

115-125

110-100

CLAIMS TRIBUNAL

دیوان داوری دعاری ایران - ایالات متحدہ

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ORIGINAL DOCUMENTS IN SAFE

Case No. 115

Date of filing: 8 Dec 87

** AWARD - Type of Award Correction
 - Date of Award 8 Oct 87
1 pages in English _____ pages in Farsi

** DECISION - Date of Decision _____
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** CONCURRING OPINION of _____
 - Date _____
 _____ pages in English _____ pages in Farsi

** SEPARATE OPINION of _____
 - Date _____
 _____ pages in English _____ pages in Farsi

** DISSENTING OPINION of _____
 - Date _____
 _____ pages in English _____ pages in Farsi

** OTHER; Nature of document: _____

 - Date _____
 _____ pages in English _____ pages in Farsi



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CASE NO. 115

CHAMBER THREE

AWARD NO. 315-115-3

RELIANCE GROUP, INCORPORATED,
Claimant,

and

OIL SERVICE COMPANY OF IRAN,
NATIONAL IRANIAN OIL COMPANY, and the
GOVERNMENT OF THE ISLAMIC REPUBLIC OF IRAN,
Respondents.

IRAN UNITED STATES CLAIMS TRIBUNAL	دادگاه داورى دعاوى ایران - ایالات متحدہ
ثبت شد - FILED	
Date	8 DEC 1987 تاریخ
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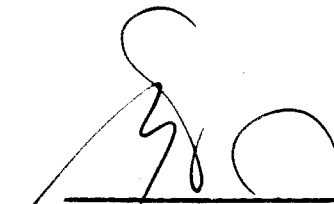
CORRECTION TO AWARD

The following correction is hereby made to the English version of the Award in this Case filed on 10 September 1987.

At page 16, paragraph 43, line 8, replace "satisfaction" with "dissatisfaction".

A copy of the corrected page is attached.

Dated, The Hague,
8 October 1987


Michel Virally
Chairman
Chamber Three

IN The Name Of God


Charles N. Brower


Parviz Ansari Moin

42. As to Inbucon's general performance during the month of October, Mr. Gow has stated that Inbucon submitted a second report which also allegedly was discussed with OSCO personnel who "expressed satisfaction" and approved further plans. In somewhat ambiguous terms, Mr. Allmark appears inferentially to acknowledge OSCO's receipt of this Report. Mr. Allmark has further stated that there "is no evidence available from my personal diary nor can my memory recall that myself or any of my site staff expressed satisfaction with the monitoring team's efforts" and that it "is . . . difficult to accept" the allegation of the Claimant.

43. The Tribunal notes that the Contract did not lay down precise requirements for the submission or approval of reports, monthly or otherwise, and NIOC does not allege that the Contract did not encompass the work reflected in the second report. On balance the Tribunal finds that the evidence indicates that OSCO did, in fact, receive Inbucon's second report. The Tribunal finds that the absence of any contemporaneous expressions of dissatisfaction on the part of OSCO with respect to Inbucon's performance at the time inferentially constitutes an approval of Inbucon's work during the month of October.

6) Performance up to 29 November 1978

44. NIOC contends that Inbucon did not perform satisfactorily during the month of November 1978. It relies on a letter dated 20 November 1978 from Mr. Allmark to Mr. A.J. Stone of Inbucon stating that "we are not satisfied with your company's efforts over the past few weeks and we would ask you to rectify the situation without further delay in our mutual interest." The letter objected to the fact that there were "only two people currently on site" from Inbucon, that the Project Manager, Mr. Harris, had been absent "from site since 16th October 1978" and that "the required additional staff" had not yet arrived.
