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CHAPTER 15

THE ARBITRATION ACT

An Act to provide for arbitration of disputes.

[22nd May, 1931]

(Ords. Nos. 26 of 1931; 32 of 1932; Act No. 10 of 1971)

PART I

Preliminary Provisions (ss 1–2)

1. Short title
This Act may be cited as the Arbitration Act.

2. Interpretation
In this Act, unless the context otherwise requires–
"the court" means the High Court;
"submission" means a written agreement to submit present or future differences to arbitration, whether an arbitrator is named therein or not.

PART II

General Provisions Relating to Arbitration
by Consent out of Court (ss 3–26)

3. Application of Part II

This Part shall apply only to disputes which, if the matter submitted to arbitration formed the subject of a suit, the High Court only would be competent to try:

Provided that in regard to disputes which, if they formed the subject of a suit would be triable otherwise than by the High Court, the President may, with the concurrence of the Chief Justice, confer the powers vested in the court by this Part either upon all subordinate courts or any particular subordinate court or class of court.

4. Provisions implied in submission

Unless a different intention is expressed therein a submission shall be irrevocable, except by leave of the court, and shall be deemed to include the provisions set forth in the First Schedule hereto, in so far as they are applicable to the reference under submission.

5. Reference to arbitrator to be appointed by third person

The parties to a submission may agree that the reference shall be to an arbitrator or arbitrators to be appointed by a person designated therein and an arbitratior may be designated either by name or as the holder for the time being of any office or appointment.

6. Power to stay proceedings where there is a submission

Where a party to a submission to which this Part applies, or a person claiming under him, commences legal proceedings against any other party to the submission or any person claiming under him in respect of any matter agreed to be referred, a party to the legal proceedings may, at any time after appearance and before filing a written statement or taking any other steps in the proceedings apply to the court to stay the proceedings; and the court, if satisfied that there is no sufficient reason why the matter should not be referred in accordance with the submission and that the applicant was, at the time when the proceedings were commenced, and still remains, ready and willing to do all things necessary for the proper conduct of the arbitration, may make an order staying the proceedings.

7. Powers of court to extend time for commencing arbitration proceedings*

(1) Where the terms of an agreement to refer future disputes to arbitration provide that any claim to which the agreement applies shall be barred unless notice to appoint an arbitrator is given or an arbitrator is appointed or some other step is taken within the time fixed by the agreement and a dispute arises to which the agreement applies, the court, if it is of the opinion that the circumstances of the case hardship would otherwise be caused and notwithstanding that the time so fixed has expired may, on such terms, if any, as it may consider just, extend the time for the period as it thinks proper.

(2) The provisions of subsection (1) shall be without prejudice to any written law limiting the time for the commencement of arbitration proceedings.

8. Power of the court in certain cases to appoint an arbitrator, umpire or third arbitrator

(1) In any of the following cases–

(a) where a submission provides that the reference shall be to a single arbitrator and all the parties do not, after differences have arisen, concur in the appointment of an arbitrator;

(b) if an appointed arbitrator neglects or refuses to act or is incapable of acting the vacancy should not be filled and the parties do not fill the vacancy;

(c) where the parties or two arbitrators are at liberty to appoint an umpire or third arbitrator and do not appoint him;

(d) where an appointed umpire or third arbitrator refuses to act or is incapable of acting or dies or is removed and the submission does not show that it was intended that the vacancy should not be filled, and the parties or arbitrators do not fill the vacancy, any party may serve the other parties or the arbitrators, as the case may be, with a written notice to concur in appointing an arbitrator, umpire or third arbitrator.

(2) If the appointment is not made within seven clear days after the service of the notice, the court may, on application by the party who gave the notice and after giving the other party an opportunity of being heard, appoint an arbitrator, umpire or third arbitrator who shall have the like powers to act in the reference and to make an award as if he had been appointed by consent of all parties.

9. Power of parties in certain cases to fill vacancy

Where a submission provides that the reference shall be to two arbitrators, one to be appointed by each party, unless a different intention is expressed therein–

(a) if either of the appointed arbitrators refuses to act or is incapable of acting or dies or is removed, the party who appointed him may appoint a new arbitrator in his place;

(b) if, on such a reference, one party fails to appoint an arbitrator either originally or by way of substitution for seven clear days after the other party, having appointed his arbitrator, has served the party making default with a written notice to make the appointment, the party who has appointed an arbitrator may appoint that arbitrator to act as sole arbitrator in the reference and his award shall be binding on both parties as if he had been appointed by consent:

(c) Provided that the court may set aside any appointment made under this paragraph.

