

not be liable for anything done or omitted in the discharge or purported discharge of that function.

(4) An arbitral or other institution or person by whom an arbitrator is appointed or nominated shall not be liable for anything done or omitted by the arbitrator (or his or her employees or agents) in the discharge or purported discharge of his or her functions as arbitrator.

(5) *Subsections (3) and (4)* shall apply to an employee or agent of an arbitral or other institution or person as they apply to that arbitral or other institution or that person mentioned in those subsections.

23.—(1) An award (other than an award within the meaning of *section 25*) made by an arbitral tribunal under an arbitration agreement shall be enforceable in the State either by action or, by leave of the High Court, in the same manner as a judgment or order of that Court with the same effect and where leave is given, judgment may be entered in terms of the award. Effect of award.

(2) An award that is referred to in *subsection (1)* shall, unless otherwise agreed by the parties, be treated as binding for all purposes on the parties between whom it was made, and may accordingly be relied on by any of those parties by way of defence, set-off or otherwise in any legal proceedings in the State.

(3) Nothing in this section shall be construed as affecting the recognition or enforcement of an award under the Geneva Convention, the New York Convention or the Washington Convention.

(4) Articles 35 and 36 shall not apply in respect of an award in arbitral proceedings which took place in the State.

24.—(1) Subject to this Act—

- (a) the New York Convention,
- (b) the Geneva Convention, and
- (c) the Geneva Protocol,

New York
Convention,
Geneva Convention
and Geneva
Protocol.

shall have the force of law in the State.

(2) Subject to this Act, Article II(2) and Article VII(1) of the New York Convention shall be interpreted in accordance with the recommendation adopted by the United Nations Commission on International Trade Law on 7 July 2006 at its thirty-ninth session concerning the interpretation of those Articles.

(3) Subject to this Act, Article II(3) of the New York Convention shall be construed in accordance with Article 8 of the Model Law.

(4) The Minister for Foreign Affairs may by order declare that any state specified in the order is a party to the New York Convention and, while such order is in force, the order shall be evidence that such state is a party to the Convention.