

**Reprint
as at 14 April 2014**



**Disputes Tribunals Amendment
Act 2011**

Public Act 2011 No 37
Date of assent 22 July 2011
Commencement see section 2

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Disputes Tribunals Amendment Act 2011.

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.

Note 4 at the end of this reprint provides a list of the amendments incorporated.

This Act is administered by the Ministry of Justice.

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.

Section 2: this Act brought into force, on 14 April 2014, by the Disputes Tribunals Amendment Act 2011 Commencement Order 2013 (SR 2013/413).

3 Principal Act amended

This Act amends the Disputes Tribunals Act 1988.

4 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.”

5 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
 - “(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.
- “(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.
- “(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.
- “(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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Reprints notes

1 *General*

This is a reprint of the Disputes Tribunals Amendment Act 2011 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Disputes Tribunals Amendment Act 2011 Commencement Order 2013 (SR 2013/413)
