LEGISLATIVE BILL Nº…..

Voluntary Arbitration

Under the power conferred by article 170(1) of the Constitution and with a priority and urgency request, the Government submits the following legislative bill to the Assembly of the Republic:

CHAPTER I

THE ARBITRATION AGREEMENT

Article 1

(Arbitration agreement)

1. Any dispute relating to pecuniary interests which has not been exclusively subjected by a special act to the jurisdiction of courts or to compulsory arbitration, may be submitted by the parties to the decision of arbitrators, by means of an arbitration agreement.

2. An arbitration agreement relating to disputes that do not involve pecuniary interests will be valid, provided that the claim in dispute may be settled the parties.

3. The subject matter of an arbitration agreement may be an actual dispute, even if it has been brought to a court (submission agreement), or future disputes arising from a defined relationship, whether contractual or not (arbitration clause).

4. Besides contentious matters in the strict sense, the parties may agree to submit to arbitration any other questions that justify the intervention of an impartial decision maker, notably those relating to the need to make precise, to complete and to adapt long-lasting obligations to new circumstances.

5. The State and other public law legal entities may enter into arbitration agreements insofar as they are authorized to do so by law, or in case the subject matters of such agreements relate to private law disputes.

Article 2

(The agreement's requirements; termination)

1. The arbitration agreement shall be in writing.

2. The written form requirement is met when the agreement takes the form of a written document signed by the parties, an exchange of letters, telegrams, telecopies or other telecommunication means of which there will be written evidence, including electronic communication means.

3. The written form requirement of the arbitration agreement is met when it takes the form of an electronic, magnetic, optical or any other means providing the same guarantees of reliability, comprehensiveness and preservation.

4. The reference in a contract to any document containing an arbitration clause constitutes an arbitration agreement in writing, provided that the reference is such as to make that clause part of the contract, without prejudice to the legal regime of contractual standard terms.

5. An arbitration agreement is deemed to be in writing if it is contained in an exchange of statements of claim and defence in arbitral proceedings in which the existence of the said agreement is alleged by one party and not denied by the other.

6. The submission agreement shall determine the subject matter of the dispute; the arbitration clause shall specify the legal relationship to which the disputes refer to.

Article 3

(Invalidity of the arbitration agreement)

An arbitration agreement entered in breach of the provisions of articles 1 and 2 is null and void.

Article 4

(Modification, termination and expiry of the agreement)

1. The parties may modify the arbitration agreement until the first arbitrator has accepted his apointment or, if the all arbitrators agree thereto, until the issuance of the award.

2. The parties may terminate the arbitration agreement by means of a written document signed by the parties until the issuance of the award.

3. The provisions of article 2(1) and (2) shall apply to what is provided in the foregoing paragraphs of this article.

4. Unless otherwise agreed, the death or the extinction of the parties shall neither terminate the arbitration agreement nor the proceedings in the arbitral tribunal.

Article 5

(Negative effect of the arbitration agreement)

1. A court before which an action is brought in a matter which is the subject of an arbitration agreement shall, if the respondent so requests not later than when submitting his first statement on the substance of the dispute, refer the parties to arbitration unless it finds that the arbitration agreement is manifestly null and void, manifestly inoperative, is or became manifestly incapable of being performed.

2. In the case referred to in the foregoing paragraph, the arbitral proceedings may nevertheless be commenced or continued, and an award may rendered, while the issue is pending before the court.

3. The arbitral proceedings terminate and the award rendered therein no longer produces effect as soon as, by means of a final decision, a court considers that the arbitral tribunal is not competent to adjudicate the dispute that was brought thereto, whether such court decision is rendered in the action referred to in paragraph 1 of this article, or under articles 18(7) and 46(3)(a) (iii).

4. The questions of invalidity, inoperativity or unenforceability of an arbitration agreement can neither be discussed autonomously in an action brought to a court nor in provisional proceedings brought to the same court to hinder the constitution or the operation of an arbitral tribunal.

Article 6

(Contents of the arbitration agreement)

All references made in this Act to the provisions of the arbitration agreement shall be deemed as encompassing not only whatever the parties have directly regulated therein, but also the provisions of national, foreign or international arbitration rules which the parties may have referred to.

Article 7

(Arbitration agreement and interim measures granted by a court)

It is not incompatible with an arbitration agreement for a party to request interim measures from a court, before or during arbitral proceedings, nor for a court to grant such measures.

CHAPTER II

ARBITRATORS AND THE ARBITRAL TRIBUNAL

Article 8

(Number of arbitrators)

1. The arbitral tribunal may be composed of by a sole arbitrator or of an uneven number of arbitrators.

2. Should the parties fail to agree thereon, the number of arbitrators of the arbitral tribunal shall be three.

Article 9

(Arbitrators: requirements)

1. The arbitrators should be physical persons having full legal capacaity

2. No person shall be precluded by reason of his nationality from acting as an arbitrator, subject to article 10(6) and to the parties' freedom of choice.

3. The arbitrators must be independent and impartial.

4. Arbitrators cannot be made liable for the contents of their decisions, save in those cases where courts' judges may be made liable therefor.

Article 10

(Appointment of arbitrators)

1. In the arbitration agreement or in a subsequent document signed by them, the parties are free to appoint the arbitrator or arbitrators that will compose the arbitral tribunal or to determine the method of their appointmnat, notably by requesting a third party to appoint all or some of the arbitrators.

2. In case the arbitral atribunal is composed of a sole arbitrator and parties are unable to agree on his appointment, he shall be appointed, upon request of a party, by the competent court.

3. In case the arbitral atribunal is composed of three or more arbitrators, each party shall appoint an equal number of arbitrators, and the arbitrators thus appointed shall choose another arbitrator who will act as chairman of the arbitral tribunal.

4. Unless otherwise agreed, if a party fails to appoint the arbitrator or arbitrators within thirty days of receipt of a request to do so from the other party, or if the arbitrators appointed by the parties fail to agree on the choice of the chairman within thirty days of the appointment of the latest of them having been selected, the appointment of the the missing arbitrators shall be made, upon request of any party, by the competent court.

5. Unless otherwise agreed, in case the parties request a third party to appoint all or some of the arbitrators and such third party fails to do so within thirty days of receipt of the request, the provision of the foregoing paragragh shall apply.

