

## SCHEDULE

### The Labour Relations Agency Arbitration Scheme

## PART VII

### Settlement and withdrawal from the Scheme

#### **Withdrawal by the claimant**

26. At any stage of the arbitration process, once an Arbitration Agreement has been concluded and the reference has been accepted by the LRA, the claimant may withdraw the claim or any part of it from the Scheme, provided that any such withdrawal is in writing. Such a withdrawal shall constitute a dismissal of the claim or that part of it as the case may be.

#### **Withdrawal by the respondent**

27. Once an Arbitration Agreement has been concluded and the reference has been accepted by the LRA, the respondent cannot unilaterally withdraw from the Scheme.

#### **Settlement**

28. Parties are free to reach an agreement settling the dispute or any part of it at any stage.

29. If such an agreement is reached:

- (a) upon the joint written request of the parties to the LRA, the arbitrator (if appointed) or the LRA (if no arbitrator has been appointed) shall terminate the arbitral proceedings or the relevant part of the proceedings;
- (b) if so requested by the parties, and where an arbitrator has been appointed, the arbitrator may record the settlement in the form of an agreed award. The LRA, on the request of the parties, will appoint an arbitrator to record the settlement in the form of an agreed award.

30. An agreed award shall state that it is an award of the arbitrator by consent and shall have the same status and effect as any other award (see Part XX).

31. In making an award by consent under paragraph 30, the arbitrator:

- (a) may only record the parties' agreed wording;
- (b) may not approve, vary, transcribe or interpret a settlement in any way;
- (c) may not record any settlement beyond the scope of the Scheme, the Arbitration Agreement or the reference to the Scheme as initially accepted by the LRA.