



Arbitration (Scotland) Act 2010

2010 asp 1

Statutory arbitration

16 Statutory arbitration: special provisions

- (1) “Statutory arbitration” is arbitration pursuant to an enactment which provides for a dispute to be submitted to arbitration.
- (2) References in the Scottish Arbitration Rules (or in any other provision of this Act) to an arbitration agreement are, in the case of a statutory arbitration, references to the enactment which provides for a dispute to be resolved by arbitration.
- (3) None of the Scottish Arbitration Rules (or other provisions of this Act) apply to a statutory arbitration if or to the extent that they are excluded by, or are inconsistent with, any provision made by virtue of any other enactment relating to the arbitration.
- (4) Every statutory arbitration is to be taken to be seated in Scotland.
- (5) The following rules do not apply in relation to statutory arbitration—
 - rule 43 (extension of time limits)
 - rule 71(9) (power to declare provision of arbitration agreement void)
 - rule 80 (death of party)
- (6) Despite rule 40, parties to a statutory arbitration may not agree to—
 - (a) consolidate the arbitration with another arbitration,
 - (b) hold concurrent hearings, or
 - (c) authorise the tribunal to order such consolidation or the holding of concurrent hearings,unless the arbitrations or hearings are to be conducted under the same enactment.