6. When appointing an arbitrator, the competent court will take into account the qualifications required by the agreement between the parties for the arbitrator or arbitrators to be appointed and everything that is relevant to ensure the appointment of an independent and impartial arbitrator; in case of an international arbitration, when appointing a sole arbitrator or a third arbitrator, the court will also take into account the possible convenience of appointing an arbitrator with a nationality that is not the same as the one of the parties.

7. The decisions rendered by the competent court under the foregoing paragragh of this article are subject to no appeal.

Article 11

(Multiple claimants or respondents)

1. If three arbitrators are to be appointed for the arbitral tribunal and there are multiple claimants or respondents, the former shall jointly appoint one arbitrator and the latter shall jointly appoint another.

2. If the claimants or the respondents fail to agree on the arbitrator to be appointed by them, the appointment shall be made, upon request of any party, by the competent court.

3. In the case provided in the foregoing paragraph, if it is demonstrated that the parties that failed to jointly appoint an arbitrator have conflicting interests in relation to the substance of the dispute, the court may appoint the total number of arbitrators and choose among them the chairman of the arbitral tribunal; in such event, the appointment of the arbitrator made in the mentime by one of the parties will become void.

3. The provision of the foregoing paragragh shall be without prejudice to what may have been agreed in the arbitration agreement for multy-party arbitrations

Article 12

(Acceptance of mandate)

1. No one may be forced to act as arbitrator; however, in case the mandate has been accepted, a resignation of the appointed arbitrator shall only be lawful when based on a supervening cause that will hinder him to perform his mandate.

2. Unless otherwise agreed by the parties in the arbitration agreement, within fifteen days after having received notice of his appointment, each arbitrator shall communicate his acceptance to the party that appointed him; in case he does neither communicate his acceptance nor in any other way reveals his intention to act as arbitrator within that period, he will deemed as not having accepted his appointment.

3. An arbitrator who has accepted his mandate and unjustifiably fails to perform his functions will be liable for damages that he may cause.

Article 13

(Grounds for challenge)

1. When a person is invited for his possible appointment as an arbitrator, he shall disclose any circumstances likely to give rise to justifiable doubts as to his impartiality or independence.

2. Throughout the whole arbitral proceedings, an arbitrator shall reveal without delay to the parties and to all other arbitrators the supervening circumstances referred to in the foregoing paragragh, or of which he became aware after having accepted his mandate.

3. An arbitrator may be challenged only in circumstances that give rise to justifiable doubts as to his impartiality or independence, or if he does not possess qualifications agreed to by the parties. A party may challenge an arbitrator appointed by him, or in whose appointment he has participated, only for reasons of which he becomes aware after the appointment he has made.

Article 14

(Challenge procedure)

1. The parties are free to agree on a procedure for challenging an arbitrator, without prejudice to the provisions of paragraph 3 of this article.

2. Failing such agreement, the party who intends to challenge an arbitrator shall, within fifteen days after becoming aware of the constitution of the arbitral tribunal or after becoming aware of any circumstance referred to in article 13, send a written statement of the reasons for the challenge to the arbitral tribunal. If the challenged arbitrator does not withdraw from his office and the party which appointed him insists on his continuance in office, the arbitral tribunal, including the challenged arbitrator, shall decide on the challenge.

3. If the removal of the challenged arbitrator cannot be obtained under any procedure agreed upon by the parties or according to the provisions of paragraph 2 of this article, the challenging party may request, within fifteen days after having received notice of the decision rejecting the challenge, the competent court to decide on the challenge, which decision shall be subject to no appeal. While such request is pending, the arbitral tribunal, including the challenged arbitrator, may continue the arbitral proceedings and render an award.

Article 15

(Inaction or incapacition of an arbitrator)

1. If an arbitrator becomes, *de jure* or *de facto*, incapacitated to perform his functions, his mandate terminates with the verification of the fact determining such impossibility to act.

2. If an arbitrator refuses to recognize his incapacitation, or for any other reason fails to perform his functions with the required diligence, his mandate terminates if he withdraws from his office, or if the parties agree on terminating it, without prejudice to the liability that may be incurred.

3. If the parties fail to agree on the removal of the arbitrator in question, any of them may request the competent court to terminate such arbitrator's mandate, and that decision is subject to no appeal.

4. If, under this article or article 14(2), an arbitrator withdraws from his office or a party agrees to the termination of the mandate of an arbitrator falling into one of the situations provided therein, this does not imply acceptance of the validity of any ground referred to in this article or article 13(2).

Article 16

(Appointment of a substitute arbitrator)

1. Where the mandate of an arbitrator terminates, a substitute arbitrator shall be appointed according to the rules that were applicable to the arbitrator being replaced, without prejudice to he parties being allowed, in the arbitration agreement or in a subsequent document signed by them, to agree that the replacement should be made otherwise.

2. The arbitral tribunal shall decide, taking into consideration the development stage of the proceedings and in view of the new composition of the tribunal, whether any procedural acts must be repeated.

Article 17

(Arbitrators' fees and costs)

1. If the parties fail to regulate such matters in the arbitration agreement, the arbitrators' fees, the method to reimburse their costs, as well as the way the parties must pay their advances on fees and costs, shall be the object of a written agreement between the parties and the arbitrators, which will be entered into before the beginning of the arbitral proceedings.

2. In case such matters were not regulated in the arbitration agreement and the parties and the arbitrators failed to agree thereon, it will fall to the arbitrators, taking into account the complexity of the decided issues, the value of the dispute and the time spent until completion of the arbitral proceedings, to set forth the amount and the phased way to pay their fees and costs, by means of a decision distinct from that dealing with the merits of the dispute.

3. In the case provided in the foregoing paragraah of this article, any party may request the competent court to reduce the amounts of the fees or costs, and the respective advances set forth by the arbitrators; after hearing the members of the arbitral tribunal, the court may grant such request if it deems those amounts to be excessive.

4. In case of non-paymnet of the advances on fees and costs that were previously agreed or set forth by the arbitral tribunal, the arbitrators will be entitled to suspend or terminate the arbitral proceedings after the reasonable additional period that has been granted to hat effect to the defaulting party or parties has expired, without prejudice to the provision of the following paragraph of this article.

5. If a party has not paid its advance within the period fixed in accordance with the foregoing paragragh, the arbitrators, before deciding to suspend or to

terminate the arbitral proceedings, shall give notice thereof to the other parties, so that these, should they want to do so, may compensate for the lack of payment of the said advance within the period set thereto.

