

No. of 2020

ARBITRATION (AMENDMENT) ACT, 2020

ARRANGEMENT OF SECTIONS

Section

- 1... Short title and commencement.
- 2... Section 72 amended.

No. of 2020

Arbitration (Amendment) Act, 2020

Virgin Islands

I Assent

Governor
, 2020

VIRGIN ISLANDS

No. of 2020

An Act to amend the Arbitration Act (No. 13 of 2014)

[Gazetted _____, 2020]

ENACTED by the House of Assembly of the Virgin Islands as follows:

1. (1) This Act may be cited as the Arbitration (Amendment) Act, 2020.
- (2) This Act shall come into force on such date as the Governor may, by proclamation published in the *Gazette*, appoint.
2. Section 72 of the Arbitration Act, 2014 is amended in subsection (6) by deleting the words “, other than the fees and expenses of the tribunal”.

Short title
and commence-
ment.

Section 72
amended.
No. 13 of
2014

Passed by the House of Assembly this _____ day of _____, 2020.

Speaker

Clerk of the House of Assembly

OBJECTS AND REASONS

This Bill seeks to clarify the purpose of section 72 (6) of the Arbitration Act, 2014 with regard to the award of costs. The current provision creates the unintended interpretation that the rules of the High Court with respect to the taxation of costs in civil proceedings apply to an order in relation to the fees and expenses of an arbitral tribunal. The rules of the High Court do not so apply and were never so intended.

Accordingly, the deletion of the words “, other than the fees and expenses of the tribunal” in section 72 (6) of the Act should remove any doubt or concern as regards the actual intent of the section. It is in this respect that the support of the Honourable Members of the House of Assembly is sought to pass the Bill as the Territory continues its efforts to develop the Virgin Islands into an international centre for the conduct of arbitration.

Premier