



NEW ZEALAND DISPUTE RESOLUTION CENTRE
TE POKAPŪ MŌ TE WHAKATAU TAUTOHE O AOTEAROA

SUPPLEMENTAL AGREEMENT TO APPEAL TO AMINZ ARBITRATION APPEAL TRIBUNAL FROM AWARD MADE UNDER NZDRC ARBITRATION RULES

1. The Parties hereby exclude all rights under Clause 5 of the Second Schedule to the Arbitration Act 1996 (the **Act**) to appeal to the High Court from any Award made under the NZDRC Arbitration Rules, including any award or ruling of the Arbitration Appeal Tribunal (**AAT**).
2. The Parties further agree that an appeal may be taken by any of them under the Arbitrators' and Mediators' Institute of New Zealand Inc. (**AMINZ**) Arbitration Appeal Rules (**AAA Rules**) as applicable at the time of appeal from any arbitral Award made under these Rules. Any appeal must be conducted in accordance with the requirements of the AAA Rules.
3. The Parties further agree not to seek to enforce in New Zealand, or in any other jurisdiction, any Award that may be subject to an appeal to an AAT, unless or until the time for filing an appeal under the AAA Rules has expired and, if an appeal is filed, there has been a Final Award by an AAT under the AAA Rules or the appeal has been withdrawn, abandoned, or dismissed.
4. The Parties agree that any AAT appointed as a result of any appeal under the AAA Rules, must, subject to any limitations expressed in the AAA Rules, have all the powers exercisable by a court save that the AAT does not have the power to remit the Award back to the original Arbitral Tribunal where that Arbitral Tribunal is unwilling or unable to accept the remission.

In the latter case, the AAT itself in its discretion may decide the issue(s) which would otherwise have been remitted.

Dated this _____ **day of** _____ **(month)** _____ **(year)**

Claimant

Signature: _____

Name: _____

Position: _____

Respondent

Signature: _____

Name: _____

Position: _____

In the presence of:

Name: _____

Address: _____

Occupation: _____

Name: _____

Address: _____

Occupation: _____