CHAPTER III

JURISDICTION OF THE ARBITRAL TRIBUNAL

Article 18

(Competence of the arbitral tribunal to rule on its jurisdiction)

1. The arbitral tribunal may rule on its own jurisdiction, even if for that purpose it has to assess the existence, validity or effectiveness of the arbitration agreement or arbitration or of the contract of which it forms a part, or the applicability of the said agreement. For that purpose, an arbitration clause which forms part of a contract shall be treated as an agreement independent of the other terms of the contract.

2. A plea that the arbitral tribunal does not have jurisdiction to decide the whole or part of the dispute shall be raised before the submission of the statement of defence regarding the merits of the dispute or jointly with it.

3. A party is not precluded from raising such a plea by the fact that he has appointed, or participated in the appointment of, an arbitrator.

4. A plea that the arbitral tribunal is about to exceed the scope of its authority shall be raised as soon as the matter alleged to be beyond the scope of its authority arises.

5. In the cases provided in paragraphs 2 and 4 of this article, the arbitral tribunal may admit pleas based on the grounds mentioned in the said paragraphs, which are raised after the time-limits set out therein, if it considers justified the non compliance with the time-limit.

6. The arbitral tribunal may rule on its jurisdiction either by means of an interim decision or in the award on the merits of the dispute.

7. Any party may, within thirty days after having ben notified of that decision, challenge before the competent court, in accordance with articles 46(3)(a)(i) and (iii), and 58(1)(g), the interim decision by which the arbitral tribunal finds that it has jurisdiction.

8. While the challenge mentioned in the foregoing paragraph of this article is pending in court, the arbitral tribunal may continue the arbitral proceedings and render an award on the merits of the dispute, without prejudice to the provision of article 5(3).

Article 19

(Scope of the courts' intervention)

Regarding the matters governed by this Act, the courts may only intervene in cases provided herein.

CHAPTER IV

INTERIM MEASURES AND PRELIMINARY ORDERS

Section I

Interim measures

Article 20

(Power of arbitral tribunal to order interim measures)

1. Unless otherwise agreed by the parties, the arbitral tribunal may, at the request of a party, after hearing the other party, grant the interim measures which it may deem necessary in relation to the subject-matter of the dispute.

2. For the effects of this Act, an interim measure is a temporary measure, whether in the form of an award or in another form, by which, at any time prior to the issuance of the award by which the dispute is finally decided, the arbitral tribunal orders a party to:

a) Maintain or restore the status quo pending determination of the dispute;

b) Take action that would prevent, or refrain from taking action that is likely to cause harm or prejudice to the arbitral process itself;

c) Provide means of preserving assets out of which a subsequent award may be satisfied;

d) Preserve evidence that may be relevant and material to the resolution of the dispute.

Article 21

(Requiremnats for granting interim measures)

1. An interim measure requested under article 20(2)(a)(b) and (c) shall be granted by the arbitral tribunal, provided that:

a) a serious probability that the right invoked by the requesting party exists and a sufficiently founded fear that it will be harmed is demonstrated; and

b) the damage resulting from the interim measure for the party against whom the measure is directed does not considerably exceed the damage that the requesting party is thereby seeking to avoid.

2. The admission of the possibility mentioned in subparagraph 1(a) of this article will not affect the arbitral tribunal's discretion when it will have to subsequently decide on any other matter.

3. With regard to the request of an interim measure made under article 20(2)(d), the requirements set out in subparagraphs 1(a) and (b) of this article shall only apply insofar the arbitral tribunal deems it appropriate.

Section II

Preliminary orders

Article 22

(Application for preliminary orders; requirements)

1. Unless otherwise agreed by the parties, a party may request that an interim measure be granted and simultaneously apply for a preliminary order to be issued against the other party, without the latter being previously heard about it, so that the purpose of the requested interim measure is not frustrated.

2. The arbitral tribunal may grant the requested preliminary order provided it considers that prior disclosure of the request of the interim measure to the party against whom it is directed creates the risk of frustrating the purpose of that measure.

3. The requirements set forth in article 21 will apply to any preliminary order, being understood that that the harm to be assessed under article 21(1)(b), is the harm likely to result from the order being granted or not.

Article 23

(Specific regime for preliminary orders)

1. Immediately after the arbitral tribunal has made a determination in respect of an application for a preliminary order, the arbitral tribunal shall give notice to all parties of the request for the interim measure, the application for the preliminary order, the preliminary order, if it has been issued, and all other communications, including the indication of the content of any oral communications between any party and the arbitral tribunal in relation thereto.

2. At the same time, the arbitral tribunal shall give an opportunity to any party against whom a preliminary order has been issued to present its position about the same, at the earliest practicable time to be set by the arbitral tribunal.

3. The arbitral tribunal shall decide promptly on any objection to the preliminary order.

4. A preliminary order shall expire after twenty days from the date on which it was issued by the arbitral tribunal. However, the arbitral tribunal may issue an interim measure adopting or modifying the preliminary order, after the party against whom the preliminary order is directed had been given notice threof and an opportunity to present its position about it.

5. A preliminary order shall be binding on the parties but shall not be subject to enforcement by a court.

Section III

Provisions applicable to interim measures and preliminary orders

Article 24

(Modification, suspension and termination; security)

1. The arbitral tribunal may modify, suspend or terminate an interim measure or a preliminary order it has granted or issued, upon request of any party or, in exceptional circumstances and upon prior notice to the parties, on the arbitral tribunal's own initiative.

2. The arbitral tribunal may require the party requesting an interim measure to provide appropriate security in connection with the measure.

3. The arbitral tribunal shall require the party applying for a preliminary order to provide security in connection with the order, unless the arbitral tribunal considers it inappropriate or unnecessary to do so.

Article 25

(Disclosure duty)

1. The parties shall promptly disclose any material change in the circumstances on the basis of which the measure was requested or granted.

2. The party applying for a preliminary order shall disclose to the arbitral tribunal all circumstances that are likely to be relevant to the arbitral tribunal's determination whether to grant or maintain the order, and such obligation shall continue until the party against whom the order has been requested has had an opportunity to present its case. Thereafter, paragraph 1 of this article shall apply.

Article 26

(Requesting party's liability)

The party requesting an interim measure or applying for a preliminary order is liable for any costs and damages caused by such measure or order to any other party, in case the arbitral tribunal later determines that, in the previously existing

circumstances, the measure or the order should not have been granted and that the requesting party should be made liable for such costs or damages.

