

First Issue of Lloyd's Maritime and Commercial Law Quarterly 2022

The first issue of the *Lloyd's Maritime and Commercial Law Quarterly* for 2022 was just published. It features the following case notes and articles on private international law respectively:

SYC Leung and M Suen, *The Extensive Jurisdiction in the Action on an Arbitral Award* (case note)

D Foxton, *The Jurisdictional Gateways – some (very) modest proposals*:

This article reviews the history of the gateways for service out of the jurisdiction in England and Wales, and seeks to identify the rationales which underpin them. The case for abolishing the gateways altogether, and applying only a forum conveniens test for service out purposes, is examined, the article concluding that there are reasons of principle and policy for maintaining the gateway requirement. The article identifies a number of variations or amendments to the current gateways which are consistent with their rationales, and which would better give effect to them.

A Kennedy, *An Exploration of the Operation and Rebuttal of the Presumption in Enka v Chubb*:

The Supreme Court in Enka v Chubb clarified the choice of law rules which help determine the governing law of an arbitration agreement when the law of the contract containing it differs from the law of the arbitral seat. According to that framework, where parties have chosen the law which governs the main contract, that law is presumed also to govern the arbitration agreement. This article identifies, and seeks to provide preliminary answers to, questions surrounding the operation of, and rebuttal of, that presumption, on the basis that such questions are most likely soon to require a judicial answer.