Date: 12/04/2026

Assignment

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Section: 8th 'B'

Submitted to: Sir Kashfeel Chaudhary

Topic: Deed Of Arbitration

Date: .....

Arbitration :~

Meaning Of Arbitration :

Arbitration is a Procers in which the Parties to a dispute agree to submit their disagreement to one or more neutral third Person called arbitrators, who hear the case and give a decision known as an arbital award. This award is uscally final and binding on the Partils.

Importance :

* It Prevent lengthy Court litigation
* It Provides a faster method of dispute resolution.
* It reduces legal Costs.
* It ensure confidentiality between Parties.
* It allows parties to choose experts as arbitrators.

Arbitration is generally governed by statutory laws in many ~~Pakistan~~ Countries.

Date:.....

Arbitration Agreement

An arbitration agreement is a foundation of arbitration. It is a written agreement between parties stating that any dispute arising out of their contract will be referred to arbitration.

Essentials Element:

(1) Agreement between parties
(2) Intention to refer disputes to arbitration.
(3) Written form
(4) Clear scope of disputes
(5) Appointment or procedure for appointment of arbitrator.

The agreement may be:
A separate contract, or
A clause within the main Contract.

Arbitration Clause:

An arbitration clause is a provision inserted into contracts that specifies arbitration as the method of dispute resolution.

Date: .....

Essential Components of a well drafted Arbitration clause:

Intention to Arbitrate:

The clause must clearly show that the parties agree to resolve disputes through arbitration.

Scope of disputes:

It should specify which disputes will be reffered to arbitration.

Number of Arbitration:

The clause should specify whether there will be:
A single arbitrator, or
A panel of three arbitrators.

Method of Appointment:

The procedure for appointing arbitrators must be clearly mentioned.

Place of Arbitration:

The seat or location of arbitration should be stated.

Date:.....

Applicable Law:

The governing law or rules for arbitration should be specified.

finality of Award:

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

Types Of Arbitration:

Ad Hoc Arbitration:

Arbitration Conducted Independently by parties without involvement of an arbitration institution.

Institutional Arbitration:

Arbitration Conducted Independently under the supervision of an arbitration institution which provides rules and administrative support.

Domestic Arbitration:

Disputes between parties within the Same Country.

Date:.....

International Arbitration:

Disputes involving parties from different Countries.

Advantages of Arbitration:

(1) Faster than Court litigation
(2) Confidential proceedings
(3) Flexible procedure
(4) Expert decision
(5) Final and binding decisions

Disadvantages:

(1) Limited right of Appeal
(2) sometimes costly in Complex cases
(3) Arbitrators decision may be difficult to challenge.
(4) Lack of formal procedural Safeguards.