

SCHEDULE

The Labour Relations Agency Arbitration Scheme

PART XXI

Challenging the award

Time limits and other procedural restrictions on challenges to awards

113.—(1) Section 70 of the Arbitration Act 1996 shall apply to arbitrations conducted in accordance with the Scheme, modified as shown in sub-paragraphs (2) to (10).

(2) The following provisions apply to an application or appeal under section 67, 68 or 69 (as modified for the purposes of the Scheme)—

(3) An application or appeal may not be brought if the applicant or appellant has not first exhausted any available recourse under Part XIX of the Scheme (correction of awards).

(4) Any application or appeal must be brought within 28 days beginning with the date the award was dispatched to the applicant or appellant by the LRA.

(5) If on an application or appeal it appears to the court that the award—

(a) does not contain the tribunal's reasons, or

(b) does not set out the tribunal's reasons in sufficient detail to enable the court properly to consider the application or appeal,

the court may order the tribunal to state the reasons for its award in sufficient detail for that purpose.

(6) The court may order the applicant or appellant to provide security for the costs of the application or appeal, and may direct that the application or appeal be dismissed if the order is not complied with.

The power to order security for costs shall not be exercised on the ground that the applicant or appellant is—

(a) an individual ordinarily resident outside the United Kingdom, or

(b) a corporation or association incorporated or formed under the law of a country outside the United Kingdom, or whose central management and control is exercised outside the United Kingdom.

(7) The court may order that any money payable under the award shall be brought into court or otherwise secured pending the determination of the application or appeal, and may direct that the application or appeal be dismissed if the order is not complied with.

(8) The court may grant leave to appeal subject to conditions to the same or similar effect as an order under subsection (6) or (7).

(9) This does not affect the general discretion of the court to grant leave subject to conditions.

(10) In this section “the Scheme” means the arbitration scheme set out in the Schedule to the Labour Relations Agency Arbitration Scheme Order (Northern Ireland) 2012.