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arbitration is a commercial cost effective and confidential method of resolving disputes with the arbitration scotland act 2010 scotland has a modern innovative arbitration regime to rival any other scotland offers a neutral affordable english speaking venue for international arbitration the act brings scotland into the forefront of modern arbitral law and practice the act represents the most significant development in the history of the scots law on arbitration and one of the most significant development in scots commercial law in recent times international arbitration law and rules in scotland table of contents scotland arbitration in scotland can be traced back to the 12th century however despite an extensive history scotland did not have a clear and codified arbitration regime until the introduction of the arbitration scotland act 2010 1 arbitration is a commercial cost effective and confidential method of resolving disputes with the arbitration scotland act 2010 scotland has a modern innovative arbitration regime to rival any other scotland offers a neutral affordable english speaking venue for international arbitration arbitration can be cheaper and more flexible more commercial and less formal than court arbitration is often faster than litigation in court and a time limit can be placed on the length of the process unlike court rulings arbitration proceedings and arbitral awards are confidential the scottish arbitration centre is the home of domestic and international arbitration in scotland established in 2011 the centre promotes scottish arbitration and scotland to the world as a place to conduct international arbitration it is a non profit company limited by guarantee and has a board of eight independent directors scotland had adopted the uncitral model law on international commercial arbitration with respect to international arbitration proceedings yet the 2010 act repealed these earlier provisions creating a comprehensive integrated arbitral regime premised on model law principles the scottish arbitration centre is an independent non profit company in edinburgh offering arbitration services to domestic and international clients the centre exists to promote arbitration in scotland and scotland to the world as a place to conduct international arbitration scotlish law this practice note offers an introduction to arbitration in scotland under the arbitration scotland act 2010 a s a 2010 and related matters on 7 june 2010 the a s a 2010 passed into force the first time in the 800 year history of arbitration in scotland that there has been a fully comprehensive arbitration statute the arbitration scotland act 2010 aa 2010 provides a modern statutory framework for domestic and international arbitration in scotland drawing on the best features of arbitration regimes around the world and reflected in the founding principles of the aa 2010 where the arbitration is seated in scotland the arbitration scotland act 2010 applies to the arbitration an arbitration seated in scotland can in fact take place anywhere and the dispute can be determined by a foreign law if appropriate the tribunal s decision is binding and rights of appeal are restricted the passing of the arbitration scotland act 2010 has

brought about a revolution in dispute resolution law in scotland until now indeed for centuries most of the law relating to arbitration has had to be found in judicial decisions many of considerable antiquity not all of which were sensible and which left large gaps in a variety of places leaving aside international commercial arbitration the law of arbitration in scotland was based almost entirely on the common law with piecemeal statutory provisions dealing with specific points these statutory provisions included the arbitration scotland act 2010 is now established with practitioners and commercial entities more used to the regime there has been increasing adoption of arbitration clauses into commercial contracts including in the energy sector and work continues to increase and develop this trend it first considers the three founding principles of the act the first sets out the objective of arbitration which is to ensure that fairness and impartiality are to be applied during the arbitration proceedings the second lays down the internationally followed principle of party autonomy and the third deals with the principle of limited cou interim measures arbitration jurisdiction and cross border procedure and evidence arbitration commencing an arbitration arbitration agreements costs and funding arbitration the act reformed and modernised the law of arbitration in scotland many of its most signi cant provisions are contained in the scottish arbitration rules that form schedule 1 to the act the scottish arbitration rules are divided into a mandatory rules and b default rules international commercial arbitration scotland and the uncitral model law by dr fraser davidson arbitration international oxford academic 1 march 1994 journal article international commercial arbitration scotland and the uncitral model law by dr fraser davidson by davidson fraser dr published by w green sweet maxwell edinburgh it is with tremendous pleasure that we invite you to attend the xxvth congress of the international council for commercial arbitration icca which will be held in edinburgh from 18 21 september 2022

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