



# Arbitration Act 1996

## 1996 CHAPTER 23

### PART I

#### ARBITRATION PURSUANT TO AN ARBITRATION AGREEMENT

##### *Introductory*

## **2 Scope of application of provisions.**

- (1) The provisions of this Part apply where the seat of the arbitration is in England and Wales or Northern Ireland.
- (2) The following sections apply even if the seat of the arbitration is outside England and Wales or Northern Ireland or no seat has been designated or determined—
  - (a) sections 9 to 11 (stay of legal proceedings, &c.), and
  - (b) section 66 (enforcement of arbitral awards).
- (3) The powers conferred by the following sections apply even if the seat of the arbitration is outside England and Wales or Northern Ireland or no seat has been designated or determined—
  - (a) section 43 (securing the attendance of witnesses), and
  - (b) section 44 (court powers exercisable in support of arbitral proceedings);but the court may refuse to exercise any such power if, in the opinion of the court, the fact that the seat of the arbitration is outside England and Wales or Northern Ireland, or that when designated or determined the seat is likely to be outside England and Wales or Northern Ireland, makes it inappropriate to do so.
- (4) The court may exercise a power conferred by any provision of this Part not mentioned in subsection (2) or (3) for the purpose of supporting the arbitral process where—
  - (a) no seat of the arbitration has been designated or determined, and
  - (b) by reason of a connection with England and Wales or Northern Ireland the court is satisfied that it is appropriate to do so.

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*Changes to legislation: There are currently no known outstanding effects  
for the Arbitration Act 1996, Section 2. (See end of Document for details)*

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- (5) Section 7 (separability of arbitration agreement) and section 8 (death of a party) apply where the law applicable to the arbitration agreement is the law of England and Wales or Northern Ireland even if the seat of the arbitration is outside England and Wales or Northern Ireland or has not been designated or determined.

**Changes to legislation:**

There are currently no known outstanding effects for the Arbitration Act 1996, Section 2.