



Arbitration Amendment Act 2016

Public Act 2016 No 53
Date of assent 17 October 2016
Commencement see section 2

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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.

3 Principal Act

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

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

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).

6 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.

Legislative history

14 September 2016

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

11 October 2016

Third reading

17 October 2016

Royal assent

This Act is administered by the Ministry of Justice.