

## Abstract

Since 1852 until 1995 Sri Lankan arbitration law was very messy owing to old set of enactments almost based on English Law which caused inordinate delays in arbitration. Thus commercial community of Ceylon had a tendency of resolving disputes through conventional court system for approximately 143 years albeit there have been issues or delays in the court system which is relatively much better than the resolution of disputes by arbitration.

Arbitration Act No 11 of 1995 was enacted providing legal provisions for the conduct of arbitration proceedings and effecting the principles of New York Convention of the Recognition and Enforcement of Foreign Arbitral Awards

Nearly 20 years after the introduction of new law on arbitration, it is essential to scrutinize whether the Provisions of the Arbitration Act of No 11 of 1995 has been able to resolve the commercial disputes effectively. Thus, it is the high time to enlighten the business community, government sector, profit earning and non-profit earning organizations, legal practitioners, arbitrators and the judicial system as to why the commercial disputes cannot be resolved effectively as expected by the new arbitration law of Sri Lanka.

The drawbacks of the Arbitration Act No 11 of 1995 have been identified as the main reason for the ineffective resolution of the commercial disputes by the arbitration in this dissertation.