

# Commercial Arbitration in Australia Under the Model Law Third Edition

## Doug Jones AM & Janet Walker CM

**"... a superb resource for students, practitioners, academics and judges" - The Hon Neil Kaplan, CBE, QC, SBS, former Judge of the Hong Kong Supreme Court and Chair of HKIAC**

*Commercial Arbitration in Australia Under the Model Law* provides an annotated guide to domestic commercial arbitration legislation in Australia under the uniform commercial arbitration Acts.

This pioneering work first published in 2010 and is now in its Third Edition. Since the Second Edition, all States and Territories have enacted Commercial Arbitration Acts ("CAAs") based on the Model Law on International Commercial Arbitration. It provides commentary on the growing body of case law applying the Model Law in Australia, and internationally.

New developments include:

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- Consideration of other Model Law jurisdictions, including key cases from Hong Kong, Singapore, Canada, Germany and Spain and comparisons with the case law in England and Wales;
- Highlights innovations in institutional rules, including the 2021 ACICA Rules and the 2020 Resolution Institute Rules;
- Improvements to the efficiency of arbitration, including the establishment of the role of emergency arbitrator;
- The impact of the High Court's 2019 decision in *Rinehart v Hancock Prospecting Pty Ltd* as well as other developments arising from the Rinehart litigation;
- Developments in 'arb-med', including the Supreme Court of NSW's decision in *Ku-Ring-Gai Council v Ichor Constructions Pty Ltd*;
- Issues such as the scope of the CAAs, arbitrability and the construction of arbitration agreements;
- Evolving standards for impartiality or independence and the Federal Court's decision in *Hui v Esposito Holdings Pty Ltd*; and
- Role of the courts, including whether courts may grant anti-arbitration injunctions.

This title continues to be the definitive work in its field and is a 'must have' for anyone involved in commercial dispute resolution in Australia, whether as a party to the arbitration, counsel, neutral or student.

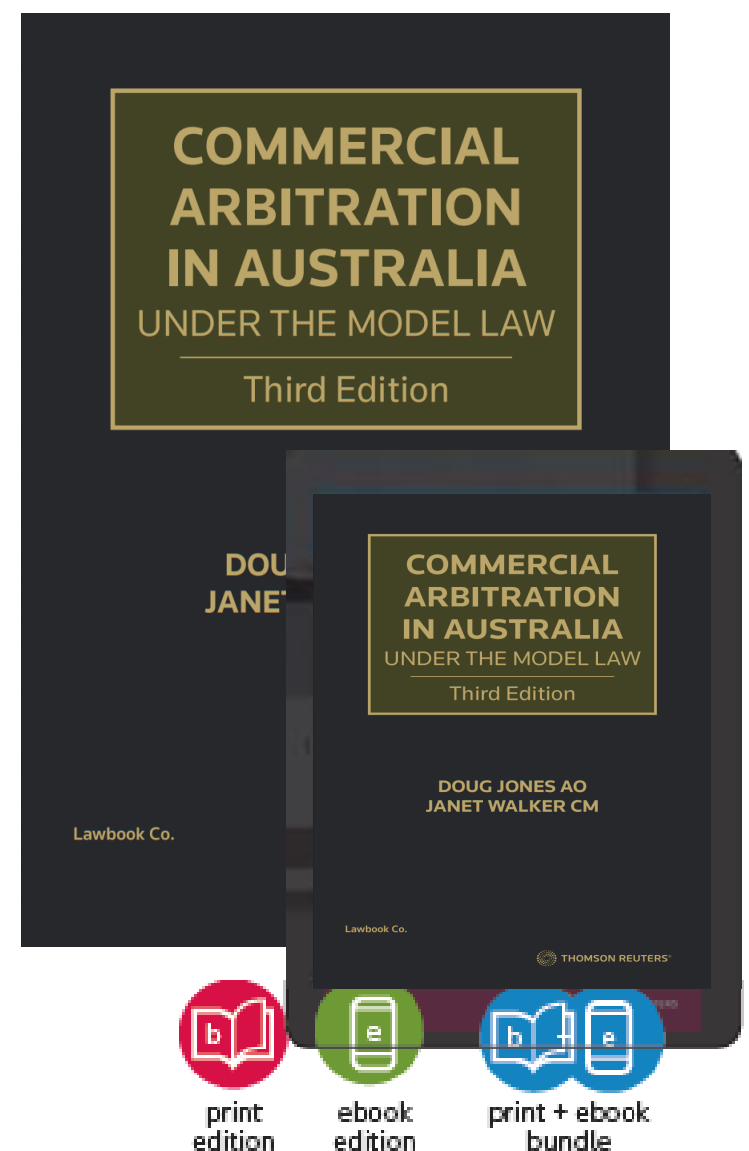
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