STATUTORY INSTRUMENTS

1979 No. 750 (C.16)

ARBITRATION

The Arbitration Act 1979 (Commencement) Order 1979

Made - - - - *28th June* 1979

The Secretary of State in exercise of the powers conferred on him by section 8(2) of the Arbitration Act 1979**(a)** hereby makes the following Order:—

Citation and interpretation

1.—(1) This Order may be cited as the Arbitration Act 1979 (Commencement) Order 1979.

(2) In this Order "the Act" means the Arbitration Act 1979.

Appointed day

2. The Act shall come into operation on 1st August 1979 (hereinafter referred to as "the appointed day"), but, except as provided in Article 3 of this Order, shall not apply to arbitrations commenced before that date.

3. If all the parties to a reference to arbitration commenced before the appointed day have agreed in writing that the Act should apply to that arbitration, the Act shall so apply from the appointed day or the date of the agreement whichever is the later.

Cecil Parkinson,
Minister of State,
28th June 1979. Department of Trade.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order appoints 1st August 1979 as the day on which the Arbitration Act 1979 ("the Act") comes into operation ("the appointed day").

The Act provides a new system of judicial review of arbitration awards and repeals section 21 of the Arbitration Act 1950 (c. 27) which relates to a statement of a special case for a decision of the High Court, but the Order provides that the Act does not apply to an arbitration commenced before the appointed day, unless the parties agree that it should. Under section 29(2) of the 1950 Act an arbitration is deemed to be commenced when a notice is served by a party to an arbitration agreement requiring the appointment of an arbitrator or requiring the other parties to submit a dispute to an arbitrator designated by the agreement.

(a) 1979 c. 42.

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