



Arbitration (Scotland) Act 2010

2010 asp 1

Supplementary

23 Prescription and limitation

- (1) The Prescription and Limitation (Scotland) Act 1973 (c. 52) is amended as follows.
- (2) In section 4 (positive prescription: interruption)—
 - (a) in subsection (2)(b), after “Scotland” insert “ in respect of which an arbitrator (or panel of arbitrators) has been appointed ”,
 - (b) in subsection (3)(a), for the words from “and” to “served” substitute “ , the date when the arbitration begins ”,
 - (c) for subsection (4) substitute—

“(4) An arbitration begins for the purposes of this section—

 - (a) when the parties to the arbitration agree that it begins, or
 - (b) in the absence of such agreement, in accordance with rule 1 of the Scottish Arbitration Rules (see section 7 of, and schedule 1 to, the Arbitration (Scotland) Act 2010 (asp 1)).”.
- (3) In section 9 (negative prescription: interruption)—
 - (a) in subsection (3), for the words from “and” to “served” substitute “ the date when the arbitration begins ”,
 - (b) in subsection (4), for “preliminary notice” substitute “ the date when the arbitration begins ”.
- (4) After section 19C, insert—

“19CA Interruption of limitation period: arbitration

- (1) Any period during which an arbitration is ongoing in relation to a matter is to be disregarded in any computation of the period specified in section 17(2), 18(2), 18A(1) or 18B(2) of this Act in relation to that matter.
- (2) In this section, “arbitration” means—
 - (a) any arbitration in Scotland,

Changes to legislation: Arbitration (Scotland) Act 2010, Section 23 is up to date with all changes known to be in force on or before 20 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) View outstanding changes

- (b) any arbitration in a country other than Scotland, being an arbitration an award in which would be enforceable in Scotland.”.
- (5) In section 22A(4), for the words from “and” to “served” substitute “ the date when the arbitration begins (within the meaning of section 4(4) of this Act) ”.
- (6) After section 22C, insert—

**“22CA Interruption of limitation period for 1987 Act actions:
arbitration**

- (1) Any period during which an arbitration is ongoing in relation to a matter is to be disregarded in any computation of the period specified in section 22B(2) or 22C(2) of this Act in relation to that matter.
- (2) In this section, “arbitration” means—
 - (a) any arbitration in Scotland,
 - (b) any arbitration in a country other than Scotland, being an arbitration an award in which would be enforceable in Scotland.”.

Commencement Information

II S. 23 in force at 7.6.2010 for specified purposes by [S.S.I. 2010/195](#), **art. 2** (with [arts. 3, 5](#))

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) (temp.) by [2014 c. 1 s. 16\(4\)](#)
- Act power to amend conferred by [2014 c. 1 s. 16\(5\)](#)