Section IV

Recognition or enforcement of interim measures

Article 27

(Recognition or enforcement)

1. An interim measure issued by an arbitral tribunal shall be binding to the parties and, unless otherwise provided by the arbitral tribunal, may be enforced upon application to the competent court, irrespective of the fact that it was granted in an arbitration having its place abroad, subject to the provisions of article 28.

2. The party who is seeking or has obtained the recognition or the enforcement of an interim measure shall promptly inform the court of any termination, suspension or modification of that interim measure by the arbitral tribunal which has granted it.

3. The court where recognition or enforcement is sought may, if considers it convenient, order the requesting party to provide appropriate security, if the arbitral tribunal has not already made a determination with respect to that matter or where such a decision is necessary to protect the rights of third parties.

Article 28

(Grounds for refusing recognition or enforcement)

1. Recognition or enforcement of an interim measure may be refused by a court only:

a) At the request of the party against whom it is invoked, if this court is considers that:

i) Such refusal is warranted on the grounds set forth in article 56(1)(a), (i), (ii), (iii) or (iv); or

ii) The arbitral tribunal's decision with respect to the provision of security in connection with the interim measure issued has not been complied with; or

iii) The interim measure has been terminated or suspended by the arbitral tribunal or, where so empowered, by the court of the foreign State in which the arbitration takes place or under the law of which the interim measure was granted; or

b) If the court finds that:

i) The interim measure is incompatible with the powers conferred upon the court by the law which it is subject to, unless the court decides to reformulate the interim measure to the extent necessary to adapt it to its own powers and procedures for the purposes of enforcing that interim measure and without modifying its substance; or

ii) Any of the grounds set forth in article 57(1)(b), (i) or (ii), apply to the recognition or the enforcement of the interim measure.

2. Any determination made by the court under paragraph 1 of this article shall be effective only for the purposes of the application for recognize or enforce the interim measure issued by the arbitral tribunal. The court where recognition or enforcement is sought shall not, in making that determination, undertake a review of the substance of the interim measure.

Article 29

(Interim measures granted by a court)

1. The courts have the same power of issuing interim measures in relation to arbitration proceedings, irrespective of the place where they occur, in the same terms as they have in relation to the proceedings which are submitted to courts.

2. The courts shall exercise such power in accordance with its own procedures, taking into consideration, should that be the case, the specific features of international arbitration.

CHAPTER V

CONDUCT OF ARBITRAL PROCEEDINGS

Article 30

(Principles and rules of arbitral proceedings)

1. Arbitral proceedings shall always respect the following fundamental principles:

a) The respondent shall be served to defend himself;

b) The parties shall be treated with equality and each party shall be given a reasonable opportunity to present their case, in writing or orally, before the final award is rendered;

c) Compliance with the adversarial principle shall be guaranteed throughout the proceedings, save in the exceptions provided in this Act.

2. The parties may agree, in the arbitration agreement or in a subsequent document signed by them until the acceptance of the first arbitrator, on the procedural rules to be followed in the arbitration, in compliance with the fundamental principles set forth in the foregoing paragraph of this article and with all further mandatory rules contained in this Act.

3. If such agreement does not exist and in the absence of applicable provisions of this Act, the arbitral tribunal may conduct the arbitration in such way it considers appropriate and issue the procedural rules that it deems adequate; moreover, should that be the case, it should make clear that it considers the law governing the proceedings in state courts to be subsidiarily applicable to the arbitral proceedings.

4. The powers conferred upon the arbitral tribunal comprise the power to determine the admissibility, relevance and weight of any evidence taken or to be taken.

5. The arbitrators, the parties and, should that be the case, specialist institutions which administer voluntary arbitrations under its own rules, have the duty to preserve the confidentiality of all information they may obtain or of any documents they may become aware of in the course of the arbitral proceedings, subject to the parties' right to disclose all procedural acts that are required to defend their rights and subject to the duty, imposed by law, to communicate or disclose any acts of the proceedings to the competent authorities.

6. The provision of the foregoing paragraph does not impede the publication of the awards and other decisions of the arbitral tribunal, abridged of the parties' identification details of the parties, unless any of the latter opposes such publication.

Article 31

(Place of arbitration)

1. The parties are free to agree on the place of arbitration. Failing such agreement, the place of arbitration shall be determined by arbitral tribunal, having regard to the circumstances of the case, including the convenience of the parties.

2. Notwithstanding the provisions of paragraph 1 of this article, the arbitral tribunal may, unless otherwise agreed by the parties, meet at any place it considers appropriate to hold one or more hearings, to allow for any evidence taking measures or to take any decisions.

Article 32

(Language of the proceedings)

1. The parties are free to agree on the language or languages to be used in the arbitral proceedings. Failing such agreement, the arbitral tribunal shall determine the language or languages to be used in the proceedings.

2. The arbitral tribunal may order that any document shall be accompanied by a translation into the language or languages agreed upon by the parties or determined by the arbitral tribunal.

Article 33

(Commencement of proceedings; statements of claim and defence)

1. Unless otherwise agreed by the parties, the arbitral proceedings in respect of a particular dispute commence on the date on which a request for that dispute to be submitted to arbitration is received by the respondent.

2. Within the period of time agreed by the parties or determined by the arbitral tribunal, the claimant shall submit his statement of claim, in which it will set out

his request for relief and state the facts supporting his claim, and the respondent shall state his defence in respect of these particulars, unless the parties have otherwise agreed as to the required elements of such statements. The parties may submit with their statements all documents they consider to be relevant or may make reference therein to the documents or other evidence they will submit later.

3. Unless otherwise agreed by the parties, either party may amend or supplement his claim or defence during the course of the arbitral proceedings, unless the arbitral tribunal considers it inappropriate to allow such amendment having regard to the delay in making it, without any justification.

4. The respondent may file a counterclaim provided that its object is encompassed by the arbitration agreement.

Article 34

(Hearings and written proceedings)

1. Subject to any contrary agreement by the parties, the arbitral tribunal shall decide whether to hold oral hearings for the presentation of evidence, or whether the proceedings shall be conducted on the basis of documents and other materials.

2. The parties shall be given sufficient advance notice of any hearing and of any meeting of the arbitral tribunal for the purposes of producing evidence.

3. All statements, documents or other information supplied to the arbitral tribunal by one party shall be communicated to the other party. Also any expert report or evidentiary document on which the arbitral tribunal may rely in making its decision shall be communicated to the parties.

Article 35

(Default and omissions of a party)

1. If the claimant fails to present his statement of claim in accordance with article 33(2), the arbitral tribunal shall terminate the arbitral proceedings.

