

**Private International Law
of 4 February 2011**

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Chapter 8

Arbitration agreement

Art. 39.

1. An arbitration agreement shall be subject to the law chosen for the agreement by the parties.

2. If no choice of law is made, an arbitration agreement shall be subject to the law of the state in which the place of arbitration agreed by the parties is located. If such agreement is not made, the arbitration agreement shall be subject to the law applicable to the legal relationship at issue in the dispute; it shall be sufficient, however, that the agreement be effective under the law of the state in which the proceeding is pending or the arbitration court issued the ruling.

Art. 40.

The form of an arbitration agreement shall be subject to the law of the state of the place of arbitration. It shall be sufficient, however, to comply with the form provided by the law of the state governing the arbitration agreement.

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