

*These notes relate to the Arbitration (Scotland) Act 2010  
(asp 1) which received Royal Assent on 5 January 2010*

# ARBITRATION (SCOTLAND) ACT 2010

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### *Final provisions*

#### *Schedule 1 – Scottish Arbitration Rules*

#### **Part 1 – Commencement and constitution of tribunal etc.**

#### **Rule 10 – Challenge to appointment of arbitrator *Default***

120. Rule 10 is a default rule, in the absence of agreement to the contrary between the parties, to allow a party to object to the appointment of an arbitrator or umpire. The grounds, in paragraph (2)(a), are lack of impartiality and independence, fairness and lack of qualifications as agreed by the parties. The rest of paragraph (2) sets out how a competent objection is to be made. Paragraph (3) provides that dismissal is not automatic as the tribunal can confirm or revoke the appointment. Under paragraph (4) revocation is presumed if the tribunal does not make a decision within 14 days of a competent objection being made.