



Scottish
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THE CHARTERED INSTITUTE OF ARBITRATORS (SCOTTISH BRANCH)

CENTENARY ESSAY PRIZE

“Explore the unique features of the Arbitration Model in Scotland following the Arbitration (Scotland) Act 2010, and consider the advantages and disadvantages of the Scottish Arbitration Model.”

Notes:

Well-structured essays will describe the Scottish Arbitration Model; focusing on the structure of the 2010 Act; drawing out features of the Arbitration Model which are particular to Scotland, and compare these to a selection of models in other jurisdictions (such as the English 1996 Act model), and/or institutional models (such as ICC Rules etc). The intention is that writers first describe the particular Scottish Model, before comparing and contrasting it to other models. It is open to you to consider any particular contractual models in use in Scotland, as well as the statutory structure of the 2010 Act, but if you wish you can restrict your consideration only to the statutory scheme. You might consider the common features of most arbitration models, in order to draw out how models differ in detail. Having identified the distinct features of the model in Scotland, a well-structured essay will then consider the advantages of particular features of the Scottish model, and might also consider features of other models which provide advantages which the Scottish Model has not adopted. A prize of £1,000 will be awarded to the essay judged to be the best essay.



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Introduction

To mark the Centenary of the Chartered Institute of Arbitrators celebrated in 2015, the Scottish Branch inaugurated an annual Centenary Essay Prize (**‘the Prize’**). The rules that will apply to the Prize (**‘the Rules’**) are as follows.

The Rules

1. The Prize shall be awarded annually to a relevant person as defined below (a **‘Relevant Person’**) who is judged to have written and submitted in accordance with the Rules the best essay on a topic connected with Alternative Dispute Resolution. The specific topic will be determined annually by the Chairman of the Scottish Branch.
2. Only a Relevant Person may submit an essay for consideration. A Relevant Person is a person who, as at the Closing Date in any year, is
 - a. either (a) under the age of 35 years old or (b) over the age of 35 years old but engaged in full time or part time academic study run by an educational establishment, including but not restricted to any such academic study conducted in whole or in part by way of correspondence, distance learning or night classes;and
 - b. permanently resident in Scotland or temporarily resident in Scotland for the purpose of such academic study.

Any person who submits an essay for the Centenary Essay Prize competition shall produce evidence to the satisfaction of the Chair and the Honorary Secretary of the Scottish Branch that the person meets the foregoing criteria and the decision of the Chair and the Honorary Secretary on whether a person meets the foregoing criteria including whether the academic study is appropriate will be final.

3. Any essay to be considered for the Prize shall be sent to the Honorary Secretary of the Scottish Branch at such address and in such form as shall be notified and that on or before 15th January in the year following the year in which an essay is first set (**‘the Closing date’**). Any essay submitted shall not be greater than 3,000 words in length and shall not be accepted for consideration if it exceeds that length.

4. The Prize will be £1000.00 (One Thousand Pounds) or such other sum as the Committee of the Scottish Branch shall from time to time determine. There will be a single prize in each calendar year.
5. The best essay and thus the winner of the Prize shall be determined by a judge or judge(s) appointed from time to time by the Chair of the Scottish Branch. In the event that in any year no essay submitted is considered worthy of the Prize, the judge or judges may recommend that the Prize should not be awarded that year. Any decision of such judge or judge(s) on these matters will be final.
6. Any essay submitted for consideration shall be written exclusively for the Centenary Essay Prize competition in the relevant year and shall not comprise material that has been prepared wholly or in substantial part for some other purpose eg to meet a requirement of academic study or an educational course or for any other essay prize competition.
7. Any person who, at the Closing Date in any year, is an Office Bearer or Committee Member of the Scottish Branch shall not be eligible to enter an essay in the Centenary Essay competition for the Prize.
8. Any Relevant Person who submits an essay for consideration by so doing agrees that the Scottish Branch shall be entitled to publish in whole or in part and in any form any essay which wins the Prize in any relevant year. The winner of the Prize shall provide such further assistance in that connection, including a photograph and background information, as may reasonably requested by the Scottish Branch.