



Arbitration Act 1996

1996 CHAPTER 23

PART I

ARBITRATION PURSUANT TO AN ARBITRATION AGREEMENT

Miscellaneous

72 Saving for rights of person who takes no part in proceedings

- (1) A person alleged to be a party to arbitral proceedings but who takes no part in the proceedings may question—
- (a) whether there is a valid arbitration agreement,
 - (b) whether the tribunal is properly constituted, or
 - (c) what matters have been submitted to arbitration in accordance with the arbitration agreement,
- by proceedings in the court for a declaration or injunction or other appropriate relief.
- (2) He also has the same right as a party to the arbitral proceedings to challenge an award—
- (a) by an application under section 67 on the ground of lack of substantive jurisdiction in relation to him, or
 - (b) by an application under section 68 on the ground of serious irregularity (within the meaning of that section) affecting him;
- and section 70(2) (duty to exhaust arbitral procedures) does not apply in his case.