

INDEX

Agency, 2:110.10

Alternative Dispute Resolution, 1:70

Appraisal, 1:60, 4:130, 9:30.30.10

Arbitrability, 2:80.20, 3:40.90.20, 5:50.20, 10:60.10.20, 12:30.40.30

Arbitral Error, 4:80.10, 5:110, 10:60.10.20

Arbitral Tribunal

(*See also* Award, review, setting aside, effect)

appointment —

by arbitral institution, 4:60.30

by court, 4:60.40

by parties, 4:60.20

challenge, 4:70

grounds, 4:70.10

procedure, 4:70.20

agreement or withdrawal, 4:70.20.20

appeal, 4:70.20.60

continuation of arbitration, 4:70.20.50

decision by arbitral tribunal, 4:70.20.30

initiation, 4:70.20.10

recourse to the court or arbitral institution, 4:70.20.40

restrictions, 4:70.10.30

process, 4:60.20

revocation of, 4:110

substitute, 4:100

named arbitrator, 4:100.20

repetition of hearings, 4:100.30

when, 4:100.10

bias, 4:50, 4:70.10.10, 4:110, 10:60.10.20, 10:60.70.30

challenge. *See* appointment, challenge, *supra*

commitment fee, 11:50.40

communication with, 4:40.30, 4:50.10

composition —

criteria, 4:40.40, 4:40.50, 4:40.60, 4:40.70

general, 4:40, 10:60.10.20, 10:60.70.10, 12:30.40.20

number of arbitrators, 4:40.20, 9:30.30.10

Arbitral Tribunal — *continued*

composition — *continued*

number of arbitrators — *continued*

even number, 4:40.20.30

more than three arbitrators, 4:40.20.40

sole arbitrators, 4:40.20.10

three arbitrators, 4:40.20.20

selection, 4:40.30, 4:40.40 (*See also* appointment, *supra*)

contract, 4:130

corrupt or fraudulent act or conduct, 10:50.30.30, 10:60.10.20

counsel to, 9:30.30.10, 11:50.10

definition, 1:60.20, 4:20 (*See also* Appraisal; Arbitration)

delegation, 9:30.30.10

deliberative secrecy, 7:100.20, 9:30.50, 10:60.40

disclosure, 4:50.20, 4:50.30

establishment, 4:10

ethics, 4:50.10

fees, 4:80.30, 4:130, 11:50

review or taxation, 11:50.60

appeal, 11:50.70

enforcement, 11:50.80

security, 11:50.30

functus officio, 9:30.20.10, 9:30.80.60, 9:30.110, 9:30.190, 10:60.60, 11:20.70

indemnity, 11:50.90

immunity, 1:60.10, 4:130

impartiality, 1:50, 1:60.20, 1:70.10, 4:50, 6:10.20 (*See also* Arbitral Tribunal, bias)

independence, 4:50

individuals, 4:30

liability, 1:60.10, 4:130

lien, 11:50.80

named, 4:40.50, 4:100.20, 10:60.50

nationality, 4:40.60

negligence, 1:60.10, 4:130

non-neutral, 4:50.10

non-payment. *See* fees, *supra*

oath, 4:120

qualifications —

challenge, 4:70.10.20

general, 4:40.50

legal training or experience, 4:40.70, 7:30.40

prior knowledge, 7:30.40

Arbitral Tribunal — *continued*

reasonable apprehension of bias. *See* bias, *supra*
removal, 4:80
 appeal, 4:80.50
 directions, 4:80.40
 grounds, 4:80.10, 7:30.20, 7:80
 participation of arbitrator, 4:80.20
 payment or reimbursement by arbitrator, 4:80.30
remuneration. *See* fees, *supra*
residence, 4:40.65
resignation, 7:40.20, 11:50.50
substitute. *See* appointment, substitute, *supra*
termination of mandate, 4:90
umpire, 4:20, 4:40.20.30