2. If the respondent fails to present his statement of defence in accordance with article 33(2), the arbitral tribunal shall continue the proceedings without treating such failure in itself as an admission of the claimant's allegations.

3. If any party fails to appear at a hearing or to produce documentary evidence within the set time period, the arbitral tribunal may continue the proceedings and render the award based on the evidence before it.

4. The arbitral tribunal may, however, if it deems the omission justified, allow a party to perform the omitted act.

5. The provisions of the foregoing paragraphs of this article shall be understood without prejudice to what the parties may have agreed regarding consequences of their omissions. therein

Article 36

(Intervention of third parties)

1. The intervention in the course of arbitral proceedings of a third party seeking to associate itself to one of the parties in this process or of one that is requested by a party to be joined in those proceedings as party associated to the latter, will only be admitted if all the following requirements are met:

a) All the parties to the arbitral proceedings, the third party and the arbitral tribunal, if it is already constituted, agree to the said intervention.

b) The third party signs the arbitration agreement, in case it was not yet part thereof;

c) The third party accepts the composition of the arbitral tribunal, if it is already constituted, or, should that not be the case, accepts the appointment of the arbitrator made by the party to which the third party has to associate itself.

2. The provision of the foregoing paragraph does not impede the parties from agreeing differently on the terms and conditions of the intervention of third parties in arbitral proceedings, either by regulating directly such matter in the arbitration agreement, or by referring to arbitration rules under which the intervention of third parties is admitted without some of the conditions required in the foregoing paragragh.

Article 37

(Expert appointed by arbitral tribunal)

1. Unless otherwise agreed by the parties, the arbitral tribunal may appoint, on its own initiative or upon request of a party, one or more experts to report to it on specific issues to be determined by the arbitral tribunal.

2. In the case provided in the foregoing paragraph, the arbitral tribunal may require a party to give the expert any relevant information or to produce, or to provide access to, any relevant documents, goods or other property for his inspection.

3. Unless otherwise agreed by the parties, if a party so requests or if the arbitral tribunal considers it necessary, the expert shall, after delivery of his written or oral report, participate in a hearing where the parties will have the opportunity to put questions to him.

4. The provisions of articles 13 and 14(2) and (3) apply with the necessary adaptations to the experts appointed by the arbitral tribunal.

Article 38

(Court assistance in taking evidence)

1. When evidence to be taken depends on the will of one of the parties or of third parties and such parties refuse to cooperate, a party with the prior approval of the arbitral tribunal may request to the competent that the evidence is taken before it, and that the results thereof are sent to the arbitral tribunal.

2. The provision of the foregoing paragraph applies to evidence taking requests submitted to a Portuguese court within the scope of arbitrations located abroad.

CHAPTER VI

MAKING OF AWARD AND TERMINATION OF PROCEEDINGS

Article 39

(Rules applicable to substance of dispute)

1. The arbitrators shall decide in accordance with the law, unless the parties have authorize them to decide according to equity in the arbitration agreement or in a document signed by them until the acceptance of the first arbitrator, or even after that date if the arbitrators accept such assignment.

2. If the parties have vested such power in it, the arbitral tribunal may decide the dispute by appealing to the composition of the parties on the basis of the balance of interests at stake.

3. The award rendered on the merits of the dispute or the one that terminates the arbitral proceedings without deciding on the merits, will only be subject to

appeal to the competent court if the parties have expressly contemplated such possibility in the arbitration agreement and provided that the dispute has not been decided according to equity.

Article 40

(Decision making by panel of arbitrators)

1. In arbitral proceedings with more than one arbitrator, any decision of the arbitral tribunal shall be made by a majority of all its members. If a majority cannot be achieved, the award shall be made by the chairman of the arbitral tribunal alone.

2. If an arbitrator refuses to take part in the vote on a decision, the others may take the decision without him, unless otherwise agreed by the parties. The parties shall be given advance notice of the intention to make a final award without the arbitrator refusing to participate in the vote. In the case of other decisions taken in the proceedings, the parties shall subsequent to the decision be informed of an arbitrator's refusal to participate in the vote.

3. Questions relating to the procedural ordinance, regulation or direction may be decided by the chairman of the arbitral tribunal alone, if so authorized by the parties or the other members of the arbitral tribunal.

Article 41

(Settlement)

1. If, during arbitral proceedings, the parties settle the dispute, the arbitral tribunal shall terminate the proceedings and, if requested by the parties, record the settlement in the form of an arbitral award on agreed terms, unless the contents of such settlement are in violation of any principle of public policy.

2. An award on agreed terms shall be made in accordance with the provisions of article 42 and shall state that it has the status of an award. Such an award has the same effect as any other award on the merits of the case.

Article 42

(Form and contents of award)

1. The award shall be made in writing and shall be signed by the arbitrator or arbitrators. In arbitral proceedings with more than one arbitrator, the signatures of the majority of all members of the arbitral tribunal or of the the chairman of the arbitral tribunal alone, in case the award has to made by him, shall suffice, provided that the reason for any omitted signature is stated therein.

2. Unless otherwise agreed by the parties, the arbitrators may decide on the merits of the case through a single award or as many partial awards as they may deem necessary.

3. The award shall state the reasons upon which it is based, unless the parties have agreed that no reasons are to be given or the award is an award on agreed terms under article 41.

4. The award shall state its date and the place of arbitration as determined in accordance with article 31(1). The award shall be deemed to have been made at that place.

5. Unless otherwise agreed by the parties, the award shall fix the amount of the costs directly resulting from the arbitral proceedings and determine how they should be split between the parties. Should they deem it fair and appropriate, the arbitrators may also decide in the award that one or some of the parties shall compensate the other party or parties for the whole or part of the reasonable costs and expenses that they could prove to have incurred because of their intervention in the arbitration.

6. After the award is made, a copy signed by the arbitrator or arbitrators, as provided in paragraph 1 of this article, shall be delivered to each party.

7. A non-appealable arbitral award which is no longer subject to amendments according to the provisions of article 45 has the same effect between the parties as a final and binding court judgement and may be enforced on the same terms as that judgement.

Article 43

(Time limit to render the award)

1. Unless in the arbitration agreement, or in a subsequent document signed by them before the acceptance of the first appointed arbitrator, the parties have set a different time limit, the arbitrators shall notify to the parties the final award rendered on the dispute submitted to them within a period of twelve months counted as of the date of acceptance of the latest appointed arbitrator.

