

SCHEDULE

The Labour Relations Agency Arbitration Scheme

PART XX

Effect of awards, enforcement and interest

Effect of awards

106. Awards made by arbitrators under this Scheme are final and binding both on the parties and on any persons claiming through or under them.

107. This does not affect the right of a person to challenge an award under the provisions of the Arbitration Act 1996 as applied to this Scheme.

Enforcement

108.—(1) Section 66 of the Arbitration Act 1996 shall apply to arbitrations conducted in accordance with the Scheme, modified as shown in sub-paragraphs (2) to (6).

(2) An award made by the arbitrator pursuant to the Scheme may be enforced as if it had been made by an industrial tribunal or the Fair Employment Tribunal, and for the purposes of enforcement the arbitrator may exercise the powers that, but for the arbitral proceedings, could have been exercised by that tribunal.

(3) Judgment may be entered in terms of the award.

(4) Judgment shall not be entered in terms of the award where, or to the extent that, the person against whom it is sought to be enforced shows that the tribunal lacked substantive jurisdiction to make the award.

The right to raise such an objection may have been lost (see Part XXII of the Scheme).

(5) Nothing in this section affects the recognition or enforcement of an award under any other enactment or rule of law, in particular under Part II of the Arbitration Act 1950 (enforcement of awards under Geneva Convention) or the provisions of Part III of this Act relating to the recognition and enforcement of awards under the New York Convention or by an action on the award.

(6) In this section—

“the court” means the High Court or the county court; and

“the Scheme” means the arbitration scheme set out in the Schedule to the Labour Relations Agency Arbitration Scheme Order (Northern Ireland) 2012.

Interest

109. An award of compensation that is not paid within 42 days beginning with the date on which the award was sent by the LRA to the respondent will attract interest as if it were an award of an industrial tribunal or the Fair Employment Tribunal.