

## **SPARE WHEEL ARBITRATORS**

**Paper by Hon Robert Fisher QC for AMINZ Conference 7 August 2009**

### **DESCRIPTION OF PAPER**

Although still widespread, arbitrator-umpire clauses can cause real headaches. Do umpires serve any useful purpose or are they unnecessary spare wheels? Were they abolished by the Arbitration Act 1990? What is the role of the umpire during the substantive hearing? Does the appointment of an umpire permit the arbitrator appointed by each party to maintain a special relationship with the appointing party? Must the parties accept the additional cost and delay of three arbitrators rather than one? This paper aims to provide practical guidance on such matters.