

Arbitration (International Investment Disputes) Amendment Act 2000

Public Act 2000 No 52
Date of assent 14 November 2000

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The Parliament of New Zealand enacts as follows:

- 1 Title**
- (1) This Act is the Arbitration (International Investment Disputes) Amendment Act 2000.
 - (2) In this Act, the Arbitration (International Investment Disputes) Act 1979 is called "the principal Act".

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 New sections 3 to 10 substituted

The principal Act is amended by repealing sections 3 to 10, and substituting the following sections:

“3 Act binds the Crown

This Act binds the Crown.

“3A Application of Convention to New Zealand

Articles 18 and 20 to 24 and chapters II to VII of the Convention have the force of law in New Zealand in accordance with the provisions of this Act.

“4 Recognition and enforcement of awards

“(1) An award may be enforced by entry as a final judgment of the High Court in terms of the award.

“(2) The High Court is designated for the purposes of Article 54 of the Convention.

“4A Certificates concerning parties to Convention

“(1) The Secretary of Foreign Affairs and Trade may certify that a State is, or was at the time specified, a Contracting State to the Convention.

“(2) The certificate may state that the Convention does not apply to any territories for whose international relations the Contracting State has responsibility.

“(3) The certificate—

“(a) is, in the absence of proof to the contrary, sufficient proof of the matters stated in it; and

“(b) must be received in evidence in any relevant proceedings.

“9 Arbitration Act 1996 does not apply

Nothing in the Arbitration Act 1996 applies to a dispute within the jurisdiction of the Centre or to an award made under the Convention.

“10 Waiver of Centre’s immunity

For the purposes of Articles 20 and 21 of the Convention, a statement certified by a person who is or is acting as the Secretary-General of the Centre, to the effect that the Centre has waived an immunity in the circumstances specified in the statement—

- “(a) is, in the absence of proof to the contrary, sufficient proof of the matters stated in it; and
- “(b) must be received in evidence in any relevant proceedings.”

Legislative history

9 November 2000

Divided from the Statutes Amendment Bill (No 7) as reported from the Justice and Electoral Committee (Bill 334-A2), third reading
