



Limitation Act 1980

1980 CHAPTER 58

PART III

MISCELLANEOUS AND GENERAL

34 Application of Act and other limitation enactments to arbitrations

- (1) This Act and any other limitation enactment shall apply to arbitrations as they apply to actions in the High Court.
- (2) Notwithstanding any term in an arbitration agreement to the effect that no cause of action shall accrue in respect of any matter required by the agreement to be referred until an award is made under the agreement, the cause of action shall, for the purposes of this Act and any other limitation enactment (whether in their application to arbitrations or to other proceedings), be deemed to have accrued in respect of any such matter at the time when it would have accrued but for that term in the agreement.
- (3) For the purposes of this Act and of any other limitation enactment an arbitration shall be treated as being commenced—
 - (a) when one party to the arbitration serves on the other party or parties a notice requiring him or them to appoint an arbitrator or to agree to the appointment of an arbitrator ; or
 - (b) where the arbitration agreement provides that the reference shall be to a person named or designated in the agreement, when one party to the arbitration serves on the other party or parties a notice requiring him or them to submit the dispute to the person so named or designated.
- (4) Any such notice may be served either—
 - (a) by delivering it to the person on whom it is to be served ; or
 - (b) by leaving it at the usual or last-known place of abode in England and Wales of that person ; or
 - (c) by sending it by post in a registered letter addressed to that person at his usual or last-known place of abode in England and Wales ;as well as in any other manner provided in the arbitration agreement.

Status: This is the original version (as it was originally enacted).

(5) Where the High Court

- (a) orders that an award be set aside ; or
- (b) orders, after the commencement of an arbitration, that the arbitration agreement shall cease to have effect with respect to the dispute referred ;

the court may further order that the period between the commencement of the arbitration and the date of the order of the court shall be excluded in computing the time prescribed by this Act or by any other limitation enactment for the commencement of proceedings (including arbitration) with respect to the dispute referred.

(6) This section shall apply to an arbitration under an Act of Parliament as well as to an arbitration pursuant to an arbitration agreement.

Subsections (3) and (4) above shall have effect, in relation to an arbitration under an Act, as if for the references to the arbitration agreement there were substituted references to such of the provisions of the Act or of any order, scheme, rules, regulations or byelaws made under the Act as relate to the arbitration.

(7) In this section—

- (a) " arbitration ", " arbitration agreement " and " award " have the same meanings as in Part I of the Arbitration Act 1950; and
- (b) references to any other limitation enactment are references to any other enactment relating to the limitation of actions, whether passed before or after the passing of this Act.