Arbitration

(*See also* Hearing)

ad hoc, 1:160
advantages, 2:10.10
commencement —
 general, 3:10.10
 steps required, 3:10.20
commercial, 1:10, 1:80
confidentiality, 7:100.20
consensual, 1:10, 1:50
considerations in choosing, 2:10.30
constitutionality, 1:20, 5:50.30
definition, 1:50, 1:60, 1:70.10
delocalized, 7:10.10
disadvantages, 2:10.20
final offer, 1:50
grievance, 1:50
history, 1:20
indicia, 1:50
institutional, 1:160
interest, 1:50
international, 1:20, 1:90
invalidity, 3:60
non-administered. *See* ad hoc, *supra*
non-binding. *See* Conciliation
notice. *See* commencement, *supra*
place —
 general, 7:10.10
 selection, 7:10.20

Arbitration — *continued*

seat. *See* place, *supra*
 statutory, 1:50
 termination, 9:10, 11:50.40

Arbitration Agreement

autonomy, 2:40, 5:70, 8:10
 costs, 11:20.10, 11:20.30
 definition, 2:30.10
 drafting —
 considerations, 2:60.20
 importance, 2:60.10
 existence, 5:60
 implication, 2:30.60
 incapable of being performed, 3:40.90.30
 inclusion of non-parties, 2:110.70
 incorporation by reference, 2:30.40
 inoperative, 2:40, 3:40.90.30
 interpretation, 1:60.20, 2:70
 invalidity, 3:40.90.20, 5:60, 5:110, 10:60.10.20, 12:30.40.20
 mandatory (vs. permissive) language, 2:30.50
 non-signatory —
 rights, 2:110.90
 status, 2:110
 null and void, 3:40.90.30
 proper law, 8:10
 rescission or revocation, 2:140
 requirements, 2:30.10, 2:30.30, 2:30.50
 scope, 2:80, 5:10
 separability. *See* Arbitration Agreement, autonomy
 types, 1:50, 2:20
 unconscionability, 2:50
 validity. *See* invalidity, *supra*
 void, 3:40.90.30, 5:70
 wording, 2:80.10.30
 “arising from the making, performance or termination”, 2:80.10.30
 “arising out of”, 2:80.10.30
 “arising under”, 2:80.10.30
 “during the execution of”, 2:80.10.30
 “in connection with”, 2:80.10.30
 “in respect of”, 2:80.10.30
 “rights and liabilities”, 2:80.10.30
 “these presents”, 2:80.10.30
 “touching”, 2:80.10.30

Arbitration Agreement — *continued*

wording — *continued*

“upon or in relation to or in connection with”, 2:80.10.30

“with regard to”, 2:80.10.30

“with respect to”, 2:80.10.30

writing, 2:30.30. (*See also* Arbitration Agreement, requirements, *supra*)

Arbitrator. *See* Arbitral Tribunal

Arb-Med, 1:70.90

Assignment, 2:110.30

Award

(*See also* Arbitral Tribunal; Procedural Orders)

action on, 12:20.20 (*See also* enforcement, *infra*)

additional. *See* supplementary, *infra*; Costs

appeal —

(*See also* Award, appeal or review)

