

SCHEDULE

ACAS (FLEXIBLE WORKING) ARBITRATION SCHEME

PART XVII

QUESTIONS OF EC LAW, THE HUMAN RIGHTS ACT 1998 AND DEVOLUTION ISSUES

Court determination of preliminary points: Scottish arbitrations

110S. The arbitrator shall not make a reference under paragraph 109S unless—

- (i) both parties have applied for or have agreed to the making of the reference; or
- (ii) if an application for the reference has been made by one party and opposed by the other party, the arbitrator is satisfied that the application has been made without delay.