



# Arbitration Act 1996

## 1996 CHAPTER 23

### PART II

#### OTHER PROVISIONS RELATING TO ARBITRATION

##### *Appointment of judges as arbitrators*

#### **93 Appointment of judges as arbitrators.**

- (1) A judge of the Commercial Court or an official referee may, if in all the circumstances he thinks fit, accept appointment as a sole arbitrator or as umpire by or by virtue of an arbitration agreement.
- (2) A judge of the Commercial Court shall not do so unless the Lord Chief Justice has informed him that, having regard to the state of business in the High Court and the Crown Court, he can be made available.
- (3) An official referee shall not do so unless the Lord Chief Justice has informed him that, having regard to the state of official referees' business, he can be made available.
- (4) The fees payable for the services of a judge of the Commercial Court or official referee as arbitrator or umpire shall be taken in the High Court.
- (5) In this section—
  - “arbitration agreement” has the same meaning as in Part I; and
  - “official referee” means a person nominated under section 68(1)(a) of the <sup>M1</sup>[<sup>F1</sup>Senior Courts Act 1981]<sup>F1</sup> to deal with official referees' business.
- (6) The provisions of Part I of this Act apply to arbitration before a person appointed under this section with the modifications specified in Schedule 2.

#### **Textual Amendments**

- F1** Words in s. 93(5) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 59\(5\), 148\(1\), Sch. 11 para. 1\(2\); S.I. 2009/1604, art. 2\(d\)](#)

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*Status: Point in time view as at 01/10/2009.*

**Changes to legislation:** *There are currently no known outstanding effects for the Arbitration Act 1996, Cross Heading: Appointment of judges as arbitrators. (See end of Document for details)*

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**Marginal Citations**

**M1** 1981 c. 54.

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Appointment of judges as arbitrators.