availability, 6:60.10, 10:70.10

error, 10:70.20

exclusion agreement, 10:80.10

from lower court, 10:70.70

general, 10:70.10

grounds of appeal, 10:70.45.10

hearing, 10:70.45.30

international, 10:50.10

leave to appeal, 10:70.40

conditions, 10:70.40.40

general, 10:70.40.10

hearing, 10:70.45.30

other powers on leave, 10:70.40.50

procedure, 10:70.40.30

when may leave be granted, 10:70.40.30

who may apply, 10:70.40.20

record, 10:70.45.20

remedies, 10:70.60

right, as of, 10:70.30

by agreement, 10:70.30.20

by legislation, 10:70.30.10

standard of review, 9:30.80.40, 10:70.50

statutory, 10:50.10

appeal or review –

award, 10:50.20

general, 10:50.10

Award — *continued*

appeal or review — *continued*

timing, 10:50.30

corruption or fraud, 10:50.30.30

extension, 10:50.30.20, 10:50.30.30

general, 10:50.30.10, 10:50.30.30

binding effect, 9:30.170, 10:80.10.20, 12:20.10

confidentiality, 7:100.20

confirmation, 12:30.10

consent, 9:20

content, 9:30.80

certainty, 9:30.80.50

finality, 9:30.80.60

format, 9:30.80.20

language, 9:30.80.10, 9:30.90

reasons, 9:30.80.40

specificity, 9:30.80.30

words, 9:30.80.10

correction, 9:30.150

definition, 9:30.10, 10:50.20

delay for judicial intervention, 10:40.10

delivery or service, 9:30.100

dissenting opinion, 9:30.80.70

effect on pre-existing proceedings, 9:30.200

enforcement —

(*See also* recognition and enforcement, *infra*; Procedural Orders)

applicant, 12:20.20

definition, 12:10

general, 9:30.130, 10:50.30.10, 12:20.20

grounds for refusing or staying, 12:20.30, 12:40

judgment, as, 9:30.200, 12:20.20

parties, 12:30.60

place, 7:10.20

requirements, 9:30.80.60 (*See also* enforcement, grounds for refusing or staying, *supra*)

specific powers of court, 12:20.40

timing, 12:20.20

final, 9:30.20.10, 9:30.80.60, 10:80.10.20, 12:20.10, 12:20.30.20

final and binding, 9:30.170, 10:80.10.20

form, 9:30.70, 9:30.80

date, 9:30.70.50

place, 9:30.70.50

seal, 9:30.70.30

signature, 9:30.70.40, 9:30.70.50

Award — *continued*

form, 9:30.70, 9:30.80 — *continued*
 writing, 9:30.70.20
 further explanation, 9:30.130, 9:30.140
 injunctive relief, 12:30.80
 interim, 6:50, 9:30.20.30, 9:30.190
 interlocutory, 9:30.20.40 (*See also* Procedural Orders)
 interpretation, 9:30.140
 leave to appeal. *See* appeal, *supra*; appeal or review, *supra*
 merger, 9:30.180, 12:30.10
 minority opinion, 9:30.80.70
 partial, 9:30.20.20, 9:30.20.30
 publication. *See* confidentiality, *supra*
 definition, 9:30.110
 reasons, 9:30.80.40, 9:30.130, 11:20.40, 12:30.40.20
 recognition —
 definition, 12:10
 recognition and enforcement —
 (*See also* enforcement, *supra*)
 adjournment, 12:30.40.20, 12:30.70
 application for, 12:30.20
 general, 1:30, 12:10
 grounds for refusing, 4:40.10, 5:110, 7:30.50, 12:30.40.10, 12:30.40.20,
 12:30.40.30
 waiver of, 12:30.50
 onus of proof, 12:30.40.20
 where no onus of proof, 12:30.40.30
 remission, 9:30.70.10, 9:30.80.70, 10:60.60, 10:60.70, 11:50.50
 review, 1:60.10 (*See also* appeal or review, *supra*)
 evidence on application, 10:60.40
 expansion, 10:80.20
 grounds for review, 10:60.10, 10:60.20
 setting aside —
 effect, 10:60.50
 standard of review, 10:60.30
 domestic, 10:60.30.10
 international, 10:60.30.20
 separate opinion, 9:30.80.70
 setting aside, 4:40.10, 5:110
 grounds, 7:30.50
 settlement, after, 9:20
 severance, 5:110, 10:60.10.20, 10:60.60
 stay of execution. *See* enforcement, grounds for refusing or staying, *supra*
 supplementary, 9:30.160

