-claim arising out of the same contract or he may wish to rely on a claim arising out of the same contract for the purpose of a set-off.

Additional Attachments/Documents (please list attachments/documents, if applicable)

Signature of Respondent/Representative

Date

PART H: *For office use only*

Date of filing of the Statement of Defence:

By whom this form has been filed:

--	--