# ARBITRATION AGREEMENT

By an Agreement

|  |  |  |  |
| --- | --- | --- | --- |
| **Dated this** | day of | (month) | (year) |

**BETWEEN:**

|  |  |
| --- | --- |
|  | Claimant |

**AND**

|  |  |
| --- | --- |
|  | Respondent |

Together, the **Parties**

The Claimant and the Respondent are Parties to **(*define legal relationship*)**:

Entered into on or about **(*enter date*)**:

For, or in relation to **(*enter detail*)**:

The Claimant and the Respondent have agreed that [all matters in dispute between them / the matters in dispute between them set out in the Schedule attached hereto **(*delete one*)**] shall be referred to Arbitration for final determination in accordance with the Arbitration Rules of the New Zealand Dispute Resolution Centre (**NZDRC** **Arbitration Rules**).

The number of arbitrators will be one. **[*or where the amount in dispute is ≥ NZ $2.5M may choose three*]**

The language to be used in the Arbitration will be English. **[*or choose another language*]**

The governing law of the contract will be the substantive law of New Zealand. **[*or choose another country*]**

On execution of this Arbitration Agreement any Party may initiate the Arbitration by completing an Application for Arbitration in terms of Rule 5.4.

For the avoidance of doubt, under this Arbitration Agreement the Claimant is not required to serve a Notice of Arbitration under Rule 5.1 to initiate the Arbitration or to attach such Notice to the Application for Arbitration under Rule 5.4(b).

**Notices to the Claimant:**

Notices to the Claimant shall be given to an address for service which is:

|  |  |
| --- | --- |
| Phone: |  |
| Mobile: |  |
| Email: |  |

**Notices to the Respondent:**

Notices to the Respondent shall be given to an address for service which is:

|  |  |
| --- | --- |
| Phone: |  |
| Mobile: |  |
| Email: |  |

**I certify that:** I have read and understood this Arbitration Agreement and the NZDRC Arbitration Rules; and

I agree to be bound by the terms of this Arbitration Agreement and the NZDRC Arbitration Rules.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Claimant** | | | **Respondent** | | |
| Signature: | |  | Signature: | |  |
| Name: | |  | Name: | |  |
| Position: | |  | Position: | |  |
| **In the presence of:** | | |  | |  |  |  |
| Name: | |  | Name: | |  |
| Address: | |  | Address: | |  |
| Occupation: | |  | Occupation: | |  |
|  | |  |  | |  |
|  |  | |  |  | |

**SCHEDULE OF MATTERS IN DISPUTE FOR REFERENCE TO ARBITRATION**

The Parties have agreed that the following matters in dispute are the matters to be submitted to Arbitration:

* + 1. [ ]
    2. [ ]