Award — *continued*

- suspension, 12:30.40.20
- types, 9:30.20
- when made —
 - date, 9:30.70.50, 9:30.110
 - extension of time, 9:30.60.20
 - general, 9:30.60.10
 - time limitation clause, 9:30.60.10
- who may make, 9:30.30
 - majority, 9:30.30.20
 - non-delegation, 9:30.30.10
 - persons who heard evidence and argument, 9:30.30.30

Beneficiary, 2:110.50

British Columbia International Commercial Arbitration Centre, 1:40

Cause of Action Estoppel. *See* Res Judicata

Centrocom Clause, 3:20.10.10

Choice of Law

- accordance with contract, 8:60
- accordance with law, 8:40
- arbitration agreement, 5:110
- award, form, 9:30.70.10
- decentralization, delocalization or de-nationalization, 7:10.10, 8:10, 12:30.40.20
- decision on a basis other than “law”, 8:50
 - amiable composition, 8:50.10
 - ex aequo at bono, 8:50.10
 - fairness, 8:50.10
 - general principles of law, 8:50.20
 - lex mercatoria, 7:100.20, 8:50.10, 8:50.30
- equity clause, 8:50
- issues, 8:10
- lex loci arbitri, 7:10.10
- mandatory provisions or rules, 7:10.20, 8:10, 8:20
- place of arbitration, 7:10
- procedure, 8:10, 9:30.70.50
- punitive damages, 8:10, 9:30.220.20
- stay of proceedings, 3:40.20
- substantive law —
 - choice by arbitral tribunal, 8:30
 - choice by parties, 8:20

Choice of Law — *continued*

territoriality. *See* decentralization, delocalization or de-nationalization,
supra

usages of trade, 8:60

Co-Med-Arb, 1:70.120

Compétence-Compétence. *See* Jurisdiction, of arbitrator, jurisdiction to
decide jurisdiction

Compromis. *See* Arbitration Agreement, types

Conciliation, 1:70.40

Confidential Listening, 1:70.30

Confidentiality

arbitration and award, 7:100.20

confidentiality agreement, 7:100.30

general, 7:100.10

legend paper, 7:100.40.10

order, 6:60.10, 7:100.40.20

Conflict of Laws. *See* Choice of Law

Consolidation

alternatives, 6:70.50

class arbitration, 6:70.60

consent, 6:70.40

domestic, 6:70.30

international, 6:70.20

underlying problem, 6:70.10

Contempt, allegation of, 7:160

Contribution and Indemnity, 2:110.40

Corporate Veil, 2:110.20

Costs

(*See also* Discretion)

adjournment, 11:20.90

appeal, 11:20.100

appeal, of, 11:20.20

by whom payable, 11:20.50

definition, 11:20.10, 11:20.60.10

deposits, 11:40

discretion, 11:20.20, 11:20.30

general statutory provisions, 11:20.20

Costs — *continued*

not addressed in award, 11:20.70
offers to settle, 11:20.80
overview, 11:20.10
postponement. *See* adjournment, *supra*
quantum, 11:20.60
 assessment, 11:20.60.50
 appeal or review, 11:20.100
 employee time, 11:20.60.30
 full indemnity, 11:20.60.10
 interlocutory matters, 11:20.60.40
 limits, 11:20.60.20
 taxation. *See* quantum, assessment, *supra*
review, 11:20.100
security for costs, 11:30
to whom awarded, 11:20.40
where award set aside, 11:20.110
whether awarded, 11:20.30
whether court may order, 11:20.70

Court

(*See also* Judicial Intervention)
whether jurisdiction ousted, 3:40.10.10, 3:50 (*See also* Scott v. Avery clause)

Crown

application of arbitration legislation to, 1:120

Declaratory Relief

by arbitrator, 9:30.220.50
by court, 5:40.50
for non-participant, 2:130, 3:60, 5:110

Default, 7:150

Default or Summary Judgment, 3:40.90.20

Delay, 7:150

Difference, 2:80.10.40, 3:10.30

Discovery

advantages and disadvantages, 6:30.10
documents, 6:30.20
examination for discovery, 6:30.30
general, 6:30.10, 9:30.190

