

Arbitration Bill [HL]

AMENDMENT
TO BE MOVED
IN SPECIAL PUBLIC BILL COMMITTEE

After Clause 6

LORD MENDELSON

After Clause 6, insert the following new Clause—

“Amendment to the Arbitration Act 1996 (General Principles)

In Section 1 of the Arbitration Act 1996, after paragraph (c) insert—

- “(d) an arbitration tribunal must not purport to exceed its jurisdiction in accordance with the Act and, in particular, must not make decisions that impact, or purport to impact, on the legal rights or obligations of the parties, or of any persons connected to them.””

Member's explanatory statement

This amendment seeks to establish as an over-arching statutory principle that arbitral tribunals must confine themselves to resolving disputes that are proper subjects for arbitration and must not purport to make judgments or orders about other matters.

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