

Canada: International Arbitration Comparative Guide

MAY 26, 2020 2 MIN READ

Related Expertise

- Domestic and International Arbitration

Authors: Mark A. Gelowitz, Lauren Tomasich

In our current climate, the one-size-fits-all nature of court processes may not provide an efficient or practical resolution of business disputes. Arbitration is an effective form of dispute resolution that requires creativity, strategy and allows parties to leverage innovative processes to adjudicate disputes. Published by Mondaq, the *International Arbitration Comparative Guide* provides a comparative overview of some of the key points of law and practice related to arbitration and allows readers to compare regulatory environments and laws across multiple jurisdictions.

Osler's Mark Gelowitz and Lauren Tomasich contributed to the Canada chapter of the *International Arbitration Comparative Guide*, which provides information on the legal framework that governs arbitration in Canada as well as other considerations, including practical insights into the following:

- arbitrability and restrictions on arbitration
- arbitration agreements, including considerations regarding validity requirements and separability
- objections to jurisdiction
- restrictions on who can be a party to an arbitration agreement and provisions of law that deal with multi-party disputes
- applicable law issues
- consolidation and third parties
- the tribunal and arbitrators, including how the tribunal is appointed and the duties and powers of arbitrators
- the role of the court during an arbitration
- how the tribunal will approach the issue of costs and any restrictions on what parties can agree to in terms of costs
- permission of third-party funding
- awards, including considerations relating to procedural and substantive requirements, enforcement, and the grounds for challenging an award
- legislation related to duty of confidentiality

[Download PDF: International Arbitration Comparative Guide – Canada chapter](#)