



Arbitration Act 1996

1996 CHAPTER 23

PART I

ARBITRATION PURSUANT TO AN ARBITRATION AGREEMENT

The arbitral proceedings

34 Procedural and evidential matters

- (1) It shall be for the tribunal to decide all procedural and evidential matters, subject to the right of the parties to agree any matter.
- (2) Procedural and evidential matters include—
 - (a) when and where any part of the proceedings is to be held;
 - (b) the language or languages to be used in the proceedings and whether translations of any relevant documents are to be supplied;
 - (c) whether any and if so what form of written statements of claim and defence are to be used, when these should be supplied and the extent to which such statements can be later amended;
 - (d) whether any and if so which documents or classes of documents should be disclosed between and produced by the parties and at what stage;
 - (e) whether any and if so what questions should be put to and answered by the respective parties and when and in what form this should be done;
 - (f) whether to apply strict rules of evidence (or any other rules) as to the admissibility, relevance or weight of any material (oral, written or other) sought to be tendered on any matters of fact or opinion, and the time, manner and form in which such material should be exchanged and presented;
 - (g) whether and to what extent the tribunal should itself take the initiative in ascertaining the facts and the law;
 - (h) whether and to what extent there should be oral or written evidence or submissions.

Status: This is the original version (as it was originally enacted).

- (3) The tribunal may fix the time within which any directions given by it are to be complied with, and may if it thinks fit extend the time so fixed (whether or not it has expired).