10. Power as to appointment of arbitrators where submission provides for three arbitrators

(1) Where a submission provides that the reference shall be to three arbitrators, one to be appointed by each party and the third to be appointed by the two appointed by the parties, unless the submission expresses a contrary intention–

(a) if one party fails to appoint an arbitrator for seven clear days after the other party, having appointed his arbitrator, has served the party making default with notice to make the appointment the party who has appointed an arbitrator may appoint that arbitrator to act as sole arbitrator in the reference and the award of the arbitrator so appointed shall be binding on both parties as if he had been appointed by consent.

(b) if after each party has appointed an arbitrator the two arbitrators appointed fail to appoint a third arbitrator within seven clear days after the service by either party of a notice upon them to make the appointment, the court may, on an application by the party who gave the notice, exercise in the place of the two arbitrators the power of appointing the third arbitrator;

(c) if an arbitrator appointed either by one of the parties or by the arbitrators or by the court refuses to act or is incapable of acting or dies, a new arbitrator may be appointed in his place by the party, arbitrators or court, as the case may be.

(2) The court may set aside any appointment of a person to act as sole arbitrator made under this section.

11. Power of arbitrator or umpire

The arbitrators or umpire acting under a submission shall, unless a different intention is expressed therein, have power–

(a) to administer oaths to the parties and witnesses appearing;

(b) to state a special case for the opinion of the court on any question of law involved; and

(c) to correct in an award any clerical mistake or error arising from any accidental slip or omission.

12. Award to be signed and filed

(1) When the arbitrators or umpire have made their award, they shall sign it and shall give notice to the parties of the making and signing thereof and of the amount of the fees and charges payable to the arbitrators or umpire in respect of the arbitration and award.

(2) The arbitrators or umpire shall, at the request of any party to the submission or any person claiming under him and upon payment of the fees and charges due in respect of the arbitration and award and of the costs and charges of filing the award, cause the award or a signed copy of it, to be filed in the court; and notice of the filing shall be given to the parties by the arbitrators or umpire.

(3) Where the arbitrators or umpire state a special case under paragraph (*b*) of section 10, the court shall deliver its opinion thereon and the opinion shall be added to, and shall form part of, the award.

13. Process to summon witnesses

(1) The court shall issue the same processes to the parties and any witness whom the arbitrator or umpire desires to examine as the court may issue in suits tried before it.

(2) Persons not attending in accordance with such process or making any other default or refusing to give their evidence or guilty of any contempt to the arbitrator or umpire during the investigation of the matters referred shall be subject to the like disadvantages, penalties and punishments by order of the court on the representation of the arbitrator or umpire as they would incur for the like offences in suits tried before the court.

14. Power of court to extend time for making award

The time for making an award may, from time to time, be extended by order of the court whether the time for making the award has expired or not.

15. Power to remit award

(1) The court may, from time to time, remit the award to the reconsideration of the arbitrators or umpire.

(2) Where an award is remitted, the arbitrators or umpire shall, unless the court otherwise directs, make a fresh award within three months after the date of the order remitting the award.

16. Power to set aside award

Where an arbitrator or umpire has misconducted himself or an arbitration or award has been improperly procured, the court may set aside the award.

17. Award when filed to be enforceable as a decree

(1) An award on a submission on being filed in the court in accordance with this Act shall, unless the court remits it to the reconsideration of the arbitrators or umpire or sets it aside, be enforceable as if it were a decree of the court.

(2) An award may be conditional or in the alternative.

18. Power to remove arbitrator or umpire

Where an arbitrator or umpire commits any misconduct, the court may remove him.

19. Costs

Any order made by the court may be made on such terms as to costs or otherwise as the court thinks fit.

20. Forms

The Minister responsible for legal affairs may make Regulations for the purposes of this Act and may amend the Second Schedule.

21. Power of High Court to make rules

The High Court may make rules as to–

(a) the filing of awards and all consequent or incidental proceedings;

(b) the filing and hearing of special cases and all consequent or incidental proceedings;

(c) the staying of any suit or proceedings in contravention of a submission to arbitration; and

(d) the general conduct of all proceedings in court under this Act.

22. Application of Part II to Government

This Part shall apply to a submission of or an arbitration to which the Government of the United Republic is a party.