2. The time limits set in accordance with paragraph 1 may be freely extended by agreement of the parties or, alternatively, by decision of the arbitral tribunal taken either following a request of any of the parties or at the tribunal's own initiative, one or more times, for successive periods of twelve months, these extensions to be duly justified, unless the parties refuse such extension by common agreement.

3. Failure to notify to the parties the final award within the time limit set in the foregoing paragraphs of this article will automatically put a stop to the arbitral proceedings and terminate the arbitrators' competence to decide the dispute that was submitted to them, without prejudice to the arbitration agreement maintaining its validity, notably for the purpose of enabling a new arbitral tribunal to be constituted and a new arbitration to be started based on the said agreement.

4. Arbitrators who unjustifiably hinder the rendering of an award within the set time limit are liable for the damages thereby caused.

Article 44

(Termination of proceedings)

1. The arbitral proceedings are terminated by the final award or by an order of the arbitral tribunal in accordance with paragraph 2 of this article.

2. The arbitral tribunal shall issue an order for the termination of the arbitral proceedings when:

a) the claimant withdraws his claim, unless the respondent objects thereto and the arbitral tribunal recognizes a legitimate interest on his part in obtaining a final settlement of the dispute;
b) the parties agree on the termination of the proceedings;
c) the arbitral tribunal finds that the continuation of the proceedings has for any other reason become unnecessary or impossible.

3. The mandate of the arbitral tribunal terminates with the termination of the arbitral proceedings, subject to the provisions of articles 45, 46(8) and 47(3).

4. Unless otherwise agreed by the parties, namely by reference to the rules of an institution specialized in the administration of arbitrations, in which this matter is dealt with, the chairman of the arbitral tribunal shall keep the original of the arbitral proceedings during a minimum period of five years.

Article 45

(Correction and interpretation of the award; additional award)

1. Within thirty days of receipt of the award, unless another period of time has been agreed upon by the parties, a party, with notice to the other party, may request the arbitral tribunal to correct in the award any errors in computation, any clerical or typographical errors or any errors of similar nature.

2. Within the period of time mentioned in the foregoing paragraph, a party, with notice to the other party, may request the arbitral tribunal to clarify the meaning of a specific point or part of the award or of its reasons.

3. If the arbitral tribunal considers the request to be justified, it shall make the correction or make the clarification within thirty days of the receipt of the request. The clarification made will become an integral part of the award.

4. The arbitral tribunal may correct any error of the type referred to in paragraph 1 of this article on its own initiative within thirty days of receipt of the award.

5. Unless otherwise agreed by the parties, any party, with notice to the other party, may request, within thirty days of receipt of the award, the arbitral tribunal to make an additional award as to parts of the claim or claims presented in the arbitral proceedings but omitted from the award. If the arbitral tribunal considers the request to be justified, it shall make the additional award within sixty days counted as of the request.

6. The arbitral tribunal may extend, if necessary, the period of time within which it shall make a correction, carification or an additional award under paragraphs 1, 2 or 5 of this article, subject to complying with the maximum term set forth in accordance with article 43.

7. The provisions of article 42 shall apply to a correction or clarification of the award or to an additional award.

CHAPTER VII

CHALLENGE OF THE AWARD

Article 46

(Application for setting aside)

1. The challenge of an arbitral award before a court may be made only by an application for setting it aside in accordance with the provisions of this article.

2. The application to set aside the arbitral award, whch must be accompanied by a certified copy of the award, and, if drawn in a foreign language, by its translation into Portuguese, will be procedurally handled as if it were an appeal, swithout prejudice to the provisions of the following paragraghs.

3. The arbitral award may be set aside by the competent court only if:

a) the party making the application furnishes proof that:

i) a party to the arbitration agreement was under some incapacity; or the said agreement is not valid under the law to which the parties have subjected it or, failing any indication thereon, under the provisions of this Act ; or

ii) the party making the application was not given proper notice of the appointment of an arbitrator or of the arbitral proceedings, or, for any other reason, was unable to present his case; or

iii) the award deals with a dispute not encompassed by the arbitration agreement, or contains decisions which exceed the scope of that agreement; or

iv) the composition of the arbitral tribunal or the arbitral procedure were not in accordance with the agreement of the parties, unless such agreement was in conflict with a provision of this Act from which the parties cannot derogate, or, failing such agreement, were not in accordance with this Act and that had a decisive influence in settling the dispute; or

v) that the arbitral tribunal dealt with matters that it could not have dealt with, or failed to decide matters that it should have decided ; or

b) the court finds that the subject-matter of the dispute cannot be decided by arbitration according to the Portuguese law;

4. The grounds for setting aside referred to in paragraph 3 (a) (iv) of this article cannot be invoked by the party who, having become aware of them during the course of the arbitration, did not raise them at that time, having then the possibility to do so.

5. The right to request the setting aside of an arbitral award cannot be relinquished.

6. An application for setting aside can only be submitted within a period of sixty days as of the date on which the party making the application had received the award, or, if a request had made under of article 45, as of the date when the arbitral tribunal decided upon such request.

7. In case it is possible to separate the part containing any of the grounds mentioned in paragraph 3 of this article for setting aside from the remaining part of the award, only the part affected by such grounds may be set aside.

8. When asked to set aside an award, the court may, where appropriate and so requested by a party, suspend the setting aside proceedings for a period of time determined by the court, in order to give arbitral tribunal an opportunity to resume the arbitral proceedings or to take such other action as in the arbitral tribunal's opinion will eliminate the grounds for setting aside.

9. The court that sets aside the arbitral award may not adjudicate the merits of the question or questions decided by the award; these questions, upon request of any party, shall be submitted to another arbitral tribunal.

10. Unless otherwise agreed by the parties, with the setting aside of the award, the arbitration agreement will once again produce effect regarding the subject-matter of the dispute.

CHAPTER VIII

ENFORCEMENT OF THE ARBITRAL AWARD

Article 47

(Enforcement of the arbitral award)

1. The party applying to a court for the enforcement of the award shall provide the original award or a copy thereof; if the award is not made in Portuguese, the party will supply a duly certified translation into this language.

2. In case the arbitral tribunal renders an award containing a generic decision, its liquidation will be made under the terms of article 805(4) of the Civil Procedure Code.

3. The arbitral award may be the basis for enforcement, even if a challenge has been raised against it by means of an application to set it aside filed in accordance with article 46; however, as long as such challenge is pending, the provisions of the procedural law regarding the enforcement of court decisions that have been appealed to a higher court shall apply.

