



# Arbitration Act 1996

## 1996 CHAPTER 23

### PART II

#### OTHER PROVISIONS RELATING TO ARBITRATION

##### *Consumer arbitration agreements*

#### **91 Arbitration agreement unfair where modest amount sought**

- (1) A term which constitutes an arbitration agreement is unfair for the purposes of the Regulations so far as it relates to a claim for a pecuniary remedy which does not exceed the amount specified by order for the purposes of this section.
- (2) Orders under this section may make different provision for different cases and for different purposes.
- (3) The power to make orders under this section is exercisable—
  - (a) for England and Wales, by the Secretary of State with the concurrence of the Lord Chancellor,
  - (b) for Scotland, by the Secretary of State with the concurrence of the Lord Advocate, and
  - (c) for Northern Ireland, by the Department of Economic Development for Northern Ireland with the concurrence of the Lord Chancellor.
- (4) Any such order for England and Wales or Scotland shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) Any such order for Northern Ireland shall be a statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 and shall be subject to negative resolution, within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954.