

The Arbitration Regulations

being

Chapter A-24.1 Reg 1 (effective July 15, 2019).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER A-24.1 REG 1
The Arbitration Act, 1992

Title

1 These regulations may be cited as *The Arbitration Regulations*.

Definitions

2 In these regulations, “**Act**” means *The Arbitration Act, 1992*.

12 Jly 2019 cA-24.1 Reg 1 s2.

Family arbitrators

3(1) To be recognized by the minister as a family arbitrator for the purposes of the Act, a person must:

- (a) be a lawyer;
 - (b) subject to subsection (2), meet all of the following requirements:
 - (i) have at least 10 years of experience in family-related practice;
 - (ii) have completed at least 40 hours of arbitration theory and skills training, including training in each of the following:
 - (A) the statutory context applicable to arbitration;
 - (B) conducting arbitration hearings;
 - (C) rules of evidence and principles of natural justice;
 - (D) writing awards and decisions;
 - (E) high-conflict family dynamics;
 - (iii) have completed at least 14 hours of family violence training, including training in identifying, assessing and managing family violence and power dynamics in relation to family dispute resolution;
 - (iv) each year complete at least 6 hours of continuing professional development applicable to the arbitration of family disputes; and
 - (c) maintain professional liability insurance that provides coverage for the person’s practice as a family arbitrator.
- (2)** For the first year in which this section is in force, the minister may recognize a person as a family arbitrator for the purposes of the Act who does not meet all of the requirements set out in clause (1)(b) if the minister is of the opinion that the person has the education, training and experience equivalent to that required pursuant to clause (1)(b).

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ARBITRATION

- (3) Before conducting an arbitration respecting a family dispute, the family arbitrator must:
- (a) enter into an arbitration agreement with the parties to the family dispute; and
 - (b) provide written confirmation to the parties to the family dispute that the person is recognized by the minister as a family arbitrator.
- (4) The minister may suspend or revoke the recognition of a person as a family arbitrator for the purposes of the Act if the minister is satisfied that:
- (a) the person:
 - (i) obtained the recognition through providing false or misleading information to the minister;
 - (ii) has contravened the Act or these regulations;
 - (iii) has breached a term or condition of the recognition; or
 - (iv) has ceased to meet the qualifications of a family arbitrator; or
 - (b) the suspension or revocation is necessary in the public interest.

12 Jly 2019 cA-24.1 Reg 1 s3.

Coming into force

4(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Arbitration (Family Dispute Resolution) Amendment Act, 2018* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Arbitration (Family Dispute Resolution) Amendment Act, 2018* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

12 Jly 2019 cA-24.1 Reg 1 s4.