



Arbitration (Scotland) Act 2010

2010 asp 1

Statutory arbitration

16 Statutory arbitration: special provisions

- (1) “Statutory arbitration” is arbitration pursuant to an enactment which provides for a dispute to be submitted to arbitration.
- (2) References in the Scottish Arbitration Rules (or in any other provision of this Act) to an arbitration agreement are, in the case of a statutory arbitration, references to the enactment which provides for a dispute to be resolved by arbitration.
- (3) None of the Scottish Arbitration Rules (or other provisions of this Act) apply to a statutory arbitration if or to the extent that they are excluded by, or are inconsistent with, any provision made by virtue of any other enactment relating to the arbitration.
- (4) Every statutory arbitration is to be taken to be seated in Scotland.
- (5) The following rules do not apply in relation to statutory arbitration—
 - rule 43 (extension of time limits)
 - rule 71(9) (power to declare provision of arbitration agreement void)
 - rule 80 (death of party)
- (6) Despite rule 40, parties to a statutory arbitration may not agree to—
 - (a) consolidate the arbitration with another arbitration,
 - (b) hold concurrent hearings, or
 - (c) authorise the tribunal to order such consolidation or the holding of concurrent hearings,unless the arbitrations or hearings are to be conducted under the same enactment.

17 Power to adapt enactments providing for statutory arbitration

Ministers may by order—

- (a) modify any of the Scottish Arbitration Rules, or any other provisions of this Act, in so far as they apply to statutory arbitrations (or to particular statutory arbitrations),

Status: This is the original version (as it was originally enacted).

- (b) make such modifications of enactments which provide for disputes to be submitted to arbitration as they consider appropriate in consequence of, or in order to give full effect to, any of the Scottish Arbitration Rules or any other provisions of this Act.