

## SCHEDULE

### TEXT OF TREATY OF COMMERCE AND NAVIGATION BETWEEN GREAT BRITAIN AND PORTUGAL

#### ARTICLE 22

Any controversy which may arise between the contracting Parties regarding the interpretation or application of the present treaty, as well as the rates of the conventional tariffs agreed upon between the contracting Parties and third States, shall, on the demand of one or other of the contracting Parties, be adjusted by means of arbitration.

A court of arbitration shall in each case be constituted in the following manner:—

- (1) Each of the contracting Parties shall name an arbitrator from among the competent subjects or citizens of the country.
- (2) The two contracting Parties shall then choose a subject of a third country to act as umpire.
- (3) In the event of no agreement being reached as to the umpire, each of the contracting Parties shall name a candidate of different nationality from those of the persons proposed under the preceding paragraph. The selection of one of the two candidates so nominated for the office of umpire shall be decided by lot, unless the two contracting Parties shall come to an agreement on the subject. The umpire shall preside at the Court of Arbitration, which shall decide by a majority of votes. On the first occasion of arbitration the Court shall sit in the territory of the country decided by lot; in the second case it shall sit in the territory of the other country; and subsequently alternately in the territory of the two contracting Parties in a place selected by the Government of the country where the Court is to meet. The necessary officers and staff shall be provided for the Court by the Government of the country in which it meets. Each of the contracting Parties shall be represented before the Court by one or more agents, who may be assisted by lawyers.

The proceedings shall be solely in writing, but nevertheless the Court shall be entitled to require verbal explanations from the agents of the two parties and to hear experts and witnesses if they shall deem such a course advisable. The costs of the arbitration shall be divided equally between the two contracting Parties.

**Changes to legislation:**

There are currently no known outstanding effects for the Anglo-Portuguese Commercial Treaty Act 1914, Article 22.