



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,

Status: This is the original version (as it was originally enacted).

- (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.”.