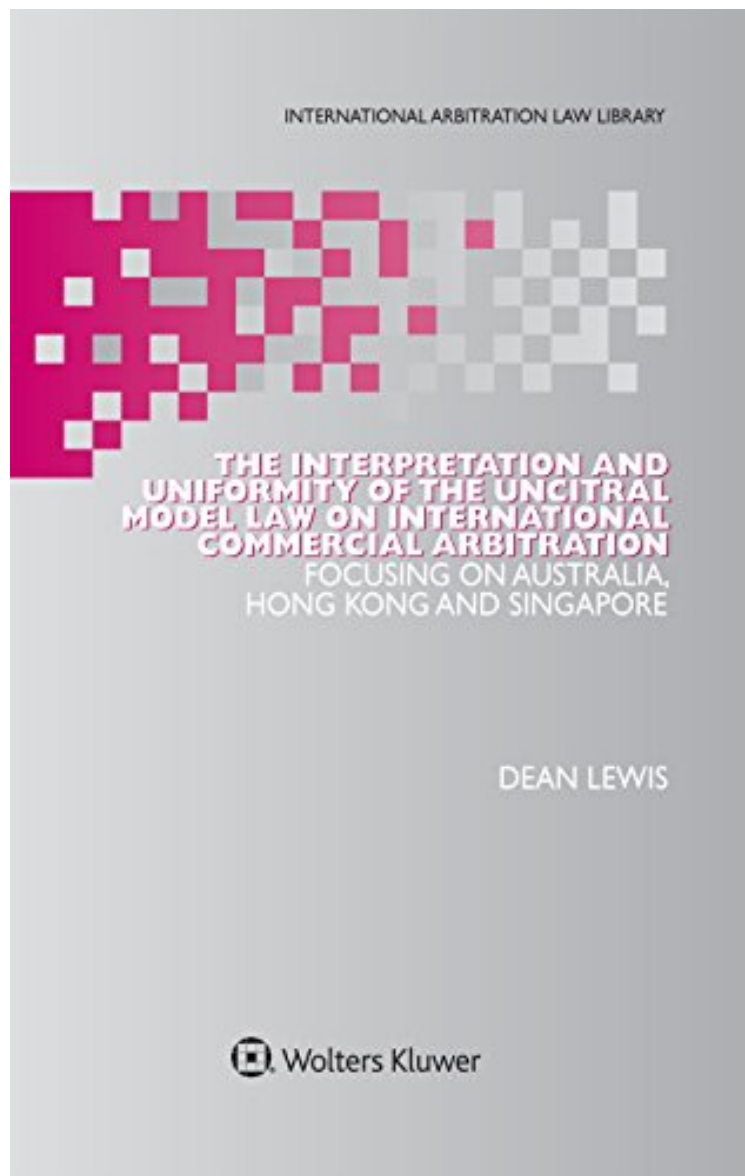


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## **The Interpretation and Uniformity of the UNCITRAL Model Law on International Commercial Arbitration: Focusing on Australia, Hong Kong and Singapore (International Arbitration Law Library)**

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International Arbitration Law Library Series Volume 36 This book, *The Interpretation and Uniformity of the UNCITRAL Model Law on International Commercial Arbitration: Focusing on Australia, Hong Kong and Singapore*, serves to develop a standard or benchmark for the UNCITRAL Model Law (UML) objective of uniformity. Numerous jurisdictions worldwide have augmented their ratification of the New York Convention of 1954 with the UML, which takes a giant step forward toward global uniformity in legal application and understanding of the arbitration process. The book, using the relevant legislation and case law of Hong Kong, Singapore, and Australia, considers whether a uniform approach to implementation of the UML and its interpretation is being achieved across those jurisdictions. The authors' methodological tools are shown to be adaptable to other UML jurisdictions. Throughout this book emphasis is placed on Article 2A (which directs the manner of interpretation of UML) and Article 34 (on grounds for setting aside). What's in this book: The study considers issues such as: international arbitration as the new *lex mercatoria*; conceptual and structural differences between the UML and the Convention on Contracts for the International Sale of Goods (CISG); the New York Convention connection; the degree of textual uniformity among adopted versions; the Global Jurisconsultorium and International Jurisprudence of the UML; and juristic methodology in applied uniformity. This book explains the uniformity objective of the UML and the Internationalist Approach method required for the interpretation of the UML. The book further identifies the Internationalist Norm method of testing uniformity and then uses that method to test the judiciaries' approach in Australia, Hong Kong and Singapore. In addition, the Internationalist Ratio test for applied uniformity and the application of that method to the courts' decisions in Australia, Hong Kong and Singapore are discussed. The author, with decades of practice in the field of commercial arbitration in Hong Kong, has had access to a large number of cases over many years and brings his specialist expertise to the subject. How will this help you: This book considers whether the Model Law has succeeded in its aim of achieving uniformity. As a guide, both theoretical and practical, this book serves to clarify the interpretation of the UML, and thereby, enables the usage by the academics and states for testing courts' approach to the UML. Thus, this study is of immeasurable value, for the courts and lawyers to adopt in dealing with applications made under the UML.