

GENERAL ASSEMBLY OF NORTH CAROLINA
1997 SESSION

S. L. 1997-141
SENATE BILL 370

AN ACT TO AMEND THE NORTH CAROLINA INTERNATIONAL COMMERCIAL ARBITRATION ACT TO PROVIDE FOR THE ENFORCEMENT OF ARBITRATION AWARDS PURSUANT TO THE ACT ENTERED OUTSIDE NORTH CAROLINA AND TO GIVE A PARTY THE RIGHT TO BE REPRESENTED BY AN ATTORNEY AT A PROCEEDING PURSUANT TO THE ACT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 1-567.31(b) reads as rewritten:

"(b) The provisions of this ~~Article~~ Article, except ~~G.S. 1-567.38 and G.S. 1-567.39, G.S. 1-567.38, 1-567.39, and 1-567.65~~, apply only if the place of arbitration is in this State."

Section 2. G.S. 1-567.48 reads as rewritten:

"§ 1-567.48. Equal treatment of ~~parties~~ parties; representation by attorney.

(a) The parties shall be treated with equality and each party shall be given a full opportunity to present its case.

(b) A party has the right to be represented by an attorney at any proceeding or hearing under this Article. A waiver of this right prior to the proceeding or hearing is ineffective."

Section 3. This act becomes effective October 1, 1997, and applies to proceedings initiated on or after that date.

In the General Assembly read three times and ratified this the 27th day of May, 1997.

s/ Dennis A. Wicker
President of the Senate

s/ Harold J. Brubaker
Speaker of the House of Representatives

s/ James B. Hunt, Jr.
Governor

Approved 3:35 p.m. this 4th day of June, 1997