

PUBLIC ACCESS:

The Court of Appeal COVID Protocol was rescinded on 21 August 2023. However, if you are unwell, you are encouraged not to attend Court. If you are required to attend Court, please contact the Registry to discuss alternative arrangements.



DISCLAIMER:

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This List has been published as at Monday 16 September 2024.

However, **this list may change significantly after the date of publication and may not reflect the Court's business on any given date. Therefore, this List is intended as a GUIDE ONLY.**

Enquiries:

Please contact the Court by phone on: **(04) 914 3540** or by email: courtsofappeal@justice.govt.nz between 9am and 5pm on weekdays (excluding public holidays and dates the Court is closed).

Locations:

The Court of Appeal is located at: [54 Molesworth St, Thorndon, Wellington](#). The Court also sits at the following High Courts (however, please note that all documents must be sent to the Court at the above Wellington address):

Auckland High Court (Historic Building) – [24 Waterloo Quadrant, Auckland](#)
Wellington High Court – [2 Molesworth Street, Wellington](#)
Christchurch High Court (Justice Precinct) – [20 Lichfield Street, Christchurch](#)
Dunedin High Court – [1 Stuart Street, Dunedin](#)

Sitting Hours:

The Court typically sits between 10am and 4pm with adjournments *roughly* from 11:30am – 11:45am and 1pm – 2:15pm. There is no afternoon adjournment. Sitting hours and adjournments may be adjusted as required and may change at short notice.

Lower Court Judgments cited in this list may be found at the following links (if publicly available):

Senior Courts Judgments of Public Interest: <https://www.courtsofnz.govt.nz/judgments/>

District Court of New Zealand: <https://www.districtcourts.govt.nz/>

Judicial Decisions Online: <https://forms.justice.govt.nz/jdo/Search.jsp>

New Zealand Legal Information Institute (NZLII): http://www.nzlii.org/databases.html#nz_cases

Court types:

Full Court – A Court of five Court of Appeal Judges. See [s50 and s51 of the Senior Courts Act 2016](#)

Permanent Court – A Court consisting of three Court of Appeal Judges. See [s48\(1\)\(a\) of the Senior Courts Act 2016](#)

Divisional Court – A Court typically consisting of one Court of Appeal Judge and two High Court Judges. See [s48\(1\)\(c\)](#) and [s52 of the Senior Courts Act 2016](#)

For more information regarding Court types please see: <https://www.courtsofnz.govt.nz/the-courts/court-of-appeal/cases-to-court/>

