



Arbitration (International Investment Disputes) Act 1966

1966 CHAPTER 41

Enforcement of Convention awards

1 Registration of Convention awards.

- (1) This section has effect as respects awards rendered pursuant to the Convention on the settlement of investment disputes between States and nationals of other States which was opened for signature in Washington on 18th March 1965.

That Convention is in this Act called “the Convention”, and its text is set out in the Schedule to this Act.

- (2) A person seeking recognition or enforcement of such an award shall be entitled to have the award registered in the High Court subject to proof of the prescribed matters and to the other provisions of this Act.

- (3)^{F1}

- (4) In addition to the pecuniary obligations imposed by the award, the award shall be registered for the reasonable costs of and incidental to registration.

- (5) If at the date of the application for registration the pecuniary obligations imposed by the award have been partly satisfied, the award shall be registered only in respect of the balance, and accordingly if those obligations have then been wholly satisfied, the award shall not be registered.

- (6) The power to make rules of court under section [F2]99 of the ^{M1}Supreme Court of Judicature (Consolidation) Act 1925][F2]84 of the [F3]Senior Courts Act 1981]] shall include power—

- (a) to prescribe the procedure for applying for registration under this section, and to require an applicant to give prior notice of his intention to other parties,
- (b) to prescribe the matters to be proved on the application and the manner of proof, and in particular to require the applicant to furnish a copy of the award certified pursuant to the Convention,

Changes to legislation: There are currently no known outstanding effects for the Arbitration (International Investment Disputes) Act 1966, Cross Heading: Enforcement of Convention awards. (See end of Document for details)

- (c) to provide for the service of notice of registration of the award by the applicant on other parties,
- and in this and the next following section “prescribed” means prescribed by rules of court.
- (7) For the purposes of this and the next following section—
- (a) “award” shall include any decision interpreting, revising or annulling an award, being a decision pursuant to the Convention, and any decision as to costs which under the Convention is to form part of the award,
- (b) an award shall be deemed to have been rendered pursuant to the Convention on the date on which certified copies of the award were pursuant to the Convention dispatched to the parties.
- (8) This and the next following section shall bind the Crown (but not so as to make an award enforceable against the Crown in a manner in which a judgment would not be enforceable against the Crown).

Textual Amendments

- F1** S. 1(3) repealed by [Administration of Justice Act 1977 \(c. 38, SIF 37\)](#), ss. 4, 32, **Sch. 5 Pt. I** (with saving in s. 4(4) in relation to judgments and awards registered before 29.8.1977)
- F2** Words “84 of the Supreme Court Act 1981” substituted (E.W.) for words “99 of the Supreme Court of Judicature (Consolidation) Act 1925” by [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), s. 152(1), **Sch. 5**
- F3** S. 1(6): words “Senior Courts Act 1981” substituted (1.10.2009) for “Supreme Court Act 1981” by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 59, 148(1), **Sch. 11 para. 1(2)**; S.I. 2009/1604, **art. 2(d)**

Marginal Citations

- M1** 1925 c. 49.

2 Effect of registration.

- (1) Subject to the provisions of this Act, an award registered under section 1 above shall, as respects the pecuniary obligations which it imposes, be of the same force and effect for the purposes of execution as if it had been a judgment of the High Court given when the award was rendered pursuant to the Convention and entered on the date of registration under this Act, and, so far as relates to such pecuniary obligations—
- (a) proceedings may be taken on the award,
- (b) the sum for which the award is registered shall carry interest,
- (c) the High Court shall have the same control over the execution of the award, as if the award had been such a judgment of the High Court.
- (2) Rules of court under section ^{F4}99 of the ^{M2}Supreme Court of Judicature (Consolidation) Act 1925^{F4}84 of the ^{F5}Senior Courts Act 1981^{F5} may contain provisions requiring the court on proof of the prescribed matters to stay execution of any award registered under this Act so as to take account of cases where enforcement of the award has been stayed (whether provisionally or otherwise) pursuant to the Convention, and may provide for the provisional stay of execution of the award where an application is made pursuant to the Convention which, if granted, might result in a stay of enforcement of the award.

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Textual Amendments

- F4** Words “84 of the Supreme Court Act 1981” substituted (E.W.) for words “99 of the Supreme Court of Judicature (Consolidation) Act 1925” by [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), s. 152(1), [Sch. 5](#)
- F5** [S. 2\(2\)](#): words "Senior Courts Act 1981" substituted (1.10.2009) for "Supreme Court Act 1981" by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 59, 148(1), [Sch. 11 para. 1\(2\)](#); S.I. 2009/1604, [art. 2\(d\)](#)
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Marginal Citations

- M2** 1925 c. 49.

Changes to legislation:

There are currently no known outstanding effects for the Arbitration (International Investment Disputes) Act 1966, Cross Heading: Enforcement of Convention awards.