

COMMITTEE ON ARBITRATION AWARDS.

Thursday, 15th June, 1911.

AT THE FOREIGN OFFICE.

PRESENT :

Sir RUFUS ISAACS, K.C., M.P., His Majesty's Attorney-General, in the Chair.

Canada.

The Right Honourable Sir WILFRID LAURIER, G.C.M.G., Prime Minister of the Dominion.

Australia.

The Honourable A. FISHER, Prime Minister of the Commonwealth.

New Zealand.

The Honourable J. G. FINDLAY, K.C., LL.D., Attorney-General and Minister of Justice

Union of South Africa.

The Honourable F. S. MALAN, Minister of Education.

Mr. H. W. JUST, C.B., C.M.G., Secretary to the Conference.

"That the Imperial Government should consider in concert with the Dominion Governments whether and to what extent and under what conditions it is practicable or desirable to make mutual arrangements with a view to the enforcement in one part of the Empire of commercial arbitration awards given in another part."

CHAIRMAN: Mr. Sydney Buxton has asked me to express to you his regret at his inability to be present; he has to attend in the House of Commons, and cannot possibly get away, and he has asked me to take the Chair in his stead. The matter which we have to discuss in this Committee is the resolution: "That the Imperial Government should consider in concert with the Dominion Governments whether and to what extent and under what conditions it is practicable or desirable to make mutual arrangements with a view to the enforcement in one part of the Empire of commercial arbitration awards given in another part." The substance of the matter is, I think, best put if we consider what the practice is in the procedure in this country with which I am most familiar—more familiar than I can be, of course, with the procedure in the Dominions, as to the enforcement of commercial awards.

What has happened, which led to this resolution, is that, both in the Chambers of Commerce in this country and the International Law Association, it has been mooted that it would be desirable that awards in commercial arbitrations—and it is confined to commercial arbitrations—should be or might be enforced in one part of the Empire although they may have been given in another part of the Empire. In this country you can enforce an award which is given in an arbitration without bringing an action and without getting an Order of Court, except that you must go to a judge to get his leave upon an