



Arbitration Act 1950

1950 CHAPTER 27 14 Geo 6

PART II

ENFORCEMENT OF CERTAIN FOREIGN AWARDS

38 Evidence.

- (1) The party seeking to enforce a foreign award must produce—
 - (a) the original award or a copy thereof duly authenticated in manner required by the law of the country in which it was made; and
 - (b) evidence proving that the award has become final; and
 - (c) such evidence as may be necessary to prove that the award is a foreign award and that the conditions mentioned in paragraphs (a), (b) and (c) of subsection (1) of the last foregoing section are satisfied.
- (2) In any case where any document required to be produced under subsection (1) of this section is in a foreign language, it shall be the duty of the party seeking to enforce the award to produce a translation certified as correct by a diplomatic or consular agent of the country to which that party belongs, or certified as correct in such other manner as may be sufficient according to the law of England.
- ^{X1}(3) Subject to the provisions of this section, rules of court may be made under section [^{F1}ninety-nine of the Supreme Court of Judicature (Consolidation) Act, 1925,][^{F1}84 of the [^{F2}Senior Courts Act 1981]] with respect to the evidence which must be furnished by a party seeking to enforce an award under this Part of this Act. ^{X1}
- [^{F3}(3) Subject to the provisions of this section, rules of court may be made under section 55 of the Judicature (Northern Ireland) Act 1978 with respect to the evidence which must be furnished by a party seeking to enforce an award under this Part of this Act.]

Editorial Information

- X1** S. 38(3) secondly appearing substituted (N.I.) for s. 38(3) first appearing by [Judicature \(Northern Ireland\) Act 1978 \(c. 23, SIF 38\)](#), s. 122(1), [Sch. 5 Pt. II](#)

Changes to legislation: There are currently no known outstanding effects for the Arbitration Act 1950, Section 38. (See end of Document for details)

Textual Amendments

- F1** Words “84 of the Supreme Court Act 1981” substituted (E.W.) for “ninety-nine of the Supreme Court of Judicature (Consolidation) Act 1925” by [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), s. 152(1), [Sch. 5](#)
- F2** [S. 38](#): 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\(d\)](#)
- F3** [S. 38\(3\)](#) secondly appearing substituted (N.I.) for s. 38(3) first appearing by [Judicature \(Northern Ireland\) Act 1978 \(c. 23, SIF 38\)](#), s. 122(1), [Sch. 5 Pt. II](#)

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