

Arbitration Bill [HL]

AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

Clause 13

LORD PONSONBY OF SHULBREDE

Leave out Clause 13 and insert the following new Clause –

“Appeals to Court of Appeal from High Court decisions

- (1) In section 18(1) of the Senior Courts Act 1981 (restrictions on appeals to Court of Appeal), for paragraph (g) substitute –
 - “(g) from a decision of the High Court under Part 1 of the Arbitration Act 1996 in a case where that Part makes provision about appeals from the decision, except in accordance with that provision;”.
- (2) In section 35(2) of the Judicature (Northern Ireland) Act 1978 (appeals to Court of Appeal from High Court), for paragraph (fa) substitute –
 - “(fa) from a decision of the High Court under Part 1 of the Arbitration Act 1996 in a case where that Part makes provision about appeals from the decision, except in accordance with that provision;”.
- (3) In Schedule 3 to the Arbitration Act 1996 (consequential amendments), omit paragraphs 34(2) and 37(2).”

Member's explanatory statement

This clause corrects a drafting error identified in the House of Lords' judgment in Inco Europe v First Choice Distribution and makes clear that appeals from High Court decisions under Part 1 of the Arbitration Act 1996 may, subject to provision in that Part, be made to the Court of Appeal.

Title

LORD PONSONBY OF SHULBREDE

Title, line 1, after “1996” insert “; and for connected purposes”

Member's explanatory statement

The amendment amends the long title to cover my amendment to replace clause 13.

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4 September 2024

PUBLISHED BY AUTHORITY OF THE HOUSE OF LORDS