

SCHEDULE 1 SCOTTISH ARBITRATION RULES

PART 1

COMMENCEMENT AND CONSTITUTION OF TRIBUNAL ETC.

Rule 12 Removal of arbitrator by court M

- 12 The Outer House may remove an arbitrator if satisfied on the application by any party—
- (a) that the arbitrator is not impartial and independent,
 - (b) that the arbitrator has not treated the parties fairly,
 - (c) that the arbitrator is incapable of acting as an arbitrator in the arbitration (or that there are justifiable doubts about the arbitrator’s ability to so act),
 - (d) that the arbitrator does not have a qualification which the parties agreed (before the arbitrator’s appointment) that the arbitrator must have,
 - (e) that substantial injustice has been or will be caused to that party because the arbitrator has failed to conduct the arbitration in accordance with—
 - (i) the arbitration agreement,
 - (ii) these rules (in so far as they apply), or
 - (iii) any other agreement by the parties relating to conduct of the arbitration.