

CBA LPRC POSITION REQUEST FORM

The CBA Section of International Law **position request** is as follows:

- 1) Proposed legislative or regulatory concept:

Support the 2005 revisions to the UNCITRAL Model Law on International Commercial Arbitration (the original version is enacted in Connecticut General Statutes Title 50a).

- 2) A plain language explanation and rationale for advancing this position:

The revisions clarify a number of points that not well covered when the Model Law was drafted in 1985: interim measures of protection and to modernize the form required for an arbitration agreement.

- 3) Is draft regulation, legislation or proposed bill included?

Attached.

- 4) What is the date of any legislative hearing, if known?

Not applicable

- 5) Was this position previously approved by the CBA? If so, when does/did it expire?

Yes, several times.

- 6) Is the CBA section or committee seeking to join a previously approved CBA section or committee position?

Yes.

- 7) Potential or actual CBA opposition from another CBA section or committee?

None noted. The issue was raised with the CBA ADR section, who did not consider the issue at its last meeting.

- 8) Strength of section position (including process and results of section vote taken on issue):

Our section is small, but the vote was unanimous. The material was circulated twice to the entire section, with no objections noted. The material was also circulated to the CBA ADR section, with no objections noticed.

- 9) Fiscal impact (on the state): No

- 10) Are you seeking "fast-track" approval?¹ No.

¹ A "fast track" recommendation will be submitted to the House of Delegates (HOD) or Board of Governors (BOG) at its next scheduled meeting (or, if between meetings of the HOD or BOG and during the legislative session, to the Executive Committee), and is warranted only when the Legislative Policy & Review Committee concludes that further analysis and study is unnecessary and where there is legitimate time pressure to address pending legislation.