[Ss 23 to 24. Omitted]

25. Application to statutory arbitration

This Part shall apply to arbitrations under any law in force before or after the commencement of this Act as if the arbitration were pursuant to a submission, except in so far as this Part is inconsistent with that law in relation to its provisions regulating arbitration or with any rules or procedure authorised or recognised by that law.

26. Transitional provisions

[Transitional provisions.]

PART III

Provisions Relating to the Protocol Set Forth in the Third Schedule

27. Staying of court proceedings in respect of matters to be referred to arbitration under agreements relating to submission to arbitration

Notwithstanding anything in Part II, if any party to a submission made in pursuance of an agreement to which the Protocol on Arbitration Clauses of 1923 which is set forth in the Third Schedule hereto applies or any person commences any legal proceedings in any court against any other party to the submission or any person claiming through or under him in respect of any matter agreed to be referred, any party to these legal proceedings may, at any time after appearance, and before delivering any pleadings or taking other steps in the proceedings apply to that court to stay the proceedings and that court, unless satisfied that the agreement or arbitration has become inoperative or cannot proceed or that there is not in fact any dispute between the parties with regard to the matter agreed to be referred, shall make an order staying the proceedings.

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* Act No. 10 of 1971 (2nd Schedule).

PART IV

Provisions Relating to the Convention Set Forth
in the Fourth Schedule (ss 28–33)

28. Application of Part IV

(1) The provisions of this Part apply to any award made after 28th July, 1924–

(a) in pursuance of an agreement for arbitration to which the Protocol set out in the Third Schedule applies; and

(b) between persons who are subject to the jurisdiction of any State which is a party to the Convention on the Execution of Foreign Arbitral Awards which Convention is set out in the Fourth Schedule to this Act; and an award to which the provisions of this Part apply, is in this Part referred to as "a foreign award".

(2) This Part shall not apply to any award made on an arbitration agreement governed by the law of Tanzania.

29. Effect of foreign awards

(1) A foreign award shall, subject to the provisions of this Part, be enforceable in the High Court either by action or under the provisions of section 16 of this Act.

(2) Any foreign award which would be enforceable under this Part shall be treated as binding for all purposes on the persons as between whom it was made and may accordingly be relied on by any of those persons by way of defence, set-off or otherwise in any legal proceedings; and any reference in this Part to enforcing a foreign award shall be construed as including references to relying on an award.

30. Conditions for enforcement of foreign awards

(1) In order that a foreign award may be enforceable under this Part, it must–

(a) have been made in pursuance of an agreement for arbitration which was valid under the law by which it was governed;

(b) have been made by the tribunal provided for in the agreement or constituted in a manner agreed upon by the parties;

(c) have been made in conformity with the law governing the arbitration procedure;

(d) have become final in the country in which it was made; and

(e) have been in respect of a matter which may lawfully be referred to arbitration under the law of Tanzania, and its enforcement must not be contrary to the public policy or the law of Tanzania.

(2) Subject to the provisions of this subsection, a foreign award shall not be enforceable under this Part if the court is satisfied that–

(a) the award has been annulled in the country in which it was made; or

(b) the party against whom it is sought to enforce the award was not given notice of the arbitration proceedings in sufficient time to enable him to present his case or was under some legal incapacity and was not properly represented; or

(c) the award does not deal with all the questions referred or contains decisions on matters beyond the scope of the agreement for arbitration:

(d) Provided that if the award does not deal with all the questions referred the court may, if it thinks fit, either postpone the enforcement of the award or order its enforcement subject to the giving of such security by the person seeking to enforce it as the court may think fit.

(3) If a party seeking to resist the enforcement of a foreign award proves that there is any ground other than the non-existence of the conditions specified in paragraphs (a), (b) and (c) of subsection (1) of this section, or the existence of the conditions specified in paragraphs (b) and (c) of subsection (2) of this section entitling him to contest the validity of the award the court may, if it thinks fit, either refuse to enforce the award or adjourn the hearing until after the expiration of such period as appears to the court to be reasonably sufficient to enable that party to take the necessary steps to have the award annulled by the competent tribunal.

31. Evidence

(1) The party seeking to enforce a foreign award must produce–

(a) the original award or its copy duly authenticated in the manner required by the law of the country in which it was made;

(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 section 29 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 Tanzania.

(3) Subject to the provisions of this section the court may make rules with respect to the evidence which must be furnished by a party seeking to enforce an award under this Part.

