

# Arbitration Bill [HL]

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MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
IN SPECIAL PUBLIC BILL COMMITTEE

[Amendments marked ★ are new or have been altered]

Amendment  
No.

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Clause 1

LORD BELLAMY

- 1 Clause 1, page 1, line 13, leave out “, of itself,”

*Member's explanatory statement*

*This amendment does not change the effect of the provision, and follows comments from respondents to the Committee's call for evidence that the omitted words are unnecessary and cause confusion.*

After Clause 6

LORD MENDELSON

- 2 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.*

**Clause 11**

LORD BELLAMY

- 3 Clause 11, page 6, line 29, at end insert “subject to the court ruling otherwise in the interests of justice”

***Member's explanatory statement***

*This amendment provides that court rules within subsection (3C) restricting the raising of new grounds for objection, the consideration of new evidence or the rehearing of evidence must provide that the restriction is subject to the court ruling otherwise in the interests of justice.*

LORD BELLAMY

- 4 Clause 11, page 6, line 35, leave out first “heard by” and insert “put before”

***Member's explanatory statement***

*This amendment makes clear that the evidence mentioned in subsection (3C)(b) includes written evidence as well as oral evidence.*

LORD BELLAMY

- 5 Clause 11, page 6, line 35, leave out second “heard” and insert “considered”

***Member's explanatory statement***

*This amendment is consequential on Lord Bellamy's earlier amendment to Clause 11, page 6, line 35.*

LORD BELLAMY

- 6 Clause 11, page 7, line 2, leave out from first “court” to end of line 3

***Member's explanatory statement***

*This amendment is consequential on Lord Bellamy's amendment to Clause 11, page 6, line 29.*

LORD BELLAMY

- 7 Clause 11, page 7, line 3, at end insert –

“(3D) Subsection (3B) does not limit the generality of the power to make rules of court.””

***Member's explanatory statement***

*This amendment makes clear that the general power to make rules of court is not limited as a result of the provision about court rules being inserted into section 67 of the Arbitration Act 1996 by Clause 11.*

**Clause 15**

LORD THOMAS OF CWMGIEDD

*Lord Thomas of Cwmgiedd gives notice of his intention to oppose the Question that Clause 15 stand part of the Bill.*

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*25 March 2024*

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