

A DEPARTURE FROM THE UNCITRAL MODEL LAW – THE ARBITRATION (SCOTLAND) ACT 2010 AND SOME RELATED ISSUES

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ABSTRACT

The new Arbitration (Scotland) Act 2010 introduces autonomy of arbitration agreement, interpretation of arbitration agreement, confidentiality and stated case procedures. Furthermore, a special emphasis will be placed on confidentiality due to its importance and new development in the practice of international commercial arbitration. The Act also repeals the model law, unifies the domestic and international tracks of Scottish arbitration law and aims to make the law clearer, easier to access, more fair, and efficient. Nevertheless, it still remains to be seen whether the Act will bring international businessmen and their legal consultants to Scotland make Scotland as the place to be for international commercial arbitration.

KEYWORDS: *Arbitration (Scotland) Act 2010, confidentiality, UNCITRAL model law, stated case procedure, autonomy of arbitration agreement*

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