

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under section 17(b) of the Arbitration (Scotland) Act 2010. The Order allows the Adjudicator, or a person appointed by the Adjudicator, the option of adjudicating disputes under the Tied Pubs (Scotland) Act 2021 under the Scottish Arbitration Rules.

Article 2 amends section 14 of the Tied Pubs (Scotland) Act 2021 to include the Scottish Arbitration Rules for the purposes of arbitration. The amendment enables the Adjudicator to nominate the Scottish Arbitration Rules to apply for the purposes of arbitration under the Act. Any provision under the Arbitration (Scotland) Act 2010 that is inconsistent with a provision within the Tied Pubs (Scotland) Act 2021 in relation to statutory arbitration will not apply as provided for by s.16(3) of the 2010 Act.

A Business and Regulatory Impact Assessment, Equality Impact Assessment, Data Protection Impact Assessment, and Fairer Scotland Duty Assessment has been prepared and placed in the Scottish Parliament Information Centre. Copies can be obtained from the Scottish Government, B1 Spur, Saughton House, Broomhouse Drive, Edinburgh EH11 3XD.