

## **APPENDIX B**

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### **AMENDMENTS TO THE UNIFORM ARBITRATION ACT**

#### **Section 6:**

- 6        No court may intervene in matters governed by this Act, except as provided by this Act and for the following purposes:
- (a)    to assist the arbitration process;
  - (b)    to ensure that an arbitration is carried on in accordance with the arbitration agreement;
  - (c)    to prevent manifestly unfair or unequal treatment of a party to an arbitration agreement;
  - (d)    to enforce awards.

#### **Section 7:**

- 7(2)        However, the court may refuse to stay the proceeding in any of the following cases:
- (c)    the subject-matter of the dispute is not capable of being the subject of arbitration under the law of [enacting jurisdiction] even if the parties expressly agree to submit the dispute to arbitration.

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### Section 45:

- 45(1) If the arbitration agreement so provides, a party may appeal an award to the court on a question of law, a question of fact or a question of mixed fact and law.
- (2) Subject to subsection (3), if the arbitration agreement does not provide that the parties may appeal an award to a court on a question of law, a party may appeal an award to the court on a question of law with leave, which the court shall grant only if it is satisfied that,
- (a) the importance to the parties of the matters at stake in the arbitration justifies an appeal; and
  - (b) determination of the question of law at issue will significantly affect the rights of the parties.
- (3) A party may not appeal to the court on a question of law which the parties expressly referred to the arbitral tribunal for decision.