

## **Arbitration Amendment Bill**

(Divided from the Judicature Modernisation Bill)

Government Bill

As reported from the committee of the whole House

This Bill was formerly part of the Judicature Modernisation Bill as reported from the Justice and Electoral Committee. The committee of the whole House has further amended the Bill and divided it into the following Bills:

- Senior Courts Bill comprising clauses 1 and 2, Part 1, and Schedules 1A to 4
- District Court Bill comprising Part 2 and Schedules 5 to 7
- Judicial Review Procedure Bill comprising Part 3 and Schedule 8
- Interest on Money Claims Bill comprising Part 4 and Schedules 9AAA, 9AA, and 9
- Electronic Courts and Tribunals Bill comprising Part 5
- this Bill comprising subpart 1 of Part 6
- Bills of Exchange Amendment Bill comprising subpart 2 of Part 6
- Building Societies Amendment Bill comprising subpart 3 of Part 6
- Children, Young Persons, and Their Families Amendment Bill comprising subpart 4 of Part 6
- Companies Amendment Bill (No 2) comprising subpart 5 of Part 6 and Schedule 10
- Contractual Remedies Amendment Bill comprising subpart 6 of Part 6
- Copyright Amendment Bill (No 2) comprising subpart 7 of Part 6
- Courts (Remote Participation) Amendment Bill comprising subpart 8 of Part 6
- Criminal Procedure Amendment Bill comprising subpart 9 of Part 6
- Employment Relations Amendment Bill (No 4) comprising subpart 10 of Part 6
- Family Courts Amendment Bill comprising subpart 11 of Part 6

- Insolvency Amendment Bill comprising subpart 12 of Part 6
- Local Government (Rating) Amendment Bill comprising subpart 13 of Part 6
- Property Law Amendment Bill comprising subpart 14 of Part 6
- Remuneration Authority Amendment Bill (No 2) comprising subpart 14A of Part 6
- Resource Management Amendment Bill comprising subpart 15 of Part 6
- Te Ture Whenua Maori Amendment Bill comprising subpart 16 of Part 6
- Trans-Tasman Proceedings Amendment Bill comprising subpart 17 of Part 6

*Hon Amy Adams*

## **Arbitration Amendment Bill**

Government Bill

### **Contents**

	Page
1 Title	1
2 Commencement	1
. . . . .	
506 Principal Act	1
507 Section 2 amended (Interpretation)	2
508 New section 6A inserted (Minister of Justice to appoint body to resolve certain matters)	2
6A Minister of Justice to appoint body to resolve certain matters	2
509 Schedule 1 amended	2
. . . . .	

### **The Parliament of New Zealand enacts as follows:**

#### **1 Title**

This Act is the Arbitration Amendment Act **2016**.

#### **2 Commencement**

This Act comes into force on **1 March 2017**.

5

. . . . .

#### **506 Principal Act**

This **Act** amends the Arbitration Act 1996 (the **principal Act**).

**507 Section 2 amended (Interpretation)**

In section 2(1), replace the definition of **arbitral tribunal** with:

**arbitral tribunal—**

- (a) means a sole arbitrator, a panel of arbitrators, or an arbitral institution; and
- (b) includes any emergency arbitrator appointed under—
  - (i) the arbitration agreement that the parties have entered into; or
  - (ii) the arbitration rules of any institution or organisation that the parties have adopted

5

**508 New section 6A inserted (Minister of Justice to appoint body to resolve certain matters)**

10

After section 6, insert:

**6A Minister of Justice to appoint body to resolve certain matters**

- (1) The Minister of Justice must, by notice in the *Gazette*, appoint a suitably qualified body to resolve the matters specified in article 11(3) to (6) of Schedule 1.
- (2) The Minister of Justice may, by notice in the *Gazette*, revoke any appointment made under **subsection (1)**.

15

**509 Schedule 1 amended**

- (1) In Schedule 1, article 11(3)(a), replace “the High Court” with “the appointed body”.
- (2) In Schedule 1, article 11(3)(b), replace “the High Court” with “the appointed body”.
- (3) In Schedule 1, article 11(4), replace “the High Court” with “the appointed body”.
- (4) In Schedule 1, article 11(5), replace “the High Court” with “the appointed body”.
- (5) In Schedule 1, article 11(5), replace “The court” with “The appointed body”.
- (6) In Schedule 1, article 11(6), replace “the High Court” with “the appointed body”.
- (7) In Schedule 1, after article 11(6), insert:
- (7) A party may apply to the High Court to appoint an arbitrator or arbitrators if—
  - (a) the appointed body is unable or fails to appoint an arbitrator under paragraph (3) within 30 days of receiving a request to do so; or
  - (b) a dispute arises in respect of the appointment process that the appointed body uses.
- (8) In this article, **appointed body** means a body that the Minister of Justice has appointed under **section 6A**.

20

25

30

35

**Arbitration Amendment Bill**

---

• • • • •

**Legislative history**

14 September 2016

Divided from Judicature Modernisation Bill (Bill 178–2) as  
Bill 178–3F