Discretion

costs, 11:20.20

INDEX

Discretion — *continued*

evidence, as to, 7:50.10

fresh evidence or matters, as to, 9:30.120

judicial exercise, 6:20.60, 10:70.20, 11:20.20, 11:20.40, 11:20.80

[*The next page is IN-11*]

Dispute, 1:50, 1:60.20, 2:80.10.40, 3:10.30

Equity. *See* Choice of Law; Interim Measures; Remedies

Error of Law on the Face of the Record. *See* Award, appeal, leave to appeal; Award, review

Evidence

admissibility, 7:50.10

commission, 7:60.80

documents only, 7:60.10, 7:70

error of law, whether, 10:70.20

fresh evidence or matters, 9:30.120

from non-parties, 6:30.40

inspection or view, 7:80

international rules, 7:50.30

manner in which admitted, 7:50.40

materiality, 7:50.10

on an application for leave to appeal, 10:70.40.25

privilege, 7:50.10, 7:60.70.20

self-incrimination, 7:50.10

subpoena, 7:60.70

 ability to issue, 7:60.70.10

 restrictions, 7:60.70.20

weight, 7:50.10

witnesses, 7:60

 competence of party, 7:60.40

 cross-examination, 7:60.120

 disclosure prior to hearing, 7:60.30

 examination by arbitrator, 7:60.110

 exclusion, 7:60.150, 7:90

 expert, 7:60.60

 appointed by parties, 7:60.60.20

 appointed by tribunal, 7:60.60.10

 failure to answer a question, 7:60.130

 inability to produce, 12:30.40.20

 number, 7:60.20

 oath or affirmation, 7:60.90

 by whom administered, 7:60.90.20

 waiver, 7:60.90.30

 whether required, 7:60.90.10

 order of presenting, 7:60.140

 other jurisdictions, 7:60.80

 prisoner, 7:60.50

 selection by arbitrator, 7:60.110

Evidence — *continued*

witnesses, 7:60 — *continued*
witness statement, 7:60.100

Final and Binding, 1:60.20

Garnishment. *See* Interim Measures

Hague Convention on the Pacific Settlement of International Disputes, 1:20

Hearing

(*See also* Evidence)

adjournment, 7:30.40, 7:130, 9:30.120, 11:20.90, 11:30

arbitrator's role, 7:30.40

attendance, 7:90

closing statement, 7:70.60

contempt, allegation of, 7:160

failure to appear or produce evidence, 7:150

notekeeping, 7:120

opening statement, 7:70.50

oral or document-based, 7:70

advantages and disadvantages, 7:70.20

requirements if oral hearing, 7:70.30

selection, 7:70.10

oral procedure, 7:70.40

postponement. *See* adjournment, *supra*

privacy, 7:90

reopening, 7:30.50

repetition, 4:100.30

representation, 7:110

termination, 7:140

where held, 7:10.20

Injunction. *See* Interim Measures, Stay of Arbitration

Inspection or View. *See* Evidence, inspection or view

Interest. *See* Remedies

Interim Award. *See* Award, interim

Interim Measures, 6:60, 7:60.80, 9:30.20.30

(*See also* Security for Costs)

appeal, 6:60.10

enforcement, 12:50

by the arbitral tribunal, 6:60.10, 8:40

by the courts, 6:60.20

Intervention, 2:120

Issue Estoppel. *See* Res Judicata

Joinder, 2:120

Judicial Intervention

court, 10:20
general, 10:10, 10:30
question of law, determination of, 10:40
 appeal, 10:40.40
 discretion, 10:40.20
 effect, 10:40.30
 general, 10:40.10

