



Arbitration Act 1950

1950 CHAPTER 27 14 Geo 6

PART I

GENERAL PROVISIONS AS TO ARBITRATION

Effect of Arbitration Agreements, &

c.

1 Authority of arbitrators and umpires to be irrevocable.

The authority of an arbitrator or umpire appointed by or by virtue of an arbitration agreement shall, unless a contrary intention is expressed in the agreement, be irrevocable except by leave of the High Court or a judge thereof.

Modifications etc. (not altering text)

C1 S. 1 applied (1.5.1996) by S.I. 1996/1022, art. 26

2 Death of party.

- (1) An arbitration agreement shall not be discharged by the death of any party thereto, either as respects the deceased or any other party, but shall in such an event be enforceable by or against the personal representative of the deceased.
- (2) The authority of an arbitrator shall not be revoked by the death of any party by whom he was appointed.
- (3) Nothing in this section shall be taken to affect the operation of any enactment or rule of law by virtue of which any right of action is extinguished by the death of a person.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Arbitration Act 1950, Cross Heading: Effect of Arbitration Agreements, &. (See end of Document for details)

Modifications etc. (not altering text)

C2 S. 2 applied (1.5.1996) by S.I. 1996/1022, art. 26

3 Bankruptcy.

- (1) Where it is provided by a term in a contract to which a bankrupt is a party that any differences arising thereout or in connection therewith shall be referred to arbitration, the said term shall, if the trustee in bankruptcy adopts the contract, be enforceable by or against him so far as relates to any such differences.
- (2) Where a person who has been adjudged bankrupt had, before the commencement of the bankruptcy, become a party to an arbitration agreement, and any matter to which the agreement applies requires to be determined in connection with or for the purposes of the bankruptcy proceedings, then, if the case is one to which subsection (1) of this section does not apply, any other party to the agreement or, with the consent of the [^{F1}creditors’ committee established under section 301 of the Insolvency Act 1986], the trustee in bankruptcy, may apply to the court having jurisdiction in the bankruptcy proceedings for an order directing that the matter in question shall be referred to arbitration in accordance with the agreement, and that court may, if it is of opinion that, having regard to all the circumstances of the case, the matter ought to be determined by arbitration, make an order accordingly.

Textual Amendments

F1 Words substituted by virtue of [Insolvency Act 1985 \(c. 65, SIF 66\)](#), s. 235, [Sch. 8 para. 10](#) and [Insolvency Act 1986 \(c. 45, SIF 66\)](#), ss. 437, 439(2), [Sch. 11 para. 10](#), [Sch. 14](#)

Modifications etc. (not altering text)

C3 S. 3 applied (1.5.1996) by S.I. 1996/1022, art. 26

4 Staying court proceedings where there is submission to arbitration.

- (1) If any party to an arbitration agreement, or any person claiming through or under him, commences any legal proceedings in any court against any other party to the agreement, or any person claiming through or under him, in respect of any matter agreed to be referred, any party to those legal proceedings may at any time after appearance, and before delivering any pleadings or taking any other steps in the proceedings, apply to that court to stay the proceedings, and that court or a judge thereof, if satisfied that there is no sufficient reason why the matter should not be referred in accordance with the agreement, and that the applicant was, at the time when the proceedings were commenced, and still remains, ready and willing to do all things necessary to the proper conduct of the arbitration, may make an order staying the proceedings.
- (2)

F2

Textual Amendments

F2 S. 4(2) repealed by [Arbitration Act 1975 \(c. 3\)](#), s. 8(2)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Arbitration Act 1950, Cross Heading: Effect of Arbitration Agreements, &. (See end of Document for details)

Modifications etc. (not altering text)

- C4 S. 4(1) excluded by [Arbitration Act 1975 \(c. 3\)](#), [s. 1\(2\)](#)
- C5 S. 4(1) excluded by [Merchant Shipping \(Liner Conferences\) Act 1982 \(c. 37, SIF 111\)](#), [s. 7\(5\)](#)
- C6 S. 4(1) restricted by [Consumer Arbitration Agreements Act 1988 \(c. 21, SIF 5\)](#), [ss. 1\(3\)](#), 2, 3
- C7 S. 4(1) applied (1.5.1996) by [S.I. 1996/1022](#), [art.26](#)

5 Reference of interpleader issues to arbitration.

Where relief by way of interpleader is granted and it appears to the High Court that the claims in question are matters to which an arbitration agreement, to which the claimants are parties, applies, the High Court may direct the issue between the claimants to be determined in accordance with the agreement.

Modifications etc. (not altering text)

- C8 S. 5 applied (1.5.1996) by [S.I. 1996/1022](#), [art. 26](#)

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

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