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relief—the primary responsibility of the arbitral tribunal. As a general rule, under the Arbitration Act 1996 (AA 1996), an arbitral tribunal seated in England has primary responsibility for any interim or emergency relief sought in an

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arbitration under its jurisdiction. The tribunal's powers are derived from AA 1996, s 38.

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such as irreparable  
harm that various

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jurisdiction. The  
tribunal's powers

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are derived from  
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The procedure for  
applying to the  
court for interim or  
emergency relief  
(these terms are  
used  
interchangeably) is

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the same whether or not arbitration proceedings have been commenced (although where an arbitration has not yet been commenced, an undertaking to commence proceedings will likely be a necessary part of any application).

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The tribunal ' s  
powers to make  
orders for interim  
relief are set out in  
AA 1996, s 38. AA  
1996, s 38 upholds  
the principle of  
party autonomy in  
arbitration by first

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providing that the parties are free to agree the powers exercisable by the tribunal for the purposes and in relation to the proceedings (AA 1996, s 38 (1)).

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This Practice Note covers the availability of (or obtaining or applying for) interim or provisional (and emergency) remedies (relief or measures) in support of arbitration (or arbitral proceedings) from

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the Portuguese  
courts under the  
law of Portugal.

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covers the position  
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and previous  
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Until more proceedings to enforce emergency arbitrator decisions come before courts, or until legislators decide to deal with the issue in domestic legislation, questions over the enforceability of arbitrator interim

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health crises must  
ensure 'no-one is  
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be at the cost of  
other development  
programmes, MPs

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respect to  
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arbitration, as with the granting of interim relief in 'standard' arbitration proceedings, is of course the enforceability of the decision of the emergency arbitrator, whether it be in the form of an order or an award.

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Arbitration 1985, as  
amended (the  
Model Law), refers  
to interim relief as

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‘ interim measures ’  
and defines them as  
being temporary...

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interim emergency  
bill would  
immediately  
address five key  
issues as the House

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and Senate continue to develop a fourth, comprehensive COVID-19 bill, or “ CARES 2. ” 1.

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Therefore, the  
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provisions, while  
not prejudicing a  
party ' s right to  
seek interim relief  
from any available  
court, allow parties  
to commence  
emergency  
proceedings within  
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their arbitration.

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Despite the  
tensions that  
sometimes arise in  
the relationship  
between national  
courts and the  
institutions of  
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arbitration, one

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critical area of cooperation is the support that national courts provide by way of interim relief. One of the most obvious examples of that relief is the granting of freezing injunctions and disclosure orders restraining a respondent from

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disposing of its assets, pending the outcome of a reference and identifying the scope of those assets.

Emergency interim relief: where do you go? | Arbitration Blog

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