Article 48

(Grounds for opposing the enforcement)

1. The party against whom the enforcement of the arbitral award is sought may base an opposition to the same on any the grounds to set aside the award provided in article 46(3), provided that on the date the opposition is filed a application for setting aside the arbitral award based on the same grounds has not been already rejected by a final court decision.

2. The party against whom the enforcement of the arbitral award is sought may not invoke in its opposition to the enforcement any of the grounds provided in article 46(3)(a) for the setting aside aside of the award, after the the period of time set in paragraph 6 of the same article has expired, without any of the parties having made an application for setting aside the award.

3. Notwithstanding the expiry of the period of time provided in the foregoing paragraph, the court judge may *ex officio* verify, under to the provision of article 820 of the Civil Procedure Code, if the ground for setting aside provided in article 46 (3) (b) of this Act exists and, if he finds that award to be enforced is invalid for that reason, he shall reject the enforcement on such ground.

4. The provision of paragraph 2 of this article does not impede the party opposing the enforcemnat of the arbitral award from invoking any of the other grounds provided to that effect in the applicable procedural law, under the terms and within the periods of time provided therein.

CHAPTER IX

INTERNATIONAL ARBITRATION

Article 49

(Definition of international arbitration)

Arbitration is considered international if it involves the interests of interantional trade.

Article 50

(Inadmissibility of pleas based on the domestic law of one party)

When the arbitration is international and one of the parties in the arbitration agreement is a State, a State-controlled organization or a State-controlled company, that party may not rely on its domestic law either to contest the arbitrability of the dispute or its capacity to be a party to the arbitration or to evade in any other way its obligations arising from that agreement.

Article 51

(Substantial validity of the arbitration agreement)

1. In an international arbitration the arbitration agreement is deemed valid as regards its substance and the dispute is deemed capable of being settled by arbitration if the requirements set out in that respect are met either by the law chosen by the parties to govern the arbitration agreement or by the law applicable to the merits of the dispute or by Portuguese law.

2. The court to which the setting aside of an award rendered in an international arbitration which had its place in Portugal was requested on the grounds provided in article 46(3)(b) of this Act, shall take into account the provisions of the foregoing paragraph of this article.

Article 52

(Rules of law applicable to the merits of the dispute)

1. The parties may chooose the rules of law to be applied by the arbitrators, if they have not authorized them to decide accoarding to equity. Except if has been otherwise expressly agreed, any choice of the law or of the legal system of a given State shall be considered a direct choice of that State's material legal rules, and not of its rules of conflict of laws.

2. If The parties failed to make such choice, the arbitral tribunal shall apply the rules of law which are most appropriate to the dispute.

Article 53

(Non-appealability of the award)

The award of an arbitral tribunal in an international arbitration is not appealable, unless the parties have expressly agreed on the possibility of appealing to another arbitral tribunal and have regulated its terms of such appeal.

Article 54

(International public policy)

The award made in an international arbitration in which Portuguese law has neither been chosen by the parties nor determined by the arbitral tribunal as applicable to the merits of the dispute, may be set aside under the terms of article 46, if its contents infringe the principles of the international public policy of the Portuguese State, without prejudice to the application of the other grounds provided in that article for setting aside the award.

Article 55

(*Amiable composition*)

The Court may decide the dispute as *amiable compositeur* according to the provision of article 39(2).

CHAPTER X

RECOGNITION AND ENFORCEMENT OF FOREIGN AWARDS

Article 56

(Need of recognition)

1. Without prejudice to the mandatory provisions of the 1958 New York Convention on the recognition and enforcement of foreign arbitral awards and of other treaties or conventions which are binding for the Portuguese State, any awards rendered in arbitrations located abroad, will only be valid in Portugal, independently of the nationality of the parties, if they have been recognized by a Portuguese court according to the provisions of present Chapter of this Act.

2. The party seeking the recognition of a foreign arbitral award in order to enforce it in Portugal, shall furnish the duly authenticated original award or a duly certified copy thereof, as well as the original of the arbitration agreement or a duly certified copy thereof. If the award or the agreement is not written in Portuguese, the party will provide a duly certified translation into this language.

3. Having the application for recognition been submitted, accompanied by the documents mentioned in the foregoing paragraph, opposing party will be given notice to file its opposition thereto within fifteen days.

4. After the statements and the procedural steps that the rapporteur may deem indispensable have been concluded, the parties and the Public Prosecutor will be granted access to the proceedings file days, to present their pleadings, within a period of fifteen days.

5. The judgement is made pursuant to the procedural rules applicable to appeals from first-instance courts.

Article 57

(Grounds for refusing recognition or enforcement)

1. Recognition and enforcement of an arbitral award made abroad may be refused only:

a) at the request of the party against whom the award is invoked, if that party furnishes to the competent court wehre recognition or enforcement is sought proof that:

i) a parties of the arbitration agreement was affected by some incapacity; or that the said agreement is not valid under the terms of the law to which the parties have subjected it or, failing any indication threon, under the law of the country where the award was rendered; or

ii) the party against whom the award is invoked was not gaiven prpoper notice of the appointment of an arbitrator or of the arbitral proceedings, or was otherwise unable to present his case; or

iii) the award deals with a dispute not contemplated in the submission agreement or not falling within the terms of the arbitration agreement or contains decisions on matters beyond the scope of the same; however, if the the decisions on matters submitted to arbitration can be separated from those not so submitted, that part of the award which contains decisions on matters submitted to arbitration may be recognized and enforced; or

iv) the composition of the tribunal or the arbitral proceedings was not in accordance with the agreement between the parties or, failing such agreement, was not in accordance with the law of the country where the arbitration took place; or

v) the award has not yet become binding on the parties or has been set aside or suspended by a court of the country in which, or under law of which, that award was made; or

b) if the court finds that :

i) the subject-matter of the dispute is not capable of settlement by arbitration under Portuguese law; or

ii) the recognition or enforcement of the award leads to a result that is manifestly incompatible with the international public policy of the Portugues State.

2. Where an application for setting aside or suspensionof an award has been made to a court referred in paragraph 1 (a) (v) of this article, the court where recognition or enforcement is sought, may, if it considers it proper, adjourne its decision and may also, on the application party seeking recognition or enforcement of the award, order the other party to provide appropriate security.

Article 58

(Foreign awards on disputes of administrative law)

In the recognition of the arbitral award rendered in an arbitration that took place abroad and was related to a dispute which, according to Portuguese law, is comprised in the sphere of jurisdiction of administrative courts, the provisions of articles 56, 57 and 59(6) of this Act should be complied with, with the necessary adjustments to the specific procedural regime of these courts.

