

## **Disputes Tribunals Amendment Bill (No 2)**

Government Bill

As reported from the committee of the whole  
House

This bill was formerly part of the Courts and Criminal Matters Bill as reported from the Law and Order Committee. The committee of the whole House has further amended the bill and divided it into the following bills:

- District Courts Amendment Bill comprising Part 1 and Schedule 1
- Land Transport Amendment Bill comprising Part 2
- Summary Proceedings Amendment Bill (No 3) comprising Part 3 and Schedules 2 to 2B
- Children, Young Persons, and Their Families Amendment Bill (No 2) comprising subpart 1 of Part 4
- Crimes Amendment Bill (No 4) comprising subpart 1A of Part 4
- Criminal Proceeds (Recovery) Amendment Bill comprising subpart 1B of Part 4
- Customs and Excise Amendment Bill (No 2) comprising subpart 2 of Part 4
- This bill comprising subpart 2A of Part 4
- Family Courts Amendment Bill comprising subpart 3 of Part 4

- Immigration Amendment Bill comprising subpart 5 of Part 4
  - Misuse of Drugs Amendment Bill (No 3) comprising subpart 5A of Part 4
  - Misuse of Drugs Amendment Act 1978 Amendment Bill comprising subpart 5B of Part 4
  - Personal Property Securities Amendment Bill (No 2) comprising subpart 6 of Part 4
  - Prisoners' and Victims' Claims Amendment Bill comprising subpart 7 of Part 4
  - Privacy Amendment Bill (No 2) comprising subpart 8 of Part 4 and Schedule 3
  - Railways Amendment Bill comprising subpart 9 of Part 4
  - Residential Tenancies Amendment Bill (No 3) comprising subpart 9A of Part 4
  - Sentencing Amendment Bill (No 5) comprising subpart 10 of Part 4
  - Social Security Amendment Bill (No 4) comprising subpart 11 of Part 4
  - Tax Administration Amendment Bill comprising subpart 12 of Part 4
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**Key to symbols used in reprinted bill**

**As reported from the committee of the whole  
House**

text inserted

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*Hon Georgina te Heuheu*

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

**1 Title**

This Act is the Disputes Tribunals Amendment Act **2010**.

**2 Commencement**

This Act comes into force on a date appointed by the Governor-General by Order in Council, and 1 or more orders may be made bringing different provisions into force on different dates.

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**82A Principal Act amended**

**This subpart** amends the Disputes Tribunals Act 1988.

**82B Functions of Tribunal**

Section 18 is amended by inserting the following subsections after subsection (4):

“(4A) An agreed settlement approved by the Tribunal under subsection (3) may include the terms of any agreement between the parties for payment of any amount specified in the agreed settlement to be enforced by way of an attachment order made under the District Courts Act 1947.

“(4B) If **subsection (4A)** applies, then **section 19(1A) to (1C)** apply.”

**82C Orders of Tribunal**

Section 19 is amended by inserting the following subsections after subsection (1):

“(1A) The Tribunal may record in an order made under subsection (1)(a) (a **money order**) that the parties have agreed to enforce the payment of the amount specified in that order by way of an attachment order made under the District Courts Act 1947 if—

“(a) the money order was made at a hearing at which both parties were present; and

“(b) the party ordered to pay money consented to the payment of the money being enforced by way of an attachment order; and

“(c) both parties agreed on the terms of the attachment order, including the details specified in **subsection (1B)**.

“(1B) If **subsection (1A)** applies, the money order must include the following details:

“(a) the employer to whom the attachment order will relate; and

“(b) whether deductions are to be made every week, fortnight, or month, or by reference to some other period (the **earnings period**); and

“(c) the amount or percentage to be deducted from salary or wages for the earnings period; and

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“(d) the amount or percentage below which the net amount paid for the earnings period must not fall; and

“(e) the name and address of the person to whom the amounts deducted are to be paid; and

“(f) that the attachment order is to remain in force until the amount specified in the money order has been paid in full or, if the attachment order is to remain in force for a fixed period, that period. 5

“(1C) Nothing in **subsection (1B)(d)** allows the parties to agree on a net amount to be paid for an earnings period that would otherwise derogate from **section 84I(3)** of the District Courts Act 1947. 10

“(1D) If **subsection (1B)** is complied with, the money order may be filed in any District Court and, if so filed, sections **79(5C)** and 84F to 84N of the District Courts Act 1947 apply to the extent they are applicable and subject to any necessary modifications. 15

“(1E) In this section, **employer** and **salary or wages** have the same meanings as in section 84F of the District Courts Act 1947.”

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**Legislative history**

5 July 2011

Divided from Courts and Criminal Matters Bill  
(Bill 147–2) by committee of the whole House as  
Bill 147–3H

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