Jurisdiction

of arbitrator —
 challenge, 5:20
 grounds, 5:30
 scope of challenge, 5:20
 concurrent control, 5:100
 contempt, allegation of, 7:160
 disputes prior to invocation of arbitration agreement, 2:80.30, 5:10
 excess, 10:60.10.20, 10:60.70.10
 inherent, 5:10, 11:30
 jurisdiction to decide jurisdiction, 3:40.90, 5:50
 objection, 5:40, 10:60.10.20
 boycott, 5:40.20
 court intervention, 5:100
 declaration or injunction, 5:40.50
 determination, 5:90, 5:100
 no objection, 5:40.10
 post-arbitration challenge, 5:40.40
 separate proceedings, 5:40.30
 timing, 5:80, 10:60.10.20
 to arbitral tribunal, 5:40.60
 wording, 5:80
 setting aside award, 5:110, 10:60.10.20

Language, 7:20

(*See also* Award)

Legislation

arbitration —
 contracting out, 1:130
 general, 1:30, 1:40

Legislation — *continued*

arbitration — *continued*

interpretation, 1:150

retrospectivity, 1:110

conflicting or excluded, 1:100

Limitation Period

(*See also* Award, when made)

construction, 3:20.10.20

extension of time, 3:20.10.40

“reasonable time”, 3:20.10.30

time bar clause, 3:20.10.10

equitable and other, 3:20.20.10

statutory, 3:20.20, 8:40

Medaloa, 1:70.110

Med-Arb. *See* Mediation-Arbitration

Mediation

general, 1:70.50

mediation window, 1:70.130

shadow, 1:70.100

Mediation-Arbitration, 1:20, 1:70.10, 1:70.80, 7:40.30

Mini-trial, 1:70.60

Misconduct. *See* Arbitral tribunal, removal, grounds; Award, review

Model Law

general, 12:10

history, 1:40

Multiparty Arbitration. *See* Consolidation

Natural Justice

(*See also* Award, recognition and enforcement, grounds for refusing)

audi alterum partum. *See* right to present the case and respond to the other parties' cases, *infra*

cross-examination, 7:60.120

equal and fair treatment, 7:30.20

general, 7:30.10, 10:60.10.20, 10:60.70.20

notice, 7:30.50, 12:30.40.20

oral hearing, where, 7:70.30

right to know case to be met, 7:30.40

right to present the case and respond to the other parties' cases, 7:30.30

Negotiation, 1:70.20

Neutral (Case) Evaluation, 1:70.70

New York Convention

general, 12:10
history, 1:30
reservations, 1:30, 12:10

Operation of Law, 2:110.60

Parties

autonomy, 8:10, 11:20.10
capacity, 2:100.30, 3:40.90.20, 10:60.10.20, 12:30.40.20
corporate status, 2:100.40
importance of status, 2:100.10
who is a party, 2:100.20

Place of Arbitration. *See* Arbitration, place

Pleadings

content, 6:20.10
default in providing, 7:150
formality, 6:20.30
oral statements, 6:20.50
reply, 6:20.70
timing, 6:20.20

Pre-Hearing Conference or Meeting

agenda, 6:10.40
amending or supplementing, 6:20.60
general, 6:10.10
preparation for, 6:10.30
timing, 6:10.20

Preservation of Property. *See* Interim Measures

Privacy. *See* Hearing, privacy

Procedural Fairness. *See* Natural Justice

Procedural Orders, 6:40, 7:40.30, 7:50.10, 9:30.10, 9:30.20, 9:30.20.30,
9:30.20.40, 10:50.20, 12:50

Public Order, 2:80.20

Public Policy

general principles of law, 8:50.20
in determining arbitrability, 2:80.20
recognition and enforcement, 12:30.40.30
setting aside award, 10:60.10.20