32. Meaning of "final award"

For the purposes of this Part an award shall not be deemed final if any proceedings for the purpose of contesting the validity of the award are pending in the country in which it was made.

33. Transitional provisions

[Transitional provisions.]

FIRST SCHEDULE

Provisions to be Implied in Submissions

(Section 4)

1. If no other mode of reference is provided, the reference shall be to a single arbitrator.

2. If the reference is to two arbitrators, the two arbitrators may appoint an umpire at any time within the period during which they have power to make an award.

3. The arbitrators shall make their award in writing within three months after entering on the reference, or after having been called on to act by notice in writing from any party to the submission, or on or before any later day to which the arbitrators, in writing signed by them may, from time to time, extend the time for making the award.

4. If the arbitrators have allowed their time or extended time to expire without making an award or have delivered to any party to the submission or to the umpire a notice in writing stating that they cannot agree, the umpire may forthwith enter on the reference in lieu of the arbitrators.

5. The umpire shall make his award within one month after the original or extended time appointed for making the award of the arbitrators has expired, or on or before any later day to which the umpire, in writing signed by him may, from time to time, extend the time for making his award.

6. Subject to any legal objection, the parties to the reference and all persons claiming through them respectively shall, submit to be examined by the arbitrators or umpire on oath or affirmation in relation to the matters in dispute, and shall produce before the arbitrators or umpire all books, deeds, papers, accounts, writings and documents within their possession or power which may be required or called for and do all other things which, during the proceedings on the reference, the arbitrators or umpire may require.

7. The witnesses on the reference shall, if the arbitrators or umpire think fit, be examined on oath.

8. The award to be made by the arbitrators or umpire shall be final and binding on the parties and the persons claiming under them respectively.

9. The cost of the reference and award shall be in the discretion of the arbitrators or umpire who may direct to and by whom and in what manner those costs or any part thereof shall be paid and may tax or settle the amount of costs to be so paid or any part thereof and may award costs to be paid as between advocate and client.

SECOND SCHEDULE

Forms

FORM 1

Submission to Arbitration

THE ARBITRATION ACT

(Section 20)

In the matter of the Arbitration Act

Whereas differences have arisen and are still subsisting between A. B. of .....

nd C. D. of ..... concerning .....

.....

.....

Now we, the said A. B. and C. D., do hereby agree to refer the said matters in difference to the arbitration of X. Y.

(Signed) A. B.
C. D.
Dated ..... 20...

FORM 2

Appointment of Arbitration under Agreement to refer Future Differences to Arbitration

THE ARBITRATION ACT

In the matter of the Arbitration Act

Whereas by an agreement in writing dated the ..... day of ....., and made between A. B. of ..... and C. D. of ....., it is provided that differences between the parties shall be referred to an arbitrator as therein mentioned.

And whereas differences within the meaning of the said agreement have arisen and are still subsisting between the parties concerning .....

.....

.....

Now we, the parties, A, B. and C.D., do hereby refer the matters in difference to the arbitration award of X. Y.

(Signed) A. B.
C. D.
Dated ..... 20...

FORM 3

Extension of Time by Arbitrator by Endorsement on Submission

THE ARBITRATION ACT

In the matter of the Arbitration Act, and an arbitration between A.B., of ....., and C. D., of .....
I hereby extend the time of making my award in respect of the matters in difference referred to me until the ..... day of ..... 20...

Dated .....

(Signed) X. Y.
Arbitrator

FORM 4

Case Stated for Opinion of Court

THE ARBITRATION ACT

In the matter of the Arbitration Act and an arbitration between A. B., of ....., and C. D., of .....

The following special case is, pursuant to the provisions of paragraph (b) of section 10 of the Act, stated for the opinion of the High Court ..... (Here state the facts concisely in numbered paragraphs).
The questions of law for the opinion of the court are:–
First, whether .....
.....
Secondly, whether .....
.....

Dated ..... (Signed) X. Y.
Arbitrator

FORM 5

Award

THE ARBITRATION ACT

In the matter of the Arbitration Act and an arbitration between A. B. of ....., and C. D., of .....
Whereas, in pursuance of an agreement in writing dated the ..... day of ..... 20..., made between A. B. of ..... and C. D. of ....., A. B. and C. D. have referred to me, X. Y., the matters in difference between them concerning .....
.....
.....

Now I, X. Y., having duly considered the matters submitted to me, do hereby make an award as follows:–

I award:–

(1) That
.....
.....
.....

