
Changes to legislation: There are currently no known outstanding effects for the Deep Sea Mining Act 2014, Paragraph 9. (See end of Document for details)

SCHEDULE

AMENDMENTS OF DEEP SEA MINING (TEMPORARY PROVISIONS) ACT 1981

9 After section 8 insert—

“8A Enforcement of decisions of the Seabed Disputes Chamber

- (1) A decision of the Seabed Disputes Chamber of the Tribunal in relation to a dispute of a type described in Article 187(c), (d) or (e) of the Convention may be registered in the High Court or the Court of Session (“the registering court”) in such manner as may be prescribed by rules of court.
- (2) Where a decision is registered under this section, it is to be treated for the following purposes as if it had been originally given by the registering court and had (where relevant) been entered—
 - (a) its force and effect for the purposes of enforcement;
 - (b) the powers of the registering court in relation to its enforcement;
 - (c) the taking of proceedings for or with respect to its enforcement.
- (3) Where a decision registered under this section provides for payment of a sum of money, the debt resulting from the registration is to carry interest as if the decision were a judgment of the registering court and the debt had become due on the date of registration.
- (4) Where a decision is registered under this section, the reasonable costs and expenses of and incidental to its registration are to be recoverable as if they were sums recoverable under the decision.
- (5) Costs or expenses recoverable by virtue of subsection (4) are to carry interest as if they were the subject of an order for costs and expenses made by the registering court on the date of registration.
- (6) Subsection (2) is subject to any provision made by rules of court as to the manner in which and conditions subject to which a decision registered under this section may be enforced.
- (7) In the application of this section in relation to Scotland references to costs are to be disregarded.

8B Proof and admissibility of decisions of the Seabed Disputes Chamber

- (1) For the purposes of section 8A a document, duly authenticated, which purports to be a copy of a decision given by the Seabed Disputes Chamber of the Tribunal is without further proof to be taken to be a true copy, unless the contrary is shown
- (2) A document purporting to be a copy of a decision given by the Seabed Disputes Chamber of the Tribunal is duly authenticated for the purposes of this section if it purports—
 - (a) to bear the seal of the Tribunal, or
 - (b) to be certified by any person in the person's capacity as a judge of the Tribunal, the Registrar of the Tribunal or a member of the staff of the Registrar to be a true copy of a decision given by the Tribunal.

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- (3) Nothing in this section prejudices the admission in evidence of any document which is admissible apart from this section.

8C Recognition and enforcement of arbitration awards

An award made in pursuance of Article 188(2)(a) of the Convention (disputes concerning interpretation or application of contracts)—

- (a) is to be treated for the purposes of Part 3 of the Arbitration Act 1996 (recognition and enforcement of certain foreign awards) as a New York Convention award, and
- (b) is to be treated for the purposes of sections 18 to 22 of the Arbitration (Scotland) Act 2010 (which make similar provision for Scotland) as a Convention award,

whether or not (in either case) it would be so treated apart from this section.”

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