



DISPUTES TRIBUNALS AMENDMENT RULES 1998

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 3rd day of August 1998

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 60 of the Disputes Tribunals Act 1988, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following rules.

ANALYSIS

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| 1. Title and commencement | 3. Forms |
| 2. Fees | 4. Revocation |

RULES

1. Title and commencement—(1) These rules may be cited as the Disputes Tribunals Amendment Rules 1998, and are part of the Disputes Tribunals Rules 1989* (“the principal rules”).

(2) These rules come into force on 4 September 1998.

2. Fees—Rule 5 of the principal rules is amended by revoking subclause (1), and substituting the following subclause:

“(1) The following fee is payable to the Tribunal at the time of the lodging of a claim:

*S.R. 1989/34
Amendment 1997: S.R. 1997/323

- “(a) \$50, if the total amount in respect of which an order of a Tribunal is sought under the claim is less than \$1,000:
- “(b) \$100, if the total amount in respect of which an order of a Tribunal is sought under the claim is \$1,000 or more but less than \$2,500:
- “(c) \$120, if the total amount in respect of which an order of a Tribunal is sought under the claim is \$2,500 or more but less than \$5,000:
- “(d) \$160, if the total amount in respect of which an order of a Tribunal is sought under the claim is \$5,000 or more but less than \$7,500:
- “(e) \$200, if the total amount in respect of which an order of a Tribunal is sought under the claim is \$7,500 or more.”

3. Forms—Forms 1, 2, and 3 in the Schedule of the principal rules are amended—

- (a) By omitting the expression “\$3,000” in the note under the heading “Agreement to Extend Jurisdiction”, and substituting the expression “\$7,500”; and
- (b) By omitting the expression “\$5,000” in the note under the heading “Agreement to Extend Jurisdiction”, and substituting the expression “\$12,000”.

4. Revocation—The Disputes Tribunals Amendment Rules 1997 (S.R. 1997/323) are consequentially revoked.

MARIE SHROFF,
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 come into force on 4 September 1998, amend the Disputes Tribunals Rules 1989 ("the principal rules"). The amendments are to reflect the increase in Disputes Tribunals' jurisdiction made by the Disputes Tribunals Amendment Act 1998.

Rule 2 amends rule 5 (1) of the principal rules to introduce the following new set of fees for a claim lodged with a Disputes Tribunal:

- \$50, if the amount claimed is less than \$1,000
- \$100, if the amount claimed is \$1,000 or more but less than \$2,500
- \$120, if the amount claimed is \$2,500 or more but less than \$5,000
- \$160, if the amount claimed is \$5,000 or more but less than \$7,500
- \$200, if the amount claimed is \$7,500 or more.

Rule 3 amends forms 1, 2, and 3 in the Schedule of the principal rules. The amendment clarifies that parties may only extend the jurisdiction of a Disputes Tribunal by agreement if the amount of a claim exceeds \$7,500 but does not exceed \$12,000. (Before the enactment of the Disputes Tribunals Amendment Act 1998 parties could only extend the jurisdiction of a Disputes Tribunal by agreement if the amount of a claim exceeded \$3,000 but did not exceed \$5,000.)

Rule 4 effects a consequential revocation.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 6 August 1998.
These rules are administered in the Department for Courts.