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The Pandora's Box Effects under the UNCITRAL Transparency Rules

Dr Hong-Lin Yu and Dr Belen Olmos Giupponi In balancing the public's right to information and the disputants' right to privacy, this article highlights the distinctions between rights or entitlements to information under confidentiality and privacy under the UNCITRAL Rules on Transparency 2014, as well as suggesting a cautious approach to be taken to avoid judicialising and politicalising the arbitration process.

Defining "Exclusion" Clauses and Excluding "Defining" Clauses: The Need to Clarify the Scope of the Unfair Contract Terms Act 1977

James White This article examines the interaction between defining clauses and exclusion clauses. It identifies problematic assumptions underlying UCTA and the absence of a clear methodology for separating exclusions from definitions in the case law. Taking inspiration from earlier commentary, the article concludes that effective control is possible only through fresh initiatives in statutory interpretation.

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