

Status: Point in time view as at 07/06/2010.

Changes to legislation: Arbitration (Scotland) Act 2010, Cross Heading: Rule 17 Reconstitution of tribunal D is up to date with all changes known to be in force on or before 26 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULE 1 SCOTTISH ARBITRATION RULES

Modifications etc. (not altering text)

- C1** Sch. 1 excluded by 1949 c. 39, s. 8(2) (as amended (5.6.2010) by [The Arbitration \(Scotland\) Act 2010 \(Consequential Amendments\) Order 2010 \(S.S.I. 2010/220\)](#), art. 1, **sch. para. 1**)
- C1** Sch. 1 excluded by 1949 c. 87, s. 67(4) (as amended (5.6.2010) by [The Arbitration \(Scotland\) Act 2010 \(Consequential Amendments\) Order 2010 \(S.S.I. 2010/220\)](#), art. 1, **sch. para. 2**)
- C1** Sch. 1 excluded by 1961 c. 34, s. 171 (as amended (5.6.2010) by [The Arbitration \(Scotland\) Act 2010 \(Consequential Amendments\) Order 2010 \(S.S.I. 2010/220\)](#), art. 1, **sch. para. 3**)
- C1** Sch. 1 excluded by 1962 c. 46, s. 74(6)(f) (as amended (5.6.2010) by [The Arbitration \(Scotland\) Act 2010 \(Consequential Amendments\) Order 2010 \(S.S.I. 2010/220\)](#), art. 1, **sch. para. 4(2)**)
- C1** Sch. 1 excluded by 1962 c. 46, s. 81(7) (as amended (5.6.2010) by [The Arbitration \(Scotland\) Act 2010 \(Consequential Amendments\) Order 2010 \(S.S.I. 2010/220\)](#), art. 1, **sch. para. 4(3)**)
- C1** Sch. 1 excluded by 1962 c. 46, Sch. 7 para. 17(5) (as amended (5.6.2010) by [The Arbitration \(Scotland\) Act 2010 \(Consequential Amendments\) Order 2010 \(S.S.I. 2010/220\)](#), art. 1, **sch. para. 4(4)**)
- C1** Sch. 1 excluded by 1977 c. 37, s. 130(8) (as amended (5.6.2010) by [The Arbitration \(Scotland\) Act 2010 \(Consequential Amendments\) Order 2010 \(S.S.I. 2010/220\)](#), art. 1, **sch. para. 5**)
- C1** Sch. 1 excluded by 1992 c. 52, s. 212(5) (as amended (5.6.2010) by [The Arbitration \(Scotland\) Act 2010 \(Consequential Amendments\) Order 2010 \(S.S.I. 2010/220\)](#), art. 1, **sch. para. 6(2)**)
- C1** Sch. 1 excluded by 1992 c. 52, s. 263(6) (as amended (5.6.2010) by [The Arbitration \(Scotland\) Act 2010 \(Consequential Amendments\) Order 2010 \(S.S.I. 2010/220\)](#), art. 1, **sch. para. 6(3)**)
- C1** Sch. 1 excluded by 1996 c. 17, s. 6(2) (as amended (5.6.2010) by [The Arbitration \(Scotland\) Act 2010 \(Consequential Amendments\) Order 2010 \(S.S.I. 2010/220\)](#), art. 1, **sch. para. 7**)
- C1** Sch. 1: power to exclude or restrict conferred by 2007 c. 15, Sch. 5 para. 14 (as amended (5.6.2010) by [The Arbitration \(Scotland\) Act 2010 \(Consequential Amendments\) Order 2010 \(S.S.I. 2010/220\)](#), art. 1, **sch. para. 8**)

PART 1

COMMENCEMENT AND CONSTITUTION OF TRIBUNAL ETC.

Rule 17 Reconstitution of tribunal D

- 17 (1) Where an arbitrator's tenure ends, the tribunal must be reconstituted—
- (a) in accordance with the procedure used to constitute the original tribunal, or
 - (b) where that procedure fails, in accordance with rules 6 and 7.
- (2) It is for the reconstituted tribunal to decide the extent, if any, to which previous proceedings (including any award made, appointment by or other act done by the previous tribunal) should stand.
- (3) The reconstituted tribunal's decision does not affect a party's right to object or appeal on any ground which arose before the tribunal made its decision.

Commencement Information

- I1** Sch. 1 rule 17 in force at 7.6.2010 for specified purposes by [S.S.I. 2010/195](#), art. 2 (with arts. 3, 4)

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