

SCHEDULE 1
SCOTTISH ARBITRATION RULES

PART 2

JURISDICTION OF TRIBUNAL

Rule 20 Objections to tribunal's jurisdiction M

- 20 (1) Any party may object to the tribunal on the ground that the tribunal does not have, or has exceeded, its jurisdiction in relation to any matter.
- (2) An objection must be made—
- (a) before, or as soon as is reasonably practicable after, the matter to which the objection relates is first raised in the arbitration, or
 - (b) where the tribunal considers that circumstances justify a later objection, by such later time as it may allow,
- but, in any case, an objection may not be made after the tribunal makes its last award.
- (3) If the tribunal upholds an objection it must—
- (a) end the arbitration in so far as it relates to a matter over which the tribunal has ruled it does not have jurisdiction, and
 - (b) set aside any provisional or part award already made in so far as the award relates to such a matter.
- (4) The tribunal may—
- (a) rule on an objection independently from dealing with the subject-matter of the dispute, or
 - (b) delay ruling on an objection until it makes its award on the merits of the dispute (and include its ruling in that award),
- but, where the parties agree which of these courses the tribunal should take, the tribunal must proceed accordingly.