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Assignment

Lahore Leads University

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Subject - Legal drafting

Topic - Arbitration, Dedication

Submitted To -

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Submitted by -

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Arbitration ?

Introduction :-

Arbitration is an effective method of Alternative Dispute Resolution (ADR) used to settle disputes outside the traditional court system. In legal drafting, arbitration clauses are agreements are carefully written provisions that determine how disputes will be resolved through arbitration rather than litigation.

Importance of Arbitration in legal Drafting :-

Arbitration clause are commonly included in commercial agreements to resolve their Dead

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construction contracts, employment contracts, and international Trade agreements. Proper drafting is important because.

(i) It prevents lengthy court litigation.
(ii) It provides a faster method of dispute resolution.
(iii) It reduces legal costs.
(iv) It ensures confidentiality between parties.

Legal basis of Arbitration.

Arbitration is generally governed by statuary law in many countries in Pakistan arbitration proceedings are regulated under the Arbitration Act 1940 and other legal framework

Arbitration Agreements.

An Arbitration Agreements is the foundation of Arbitration. It is writen agreement

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between Parties Stating that any Disputes arising out of their contract will be refer to the arbitration

Essential elements.

(i) Agreement between Parties.
(ii) intention to refer disputes to Arbitration.
(iii) Writen form.
(iv) clear scope of disputes.
(v) Appointment or procedure for appointment of Arbitrator.
Arbitration A Sepate contracts

Method of Appointment.

The procedure for appointing arbitrators must be clearly mentioned

Place of Arbitrators —.

The Seat or location of Arbitrators Should be stated.

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Applicable law -
The governing laws or rules for arbitration should be specified.

Finaly Award -
The clause should state that the arbitral award will be final and binding.

Types of Arbitration.

(i) Ad Hoc Arbitration -
Arbitration conducted independently by parties without involment of Arbitrations.

(ii) institution Arbitration -
Arbitration conducted independently by parties without involvment provides rules and administrative supports.

(iii) Domestic Arbitration -
Desputes btween parties with in the same country.

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(v) International Arbitration -
Disputes involves parties from different countries.

Procedure of Arbitration -

(i) Arbitration Agreement → Parties agree to Arbitration.
(ii) Appointment of Arbitrators → Arbitrator are panel is appointed.
(iii) Submission of claims → Parties present the statement of claim and defence.
(iv) Hearing → Arbitrator hears the evidence and arguments.

Conclusion

Arbitration plays a vital role in modern legal drafting as an effective to court litigation. A well drafted arbitration clause provides a structured and efficient method for resolving disputes saving times and costs while maintaining confidentiality.

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Deed of Dedication

introduction

Dedication is the voluntary act of the owner of Property to devote it permanently for the use of the Public religious institutions or charitable Purpose. The Property may be land buildings or other assets.

Essential elements of Dedication

(i) intention of owner

The owner must clearly intent to Dedicates the Property for religious or Public Purpose.

(ii) competent Person

The Person making the dedication must be legally capable of Transfering the Property be the lawful owner or competent.

(iii) Subject matter

The Property Dedicated must

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certain and identifiable. It may moveable or immoveable Property.

(iv) Purpose of Dedication
The property must be lawful Dedication of religious or Public Purpose such as mosque School, hospital, Road

(v) Acceptance
in the case of Public Dedication The Public must Accept and use the Property for the intended Purpose

Types of Dedication

(i) express Dedication

express Dedication occures when the owner clearly declares his intention to dedicates property for a specific purpose through words writings or legal documents.

(ii) implied dedication.
implied dedication occures without express declaration It is inferred

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The conduct of owner and the long term used of the property by the public

(v) Dedication for Religious Purposes —

→ Dedication is often used for religious institutions such as.

Mosques.
Temples
churches
graveyards

legal effect of Dedication

The legal consequence of the Dedication include—

(i) Loss of private ownership.

the orignal owner gives up personal rights over the property.

(ii) Permanent Nature —

Dedication is generally irrevocable meaning it cannot be withdrawn.

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(vi) example of Dedication

common example include land Dedicated for the public roads land set aparts for Parks and playgrounds

(vii) importance of Dedication

Dedication is important because it promotes Public welfare and social benifites

→ conclusions

Dedication is legaly method through wich a person permanantly devotes property for public religious or charitable of the purpose of the face Dedication / takes place the property no longer remains.

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