

1979 No. 304

ARBITRATION

The Arbitration (Foreign Awards) Order 1979*Made - - - - - 14th March 1979**Coming into Operation 12th April 1979*

At the Court at Buckingham Palace, the 14th day of March 1979

Present,

The Queen's Most Excellent Majesty in Council

Whereas a Convention on the Execution of Foreign Arbitral Awards (hereinafter called "the Geneva Convention"**(a)**) was, on 26th September 1927, signed at Geneva on behalf of His late Majesty King George the Fifth:

And whereas it is provided by section 35(1) of the Arbitration Act 1950**(b)** that Part II of that Act (which provides for the enforcement of certain foreign awards under the Geneva Convention) applies to any award made after 28th July 1924—

- (a) in pursuance of an agreement for arbitration to which the Protocol set out in the First Schedule to that Act applies; and
- (b) between persons of whom one is subject to the jurisdiction of some one of such Powers as Her Majesty, being satisfied that reciprocal provisions have been made, may by Order in Council declare to be parties to the Geneva Convention, and of whom the other is subject to the jurisdiction of some other of the Powers aforesaid; and
- (c) in one of such territories as Her Majesty, being satisfied that reciprocal provisions have been made, may by Order in Council declare to be territories to which the Geneva Convention applies:

And whereas Her Majesty is satisfied that reciprocal provisions have been made:

And whereas a Convention on the Recognition and Enforcement of Foreign Arbitral Awards (hereinafter called "the New York Convention"**(c)**) was acceded to by the United Kingdom of Great Britain and Northern Ireland on 23rd December 1975:

And whereas it is provided by section 7(2) of the Arbitration Act 1975**(d)** (which Act provides for the enforcement of foreign awards under the New York Convention) that if Her Majesty by Order in Council declares that any State specified in the Order is a party to the New York Convention the Order shall, while in force, be conclusive evidence that that State is a party to that Convention:

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, in pursuance of the powers conferred upon Her by the said Acts, and of all

(a) Second Schedule to the Arbitration Act 1950.

(b) 1950 c. 27.

(c) Cmnd. 1515.

(d) 1975 c. 3.

other powers enabling Her in that behalf, is pleased to declare, and it is hereby declared, as follows:

Citation and commencement

1. This Order may be cited as the Arbitration (Foreign Awards) Order 1979 and shall come into operation on 12th April 1979.

Geneva Convention State

2.—(1) The Power specified in Column 1 of Schedule 1 to this Order is a party to the Geneva Convention.

(2) The territory specified in Column 2 of the said Schedule is a territory to which the Geneva Convention applies.

New York Convention States

3. The States listed in Schedule 2 to this Order are parties to the New York Convention.

Revocation

4. The Arbitration (Foreign Awards) Order 1975(a) is hereby revoked.

N. E. Leigh,
Clerk of the Privy Council.

SCHEDULE 1
GENEVA CONVENTION STATE

Column 1	Column 2
Power party to the Geneva Convention	Territory to which the Geneva Convention applies
Grenada	Grenada

SCHEDULE 2
NEW YORK CONVENTION STATES

Australia (including all the external territories for the international relations of which Australia is responsible)	Democratic Kampuchea
Austria	Republic of Korea
Belgium	Kuwait
Benin	Madagascar
Botswana	Mexico
Bulgaria	Morocco
Central African Empire	Netherlands (including the Netherlands Antilles)
Chile	Niger
Cuba	Nigeria
Czechoslovakia	Norway
Denmark	Philippines
Ecuador	Poland
Egypt	Romania
Finland	South Africa
France (including territories of the French Republic)	Spain
Federal Republic of Germany and Berlin (West)	Sri Lanka
German Democratic Republic	Sweden
Ghana	Switzerland
Greece	Syrian Arab Republic
Holy See	Thailand
Hungary	Trinidad and Tobago
India	Tunisia
Israel	Union of Soviet Socialist Republics
Italy	United Republic of Tanzania
Japan	United States of America (including all the territories for the international relations of which the United States of America is responsible)

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order specifies (in Schedule 1) Grenada as a State which is a party to the 1927 Geneva Convention on the Execution of Foreign Arbitral Awards, and which has satisfied Her Majesty that it has made reciprocal provisions. The Order also specifies (in Schedule 2) States which are parties to the 1958 New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards. Arbitral awards made in such States are enforceable in the United Kingdom under the Arbitration Act 1975. It replaces the Arbitration (Foreign Awards) Order 1975, which is revoked.

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