

Tanzania

Arbitration Act

Arbitration Rules, 1957

Government Notice 427 of 1957

Legislation as at 31 July 2002

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Arbitration Rules, 1957

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Commenced

[This is the version of this document at 31 July 2002.]

[Note: This legislation has been thoroughly revised and consolidated under the supervision of the Attorney General's Office, in compliance with the Laws Revision Act No. 7 of 1994, the Revised Laws and Annual Revision Act (Chapter 356 (R.L.)), and the Interpretation of Laws and General Clauses Act No. 30 of 1972. This version is up-to-date as at 31st July 2002.]

[Section 20; G.N. No. 427 of 1957]

1. Citation

These Rules may be cited as the Arbitration Rules.

2. Interpretation

For the purposes of these Rules—

"Act" means the Arbitration Act¹;

"Court" means the High Court;

"Judge" means a judge of the High Court;

"Registrar" means the Registrar of the High Court and includes a Deputy Registrar and a District Registrar of the High Court.

3. Application

These Rules shall apply to all awards filed under the Act.

4. Arbitrators or umpire to forward award to Registrar

Arbitrators or an umpire, requested under the provisions of section 11(2) of the Act to cause an award to be filed in the Court, shall forward the award, or a copy certified by them or him to be a true copy, together with the evidence on the reference, the minutes of their proceedings and a copy of each notice given to the parties, by registered post and in a sealed envelope addressed to the Registrar together with a letter, also so addressed, requesting that such award or copy be filed in the Court.

5. Mode of application

Save as is otherwise provided, all applications made under the Act shall be made by way of petition.

¹

6. Title of applications, etc.

All petitions, affidavits and other proceedings under the Act shall be entitled "In the matter of the arbitration and in the matter of the Act" and reference shall be made in the application to the relevant section of the Act.

7. Contents of petition and special case

Every petition and special case stated under the provisions of section [10\(b\)](#) of the Act shall contain a brief statement, in summary form, of the material facts, shall be divided into paragraphs numbered consecutively and shall state the nature of the relief sought or the questions of law for the opinion of the Court as the case may be.

8. Annexures to petition

Every petition shall have annexed to it the submission, the award or the special case, to which the petition relates, or a copy of it certified by the petitioner or his advocate to be a true copy.

9. Persons on whom notice to be served to be specified

Every petition and its copy shall specify the persons affected by it and upon whom notice is required to be given as provided in these Rules and shall state the address, in detail, of each of them.

10. Notice on persons specified and others

Not less than seven days before the date for the hearing of a petition or such lesser time as a Judge may allow, written notice thereof shall be given by the Court to all persons specified in the petition and to such other persons as appear to be likely to be affected by the proceedings, requiring them to show cause, within the time specified in the notice, why the relief sought should not be granted and, if no sufficient cause be shown, a judge may make such order as the circumstances of the case may appear to him to require.

11. Stay of proceedings

A judge may stay proceedings on such terms as he thinks fit, but not without notice to the opposite party except where it appears that the object of granting the stay would be defeated by the delay occasioned by the notice.

12. Fees

- (1) Fees shall be payable in respect of proceedings under the Act in accordance with the table of fees payable for similar proceedings in civil suits in the Court, as near as circumstances will permit, and if any doubt arises as to the correct fee payable, the decision of the Registrar in that regard shall be final.
- (2) For the purposes of paragraph [\(1\)](#) of this rule, a petition shall be deemed to be a plaint.

13. Issue of notices

Any notice issued under the provisions of the Act or these Rules shall be served in the manner provided in the Civil Procedure Code².