(2) That
.....
.....
.....

(Signed) X. Y.
Arbitrator
Dated ..... 20...

THIRD SCHEDULE

Protocol on Arbitration Clauses

(Section 27)

1. Each of the Contracting States recognises the validity of an agreement whether relating to existing or future differences between parties, subject respectively to the jurisdiction of different Contracting States by which the parties to a contract agree to submit to arbitration all or any differences that may arise in connection with such contract relating to commercial matters or any other matter capable of settlement by arbitration, whether or not the arbitration is to take place in a country to whose jurisdiction none of the parties is subject.

Each Contracting State reserves the right to limit the obligation mentioned above to contracts which are considered as commercial under its national law. Any Contracting State which avails itself of this right will notify the Secretary-General of the League of Nations, in order that the other Contracting States may be so informed.

2. The arbitral procedure, including the constitution of the arbitral tribunal, shall be governed by the will of the parties and by the law of the country in whose territory the arbitration takes place. The Contracting States agree to facilitate all steps in the procedure which require to be taken in their own territories, in accordance with the provisions of their law governing arbitral procedure applicable to existing differences.

3. Each Contracting State undertakes to ensure the execution by its authorities and in accordance with the provisions of its national laws of arbitral awards made in its own territory under the preceding articles.

4. The tribunals of the Contracting Parties on being seized of a dispute regarding a contract made between persons to whom article 1 applies and including an arbitration agreement whether referring to present or future differences which is valid in virtue of the said article and capable of being carried into effect, shall refer the parties on the application of either of them to the decision of the arbitrators. Such reference shall not prejudice the competence of the judicial tribunals in case the agreement or the arbitration cannot proceed or become inoperative.

5. The present Protocol, which shall remain open for signature by all States, shall be ratified. The ratifications shall be deposited as soon as possible with the Secretary-General of the League of Nations, who shall notify such deposit to all signatory States.

6. The present Protocol shall come into force as soon as two ratifications have been deposited. Thereafter it will take effect, in the case of each Contracting State, one month after the notification by the Secretary-General of the deposit of its ratification.

7. The present Protocol may be denounced by any Contracting State giving one year's notice. Denunciation shall be effected by a notification addressed to the Secretary-General of the League, who will immediately transmit copies of such notification to all the other signatory States and inform them of the date on which it was received. The denunciation shall take effect one year after the date on which it was notified to the Secretary-General, and shall operate only in respect of the notifying State.

8. The Contracting States may declare that their acceptance of the present Protocol does not include any or all of the undermentioned territories: that is to say, their colonies, overseas possessions or territories, protectorates or the territories over which they exercise a mandate.

The said States may subsequently adhere separately on behalf of any territory thus excluded. The Secretary-General of the League of Nations shall be informed as soon as possible of such adhesions. He shall notify such adhesions to all signatory States. They will take effect one month after the notification by the Secretary-General to all signatory States.

The Contracting States may also denounce the Protocol separately on behalf of any of the territories referred to above. Article 7 applies to such denunciation.

FOURTH SCHEDULE

Convention on The Execution of Foreign Arbitral Awards

(Section 28)

ARTICLE I

In the territories of any High Contracting party to which the present Convention applies, an arbitral award made in pursuance of an agreement, whether relating to existing or future differences (hereinafter called "a submission to arbitration") covered by the Protocol on Arbitration Clauses, opened at Geneva on 24th September, 1923, shall be recognised as binding and shall be enforced in accordance with the rules of the procedure of the territory where the award is relied upon, provided that the said award has been made in a territory of one of the High Contracting Parties to which the present Convention applies and between persons who are subject to the jurisdiction of one of the High Contracting Parties.

To obtain such recognition or enforcement, it shall, further, be necessary–

(a) that the award has been made in pursuance of a submission to arbitration which is valid under the law applicable thereto;

(b) that the subject-matter of the award is capable of settlement by arbitration under the law of the country in which the award is sought to be relied upon;

(c) that the award has been made by the Arbitral Tribunal provided for in the submission to arbitration or constituted in the manner agreed upon by the parties and in conformity with the law governing the arbitration procedure;

(d) that the award has become final in the country in which it has been made in the sense that it will not be considered as such if it is open to opposition, *appel or pourvoi en cassation* (in the countries where such forms of procedure exist) or if it is proved that any proceedings for the purpose of contesting the validity of the award are pending;

(e) that the recognition or enforcement of the award is not contrary to the public policy or to the principles of the law of the country in which it is sought to be relied upon.

