



Disputes Tribunal Amendment Rules 2019

Patsy Reddy, Governor-General

Order in Council

At Wellington this 23rd day of September 2019

Present:

Her Excellency the Governor-General in Council

These rules are made under section 60 of the Disputes Tribunal Act 1988 on the advice and with the consent of the Executive Council.

Contents

	Page
1 Title	2
2 Commencement	2
3 Principal rules	2
4 Rule 2 amended (Interpretation)	2
5 Rules 4 and 4A revoked	2
6 Rule 6 revoked (Notice of hearing)	2
7 Rule 8 revoked (Form of acknowledgement from applicant's insurer)	2
8 Rule 9 replaced (Approval of representative)	2
9 Approval of representative under section 38 of Act	2
9 Rule 14 amended (Summons to witness)	3
10 Rule 20 amended (Notice of objection to enforcement of order)	3
11 Rules 21 and 22 revoked	3
12 Rule 23 amended (Application for rehearing)	3
13 Rule 24 amended (Notice of appeal)	3
14 Rule 28 revoked (Forms)	3
15 New rule 34A inserted (Confidentiality of applicant's contact details)	3

	34A	Confidentiality of applicant's contact details	3
16		Schedule 1 revoked	3

Rules

1 Title

These rules are the Disputes Tribunal Amendment Rules 2019.

2 Commencement

These rules come into force on 29 October 2019.

3 Principal rules

These rules amend the Disputes Tribunal Rules 1989 (the **principal rules**).

4 Rule 2 amended (Interpretation)

(1) In rule 2(1), insert in its appropriate alphabetical order:

approved form, in relation to any matter, means the form that is approved for the purposes of the matter by the chief executive after consultation with the Principal Disputes Referee

(2) Revoke rule 2(2).

5 Rules 4 and 4A revoked

Revoke rules 4 and 4A.

6 Rule 6 revoked (Notice of hearing)

Revoke rule 6.

7 Rule 8 revoked (Form of acknowledgement from applicant's insurer)

Revoke rule 8.

8 Rule 9 replaced (Approval of representative)

Replace rule 9 with:

9 Approval of representative under section 38 of Act

(1) Before the commencement of a hearing, a party to any proceedings who wishes to be represented at the hearing must apply to the Tribunal for any necessary approval under section 38 of the Act.

(2) The Tribunal may give the necessary approval before the commencement of the hearing.

(3) Nothing in this rule limits the power of the Tribunal to give an approval under section 38 of the Act on the application of a party or otherwise at any time after a hearing has commenced.

- (4) In this rule, **officer**, in relation to an insurer’s agent, means an individual who is an employee, officer, or member of the agent.

9 Rule 14 amended (Summons to witness)

In rule 14(1), replace “form 5” with “the approved form”.

10 Rule 20 amended (Notice of objection to enforcement of order)

Replace rule 20(1) and (2) with:

- (1) For the purposes of section 45(3) of the Act, the period within which a party may file a notice of objection is 15 working days after the Registrar of the District Court gives notice of the application to the party under section 45(2) of the Act.

11 Rules 21 and 22 revoked

Revoke rules 21 and 22.

12 Rule 23 amended (Application for rehearing)

Replace rule 23(a) with:

- (a) be in the approved form; and

13 Rule 24 amended (Notice of appeal)

- (1) Revoke rule 24(1).
(2) In rule 24(2), after “notice of appeal”, insert “filed under section 50(3) of the Act”.

14 Rule 28 revoked (Forms)

Revoke rule 28.

15 New rule 34A inserted (Confidentiality of applicant’s contact details)

After rule 34, insert:

34A Confidentiality of applicant’s contact details

A Registrar may keep an applicant’s residential address and other contact details confidential from the respondent (including any person appointed or approved under the Act as a representative of the respondent) if—

- (a) the applicant requests the Registrar to keep those contact details confidential; and
(b) the Registrar has reasonable cause to believe that the disclosure of those contact details to the respondent could prejudice the personal safety of the applicant or the applicant’s family.

16 Schedule 1 revoked

Revoke Schedule 1.

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the rules, but is intended to indicate their general effect.

These rules, which amend the Disputes Tribunal Rules 1989 (the **principal rules**), come into force on 29 October 2019. These rules—

- make amendments that are consequent on amendments to the Disputes Tribunal Act 1988 by the Tribunals Powers and Procedures Legislation Act 2018; and
- replace requirements for certain documents to be in the form prescribed by the principal rules with requirements for those documents to be in a form approved by the chief executive of the Ministry of Justice.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 26 September 2019.

These rules are administered by the Ministry of Justice.