

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Labour Relations Agency (Flexible Working) Arbitration Scheme Order (Northern Ireland) 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE

THE LABOUR RELATIONS AGENCY (FLEXIBLE WORKING) ARBITRATION SCHEME XXV MISCELLANEOUS PROVISIONS

Powers of court in relation to service of documents

128. –

(1) *Section 77 of the Arbitration Act 1996(1) shall apply to arbitrations conducted in accordance with the Scheme, subject to the following modifications.*

(2) *In subsection (1) omit “in the manner agreed by the parties, or in accordance with provisions of section 76 having effect in default of agreement,”.*

(3) *In subsection (2) for “Unless otherwise agreed by the parties, the court” substitute “The High Court or the Belfast Recorder’s Court”.*

(4) *In subsection (3) for “Any party to the arbitration agreement may apply” substitute “The Labour Relations Agency or any party to the Arbitration Agreement may apply”.*

(1) [1996 c. 23](#);

Section 77 of the Arbitration Act 1996 provides as follows:

“77. –

(1) This section applies where service of a document on a person in the manner agreed by the parties, or in accordance with provisions of section 76 having effect in default of agreement, is not reasonably practicable.

(2) Unless otherwise agreed by the parties, the court may make such order as it thinks fit—

- (a) for service in such manner as the court may direct, or
- (b) dispensing with service of the document.

(3) Any party to the arbitration agreement may apply for an order, but only after exhausting any available arbitral process for resolving the matter.

(4) The leave of the court is required for any appeal from a decision of the court under this section.”

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

- Order revoked with savings by [S.R. 2012/301 art. 3\(1\)](#)