ARTICLE 2

Even if the conditions laid down in Article 1 hereof are fulfilled, recognition and enforcement of the award shall be refused if the Court is satisfied–

(a) that the award has been annulled in the country in which it was made;

(b) that the party against whom it is sought to use the award was not given notice of the arbitration proceedings in sufficient time to enable him to present his case; or that, being under a legal incapacity, he was not properly represented;

(c) that the award does not deal with the differences contemplated by or falling within the terms of the submission to arbitration or that it contains decisions on matters beyond the scope of the submission to arbitration.

If the award has not covered all the questions submitted to the arbitral tribunal, the competent authority of the country where recognition or enforcement of the award is sought can, if it thinks fit, postpone such recognition or enforcement or grant it subject to such guarantee as that authority may decide.

ARTICLE 3

If the party against whom the award has been made proves that, under the law governing the arbitration procedure, there is a ground, other than the grounds referred to in Article 1(a) and (c), and Article 2(b) and (c), entitling him to contest the validity of the award in a court of law, the court may if it thinks fit, either refuse recognition or enforcement of the award or adjourn the consideration thereof, giving such party a reasonable time within which to have the award annulled by the competent tribunal.

ARTICLE 4

The party relying upon an award or claiming its enforcement must supply, in particular–

(a) the original award or a copy thereof duly authenticated, according to the requirements of the law of the country in which it was made;

(b) documentary or other evidence to prove that the award has become final, in the sense defined in Article 1(d), in the country in which it was made;

(c) when necessary, documentary or other evidence to prove that the conditions laid down in Article 1, paragraph 1 and paragraph 2(a) and (c), have been fulfilled.

A translation of the award and of the other documents mentioned in this Article in the official language of the country where the award is sought to be relied upon may be demanded. Such translation must be certified correct by a diplomatic or consular agent of the country to which the party who seeks to rely upon the award belongs or by a sworn translator of the country where the award is sought to be relied upon.

ARTICLE 5

The provisions of the above Articles shall not deprive any interested party of the right of availing himself of an arbitral award in the manner and to the extent allowed by the law, or the law or the treaties of the country where such award is sought to be relied upon.

ARTICLE 6

The present Convention applies only to arbitral awards made after the coming into force of the Protocol on Arbitration Clauses, opened at Geneva on 24th September, 1923.

ARTICLE 7

The present Convention, which will remain open to the signature of all the signatories of the Protocol of 1923 on Arbitration Clauses, shall be ratified. It may be ratified only on behalf of those Members of the League of Nations and non-Member States on whose behalf the Protocol of 1923 shall have been ratified. Ratifications shall be deposited as soon as possible with the Secretary-General of the League of Nations, who will notify such deposit to all the signatories.

ARTICLE 8

The present Convention shall come into force three months after it shall have been ratified on behalf of two High Contracting Parties. Thereafter it shall take effect, in the case of each High Contracting Party three months after the deposit of the ratification on its behalf with the Secretary-General of the League of Nations.

ARTICLE 9

The present Convention may be denounced on behalf of any Member of the league or non-Member State. Denunciation shall be notified in writing to the Secretary-General of the League of Nations, who will immediately send a copy thereof, certified to be in conformity with the notification, to all the other Contracting Parties, at the same time informing them of the date on which he received it. The denunciation shall come into force only in respect of the High Contracting Party which shall have notified it and one year after such notification shall have reached the Secretary-General of the League of Nations. The denunciation of the Protocol on Arbitration Clauses shall entail, *ipso facto*, the denunciation of the present Convention.

ARTICLE 10

The present Convention does not apply to the colonies, protectorates or territories under suzerainty or mandate of any High Contracting Party unless they are specially mentioned. The application of this Convention to one or more of such colonies, protectorates or territories to which the Protocol on Arbitration Clauses, opened at Geneva on 24th September, 1923, applies, can be effected at any time by means of a declaration addressed to the Secretary-General of the league of Nations by one of the High Contracting Parties. Such declaration shall take effect three months after the deposit thereof. The High Contracting Parties can at any time denounce the Convention for all or any of the colonies, protectorates or territories referred to above. Article 9 hereof applies to such denunciation.

ARTICLE 11

A certified copy of the present Convention shall be transmitted by the Secretary-General of the league of Nations to every Member of the league of Nations and to every non-Member State which signs the same.