CHAPTER XI

COMPETENT COURTS

ARTICLE 59

(Competent courts)

1. Regarding disputes falaing within the sphere of jurisdictional of judicial courts, the Court of Appeal in whose area the arbitration had its place or, in the case of the decision referred to in subprgrapagh 1 (i) of this article, where the person against whom one is seeking to assert the award, shall be competent to decide on:

a) the appointment of arbitrators who have not been appointed by the parties or by third parties to whom they assigned that duty, in accordance with article 10 (3) (4) and (5) and article 11 (1);

b) the challenge made under article 14 (2) against an arbitrator who has not accept it, by removing him under paragraph 3 of the same article, if the cahalenge is deemed to be justified;

c) the removal of an arbitrator requested under article 15 (1);

d) the reduction of the amount of the fees or costs fixed by the arbitrators under article 17(3);

e) the challenge of an interim award rendered by the arbitral tribunal on its own jurisdiction, according to article 18(7);

f) the challenge of the final award rendred by the arbitral tribunal, according to article 46;

g) the recognition of the arbitral award rendred in an arbitration located abroad.

2. The appointment of the arbitrator mentioned in paragraph 1 (a) of this article shall fall to the Chairman of the Court of Appeal having territorial compence in that respect

3. Regarding disputes which, pursuant to Portuguese law, are comprised in the jurisdictional sphere of administrative courts, the Administrative Central Court shal have competence for the matters comprised in subpragarphs 1 (a) to 1 (g) of this article, and it shall fall to its Chairman to make the appointment provided in subparagraph 1 (a).

4. As regards any issues or matters not comprised in paragraphs 1, 2 and 3 of this article and regarding which this Act grants jurisdiction to a court, where the disputes are comprised in the sphere of jurisdiction of judicial courts or of administrative courts, the courts having comptence will be, respectively, the 1st instance judicial court or the district administrative court whose territorial boundaries the place of the arbaitration was located.

5. Concerning disputes comprised in the jurisdictional sphere of judicial courts, the courts having competence to decide on the recognition of awards made in arbitrations that took place abroad or the provision of courts' assistance to arbitrations made abroad under articles 29 and 38 (2) of this Act, shall be, respectively, the Court of Appeal of Lisbon or the 1st instance judicial court where the interim measure may be granted according to the rules of territorial jurisdiction provided in article 83 of the Civil Procedural Code, or where a witness who should testify under article 38(2) of this Law, has its residence.

6. Regarding disputes comprised in the sphere of jurisdiction of of administrative courts, the courts with jurisdiction to decide on the recognition of awards made in arbitrations that took place abroad or on the provision of courts' assistance to arbitrations made abroad, are respectively the Administrative Central Court or the district administrative court in accordance with the provision of the final part of paragarpgh 5 of this article, applied with the necessary adjustmnets to the specific regime of administrative courts.

7. In the proceedings leading to the decisions mentioned in paragraph 1 of this article, the court will follow the provisions of articles 46 (2), 56, 57, 58 and 60 of this Law.

8. Except when in this Act it is provided that the decision of the court cannot be appealed, the decisions rendred by the courts that were referred to in the foregoing paragraphs of this article, and in accordance with what is provided therein, may be appealed to any other higher court or courts, whenever such appeal is admissible pursuant to the rules that apply to appealability of the decisions in question.

9. The enforcement of an arbitral decision made in Portugal shough be requested in the competent court of 1st instance, according the applicable rules of procedural law.

10. For an action seeking to bring about an arbitrator's civil liability, the court havinf competence shall be the 1st instance court where the defendant's domicile is located.

Article 60

(Applicable procedure)

1. When seeking a decision from the court under article 58 (1)(a) to (e), the interested party, in its application, shall indicate the facts that justify its request and sahll also include the information that it may deem relevant thereto.

2. Upon receipt of the application mentioned in the foregoing paragraph, the other parties in the arbitration and, should that be the case, the arbitral tribunal shall be notified to state their views thereon within a period of ten days.

3. Before rendrering its decision, if it deems it to be necessary, the court may collect or request the information deeme convenient to render its decision.

4. The proceedigs contemplated in the foregoing paragraphs of this article are always considred as having an urgent nature and their respective acts have precedence over any other non urgent court's acting.

CHAPTER XII

FINAL PROVISIONS

Article 61

(Territorial scope of application)

This Act applies to all arbitrations having taking place in the Portuguese territory, as well as to the recognition and enforcement in Portugal of awards made in arbitrations having taken place abroad.

Article 62

(Labour disputes)

The submission to arbitration of disputes arising from or relating to employment contracts shall be regulated by special law.

Article 63

(Institutional arbitration centres)

1. The creation in Portugal of institutional arbitration centres is subject to authorization of the Minister of Justice, under the terms provided in special law.

2. Decree-Law no. 425/86 of 27 December remains in force and the references contained therein to article 38 of Law no. 31/86 of 29 August are deemed as made to the present article.

Article 64

(Amendments to the Civil Procedure Code)

Articles 812-D (g) and 815 of the Civil Procedure Code shall read as follows:

"Article 812.-D

(Remittance of the process for the judge's preliminary decision)

The enforcement officer who receives the process must analyze it and electronically remit it for preliminary decision by the judge in the following cases:

……..

g) If, upon request of enforcement of the arbitral award, the enforcement officer has doubts whether the dispute is capable of being settled by a decision of arbitrators, either because being by special law exclusively subject to the jurisdiction of courts or to a compulsory arbitration, or because the litigation law has a not pecuniary character and cannot be the object of a settlement."

Article 815

(Grounds to refuse enforcement based on arbitral award)

The enforcement based on arbitral award can be refused not only on the grounds provided in the previous article, but also on those on which the setting aside of the same decision may be based, subject to the provisions of article 48 (12) and (2) of the V oluntary Arbitration Act "

Article 65

(References)

Any references in any acts legislation or regulations to provisions of Act no. 31/86, of 29 August, shall be deemed to be made to meet the corresponding provisions of this Act.

Article 66

(Revoked legislation)

1. Act no. 31/86 of 29 August is revoked, as amended by Decree-Law no. 38/2003, of 8 March.

2. Article 181(2) and article 186 of the Administrative Courts Procedural Code are also revoked.

Article 67

(Entry into force)

This Act enters into force three months after its date of publication.