

SCHEDULE 1  
SCOTTISH ARBITRATION RULES

**PART 5**

POWERS OF COURT IN RELATION TO ARBITRAL PROCEEDINGS

*Rule 44 Time limit variation: procedure etc. M*

- 44 (1) This rule applies only where an application for variation of time limit is made under rule 43.
- (2) Such a variation may be made only if the court is satisfied—
- (a) that no arbitral process for varying the time limit is available, and
  - (b) that someone would suffer a substantial injustice if no variation was made.
- (3) It is for the court to determine the extent of any variation.
- (4) The tribunal may continue with the arbitration pending determination of an application.
- (5) The court's decision on whether to make a variation (and, if so, on the extent of the variation) is final.