

Short Title.

1. The Short Title of this Act shall be "The Government Contractors Arbitration Act, 1872," and it shall come into operation on the passing thereof.

Interpretation.

2. In the interpretation of this Act the following words and expressions shall be deemed to have the meanings hereby assigned to them, unless it shall appear from the context that some other meaning should be assigned thereto:—

The word "Minister" shall mean and include not only the Minister for Public Works appointed under the Acts hereinafter mentioned, but also any person for the time being acting as such Minister, or on behalf of such Minister:

The words "Chief Engineer" shall mean and include not only the officer styled the Chief Engineer, but also the Assistant Engineer or any other officer for the time being acting for the Chief Engineer, or in the like capacity:

The word "Contractor" shall mean any person or persons, or any body of persons (whether a corporate body or not), who shall undertake or contract for the construction, erection, or maintenance of any railway works, or of any public work whatsoever, authorized under the terms of the Acts hereinafter mentioned, and also the Foreman, Engineer, or other the person or persons having the supervision or management of any such works:

The term "public work" shall mean and include any railway, tramway, road, bridge, building, erection, or structure whatsoever, and also all works of whatsoever nature connected with or relating to any such railway, tramway, road, bridge, building, erection, or structure, and erected or constructed or intended to be erected or constructed under the provisions of the Acts mentioned in the last clause of this section:

The word "contract" shall mean any contract, undertaking, or engagement whatsoever entered into by any "Contractor" as hereinbefore defined, whether the same shall be made with Her Majesty the Queen, or with the Governor of the colony, or by any other person on her behalf or otherwise, under the said Acts, and all specifications, conditions, plans, or drawings connected therewith, and shall include any contract which shall or may have been entered into, signed, or executed before the passing of this Act:

The term "the parties" shall mean the "Contractor," and the "Minister" or the "Chief Engineer" hereinbefore referred to, and whenever throughout this Act the term "parties" is used the same shall, in so far as it affects the Government of the colony, be deemed to mean the said Minister or Chief Engineer:

The expression "the said Acts" shall mean and include "The Immigration and Public Works Act, 1870," "The Immigration and Public Works Act Amendment Act, 1871," "The Railways Act, 1870," and "The Railways Act Amendment Act, 1871;" and also any other Act or Acts passed for the purpose of amending or continuing the said Acts or any of them, or passed for any like purposes, and whether passed under the provisions of the said Acts or as distinct and separate Acts.

Disputes between Government and Contractors to be referred to decision of Judge of the Supreme Court.

3. In any case where, under the provisions of any contract entered into under any of the provisions of the said Acts, it may be provided that if any dispute or difference shall arise between the parties thereto, or between the Chief Engineer and the Contractor, that such dispute or difference shall be referred to the arbitrament and decision of any person or persons named or referred to therein or to any person or persons to be appointed under the provisions of such contract, or where disputes shall arise as to the meaning or construction of any such contract or of any public work therein mentioned, or as to the mode of carrying on or executing the same, or as to any other matter or thing in the said contract mentioned or referred to, and which by the terms of such contract ought to be or might be referred to the decision of any person or persons as aforesaid, then and in any such case such dispute or difference shall be referred to the decision of a Judge of the Supreme Court in the manner hereinafter provided.