Quebec National and International Commercial Arbitration Centre, 1:50

Recognition and Enforcement. *See* Award

Reference, 2:90, 10:90, 12:20.60

Remedies

(*See also* Costs; Interim Measures)

alteration of contract, 8:40

court, 12:20.40

damages, 8:10, 9:30.220.10

(*See also* punitive damages, *infra*)

currency, 9:30.220.10

declaratory relief. *See* Declaratory Relief

equitable, 8:40, 9:30.220.30, 11:20.10

injunctions. *See* equitable, *supra*; Interim Measures

interest, 11:60

post-award interest, 11:60.30, 12:20.50

pre-award interest, 11:60.20

statutory provisions, 11:60.10

when to be awarded, 11:60.40

punitive damages, 8:10, 9:30.220.20 (*See also* Choice of Law, punitive damages)

quantum meruit, 8:40

rectification, 8:40, 9:30.220.40

relief from penalty and forfeiture, 8:40

setting new or modified terms, 9:30.220.70

statutory, 9:30.220.30

specific performance, 8:40, 9:30.220.30

Representation, 7:110

Res judicata, 3:10.20, 9:30.80.60, 9:30.190, 12:10

Rules of Procedure

(*See also* Choice of Law)

general, 1:40, 7:40.10

non-compliance, 10:60.10.20

selection —

by the arbitration, 7:40.30

by the parties, 7:40.20

Scott v. Avery clause, 2:30.20, 3:40.10.10, 3:50

Security for Claim, 6:60.10

Security for Costs, 3:40.100, 11:30

Separability. *See* Arbitration Agreement, autonomy

Service and Delivery

(*See also* Award)

methods, 3:30.20

 court proceedings, 3:30.20.90

 deemed receipt, 3:30.20.50

 facsimile, 3:30.20.30

 miscellaneous, 3:30.20.70

 personal service on corporations, 3:30.20.20

 personal service on individuals, 3:30.20.10

 registered mail, 3:30.20.40

 service on counsel, 3:30.20.80

 substituted service, 3:30.20.60

Settlement, 1:70.10, 9:20, 11:20.80

Stare Decisis, 7:100.20, 9:30.120

Stated Case. *See* Judicial Intervention, question of law, determination of

Statement of Case, 6:20.40

Stay of Arbitration, 2:130, 3:60, 5:40.50

Stay of Enforcement. *See* Award, enforcement, grounds for refusing or staying

Stay of Proceedings, 3:40

 appeal, 3:40.110

 application —

 court to which made, 3:40.70

 evidence, 3:40.60

 onus, 3:40.60, 3:40.90

 timing, 3:40.30

 step in the proceedings, 3:40.40

 undue delay, 3:40.90.20

 vis-à-vis action, 3:40.30.20

 vis-à-vis arbitration, 3:40.30.10

 who may apply, 3:40.50

 conditions, 3:40.100

 discretion, where exists, 3:40.90.40

 general principles, 3:40.10.10

 grounds for refusing, 3:40.90

 Alberta, Manitoba, New Brunswick, Nova Scotia, Ontario and
 Saskatchewan — domestic legislation, 3:40.90.20

Stay of Proceedings — *continued*

grounds for refusing, 3:40.90 — *continued*

Model Law; British Columbia — domestic and international legislation;

Quebec, 3:40.90.30

Newfoundland, Northwest Territories, Nova Scotia, Nunavut, Prince

Edward Island and the Yukon — domestic legislation, 3:40.90.40

other legislation, 3:40.90.50

legislation, 3:40.10.20

multiple issues and parties, 3:40.90.60

partial, 3:40.90.60, 3:40.110

requirements, 3:40.80

Submission. *See* Arbitration Agreement, types

Uniform Law Conference of Canada, 1:30

United Nations Charter, 1:20

United Nations Commission on International Trade Law, 1:40

**United Nations Convention on the Recognition and Enforcement of Foreign
Arbitral Awards.** *See* New York Convention

Usages of Trade. *See* Choice of Law, usages of trade

Valuation. *See* Appraisal

Waiver, 1:140, 5:110, 7:30.40, 7:50.20, 7:60.90.30, 10:60.20

Want of Prosecution. *See* Default