COURT OF APPEAL FIXTURE LIST – OCTOBER 2024

Circuit Week: Monday 7 October to Friday 11 October

Date	Divisional Court, Wellington Courtroom 1 Court: Palmer J, TBA J, Grice J	Divisional Court – Auckland, Courtroom 1 Court: Hinton J, Brewer J, Osborne J
<p>Monday 7 October</p>	<p><u>CA120/2024</u> Keith Bullock Contracting Limited (J T Wollerman, S F Barnao) v Genesis Residential Limited (J Long, L Hebden) Skelton AJ <i>Appeal from AJ decision declining to grant summary judgment on payment claim under CCA.</i></p>	<p><u>CA68/2024</u> Yong Sheng Bei (M S P Pang) v B & Z Trades Company Limited (S St John, D Liu) Gardiner AJ [2024] NZHC 20 <i>Appeal against decision dismissing application that caveat not lapse based on assertion that the property is partnership property.</i></p> <p><u>CA185/2024</u> J (D P H Jones KC) v The King Conviction – 9 months home detention Glubb DCJ</p> <p><u>CA262/2024</u> Jianzhong CHENG (A Wei) v The King Sentence – 9 Years 6 Months Imprisonment Gibson DCJ</p>
<p>Tuesday 8 October</p>	<p><u>CA367/2024</u> Body Corporate 355492 (G B Lewis, N Prachankhet) v The Chief Executive of the Ministry of Business Innovation and Employment (A J Wicks, R Mcconnell) O’Gorman J [2024] NZHC 1422 <i>Appeal from High Court judgment dismissing appellant’s application for declaratory relief and judicial review.</i></p>	<p><u>CA255/2024 & CA428/2024 (to be heard together)</u> Matauaaina Eliu, Saletaulua Charles Faamanatu Maka, and Tonga Seini Fata, as Trustees of the Sida Property Trust (S E Cameron, J D McBride, R C Woods, B Smith) v Siaosi David Sootaga Toailoa And Ors (B O’Callaghan, X Zhang, D Harris) Johnstone J [2024] NZHC 701; Wilkinson-Smith J [2024] NZHC 1509 <i>Appeals from High Court judgments concerning appointment of receivers for a trust</i></p>
<p>Wednesday 9 October</p>	<p><u>CA106/2024</u> Kyle Francis KYLE (E P Priest) v The King Conviction - 2 years 6 months imprisonment Sharp DCJ</p> <p><u>CA385/2023</u> Staven Robert MCQUILLAN (E Huda) v The King Conviction and sentence – 2 years 9 months imprisonment O’Driscoll DCJ</p> <p><u>CA552/2024 & CA553/2024</u> <u>CA553/2024</u> M (M T Lennard, K O Fitzgibbon) v The King <u>CA552/2024</u> W (M T Lennard, K O Fitzgibbon) v The King Applications for leave to bring a second appeals against Suppression Warburton DCJ; Gwyn J [2024] NZHC 2098</p>	<p><u>CA731/2023</u> Auimatagi Mose Auimatagi & Ors (O Woodroffe) v Mangere Congregational Church of Jesus Trust Board & Anor (S J Davies, S Mcanally) Becroft J [2023] NZHC 3120 <i>Appeal from High Court judgment striking out claims in relation to decisions made by the Mangere Congregational Church of Jesus Trust Board, including appointment of a minister.</i></p> <p><u>CA375/2024</u> Timothy Ini Ini STANLEY (A S Kashyap) v The King Conviction and Sentence – 2 years imprisonment McNaughton DCJ</p> <p><u>CA558/2024</u> L (L O Smith, P K Hamlin) v The King Bail: Refusal to Grant EM Bail Robinson J</p>

Date	Divisional Court, Wellington Courtroom 1 Court: Palmer J, TBA J, Grice J	Divisional Court – Auckland, Courtroom 1 Court: Hinton J, Brewer J, Osborne J
Thursday 10 October	<p><u>CA366/2023</u> Cindy Maria Jones & Anor (D R Weatherley, H A Evans) v Laurel Dawn Jones (A M Halloran) Isac J [2023] NZHC 1408 <i>Appeal from High Court decision removing the executors of an estate.</i></p> <p><u>CA344/2024</u> G (R Gould) v The King Sentence – 3 years 4 months imprisonment A J Nicholls DCJ</p> <p><u>CA331/2024</u> S (L A Scott) v New Zealand Police Application for leave to bring a second appeal against Conviction, Sentence and Suppression - Reparation of \$750, Reparation of \$750, Reparation of \$1500 and Reparation of \$1500 Wills DCJ, Radich J</p>	<p><u>CA138/2024</u> Spencer McKenzie Gillingham Bishop & Anor (R B Hucker, M Swan) v Larissa Helen Logan and Rhys James Cain as liquidators of BF7 Trading Limited (A J Steel, B Martelli) Sussock AJ [2024] NZHC 46 <i>Appeal from High Court decision directing that information be provided to liquidators under s 266 Companies Act 1993.</i></p> <p><u>CA699/2023</u> Daniel Brandon NEWBURY (J D Munro) v The King Conviction and sentence – 6 years 9 months imprisonment Winter DCJ</p> <p><u>CA132/2024</u> Robin John MAU (A M Dooney) v The King Sentence – 12 years 6 months imprisonment Orchard DCJ</p>
Friday		

COURT OF APPEAL FIXTURE LIST – OCTOBER 2024

Session Week: Monday 14 October to Friday 18 October

Date	Permanent Court, Wellington Courtroom 1	Permanent Court, Auckland High Court Courtroom 2
Monday 14 October		
Tuesday 15 October		<p>Court: Goddard J, Katz J, Cooke J</p> <p>CA82/2023 Franco Belgiorno-Nettis (In Person) v Auckland Unitary Plan Independent Hearings Panel & Anor (S M Kinsler, M C Allan, E McDowell, L M Wansbrough) [2022] NZHC 3623 Whata J <i>Whether the failure by a quasi-judicial body to disclose the deliberative record of its decision-making process justifies an award of indemnity or increased costs.</i></p>
Date	Permanent Court, Wellington Courtroom 1	Permanent Court – Wellington Courtroom 2
Wednesday 16 October		
Thursday 17 October		
Friday		

