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### Arbitration Law Reports And Review

#### **ARBITRATION LAW REPORTS AND REVIEW - SR Shackleton**

Despite entrenchment of UNCITRAL Model Law inspired provisions in the Arbitration Act 1996, English courts have, thus far, recognized only weak principles of separability and competence-competence out of line with international practice (and opinion) Following entry into force of the 1996 Arbitration Act, English courts expressed

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## **ARBITRATION**

that in 1990 Scotland adopted the UNCITRAL Model Law on International Commercial Arbitration,<sup>2</sup> and that parties to an arbitration agreement that would not otherwise be subject to the Model Law may contract into its provisions The version of the Model Law that applies in Scotland is the original version, with a few questionable adaptations,<sup>3</sup> no

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## **Arbitration**

Law for international commercial arbitration, the Law Commission is mindful that this step has already been taken by Australia and other countries with which we have extensive trade relations We commend the draft legislation contained in this Report for favour able consideration Yours sincerely K J Keith President Hon D A M Graham MP

## **STANDARD ABBREVIATIONS - Arbitration**

STANDARD ABBREVIATIONS AAA American Arbitration Association (USA) AALCC Asian-African Legal Consultative Committee AALCC Q Bull Quarterly Bulletin of the Asian-African Legal Consultative Committee (IND) ABA J American Bar Association journal (USA) AC Appeal Cases (UK) Adel L Rev Adelaide Law Review (AUS) Afr L Rep African Law Reports (NIG) AIA Associazione Italiana dell

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arbitration, conciliation, collaborative law and early neutral evaluation<sup>1</sup> With the exception of arbitration, most forms of ADR are a type of facilitated settlement The 'alternative' aspect is that, in theory, these types of facilitated settlement do not require any involvement of the legal system and so the approach to achieving settlement will not depend on reference to the legal

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ARBITRATION ACT 42 OF 1965 [ASSENTED TO 5 APRIL 1965] [DATE OF COMMENCEMENT: 14 APRIL 1965] (English text signed by the State  
 President) as amended by Justice Laws Rationalisation Act 18 of 1996 General Law Amendment Act 49 of 1996 ACT To provide for the settlement of  
 disputes by arbitration tribunals in terms of written arbitration agreements

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