COURT OF APPEAL FIXTURE LIST – OCTOBER 2024

Session Week: Monday 21 October to Friday 25 October

Date	Permanent Court, Wellington Courtroom 1	Permanent Court – Wellington Courtroom 2
Monday 21 October		
Tuesday 22 October	<p>Court: French J, Katz J, Ellis J</p> <p><u>CA511/2023</u> Wairarapa Moana Ki Pouakani Incorporation (S J Mount KC, M K Mahuika) v Attorney-General (V L Hardy, C Tyson , J B Watson) Cooke J [2023] NZHC 2086 <i>Appeal against decision dismissing proceedings and to not grant a declaration of inconsistency to the effect that s 15 of the Ngāti Kahungunu ki Wairarapa Tāmaki nui-ā-Rua Claims Settlement Act 2022 (that settlement of historical claims are final) conflicts with s 27(3) of the New Zealand Bill of Rights Act 1990 (the right to bring civil proceedings).</i></p>	
Wednesday 23 October	<p>Court: Goddard J, Ellis J, Collins J</p> <p><u>CA423/2023</u> Attorney-General (A M Powell, R E Gavey) v Lance David Morrison (In Person) & Anor McQueen J [2023] NZHC 1654 <i>Appeal from High Court judgment granting relief, including damages, for breach of fair trial rights under NZBORA.</i></p>	
Thursday 24 October	<p>Court: Katz J, Cooke J, Collins J</p> <p><u>CA363/2023</u> Yoonwoo C & C Development Corp (A Loo, A J Holmes, N M Foulis) v Jae Ho Huh (S Khan) Duffy J [2023] NZHC 1395 <i>Whether 6 or 12 year limitation period applicable to an attempt to enforce an unregistered judgment of a South Korean Court.</i></p>	
Friday <i>(Hawke’s Bay Anniversary Day)</i>		

COURT OF APPEAL FIXTURE LIST – OCTOBER 2024

Session Week: Monday 28 October to Friday 1 November

Date	Permanent Court, Wellington Courtroom 1	Permanent Court – Wellington Courtroom 2
Monday 28 October	<u>LABOUR DAY & RĀ MAUMAHARA</u>	<u>LABOUR DAY & RĀ MAUMAHARA</u>
Tuesday 29 October	<p>Court: Mallon J, Thomas J, Collins J</p> <p><u>CA351/2023</u> Nigel David Rimmer & Anor (L S Acland, V T Bruton KC) v Carolyn Mary Wilton (S P Elliott, H K Gladwell) Van Bohemen J [2023] NZHC 1372 <i>Application of death process of Property (Relationships) Act 1976 where one partner died intestate.</i></p>	
Wednesday 30 October	<p>Court: Ellis J, Cooke J, Palmer J</p> <p><u>CA459/2023</u> ZURU New Zealand Limited & Ors (J G Miles KC, J W Graham, T F Cleary) v LEGO Juris A/S & Anor (A R Galbraith KC, K T Glover, J Oliver-Hood, J Scragg) Lang J [2023] NZHC 1808 <i>Appeal from High Court decision dismissing application for directions in relation to non-infringement of LEGO trademark, and upholding counterclaim for infringement of trademark.</i></p>	
Thursday 31 October	<p>Court: Ellis J, Cooke J, Palmer J</p> <p><u>CA459/2023</u> ZURU New Zealand Limited & Ors (J G Miles KC, J W Graham, T F Cleary) v LEGO Juris A/S & Anor (A R Galbraith KC, K T Glover, J Oliver-Hood, J Scragg) Lang J [2023] NZHC 1808 <i>Appeal from High Court decision dismissing application for directions in relation to non-infringement of LEGO trademark, and upholding counterclaim for infringement of trademark.</i></p>	<p>Court: Goddard J, Katz J, Mallon J</p> <p><u>CA32/2024</u> Bank of New Zealand (A S Butler KC, W Irving, C F Butters) v The Christian Church Community Trust & Ors (R W Raymond KC, A V Foote) Cull J [2023] NZHC 2523</p>
Friday		