

IN THE SUPREME COURT OF NEW ZEALAND

SC 57/2014
[2014] NZSC 113

BETWEEN NEW ZEALAND FIRE SERVICE
COMMISSION
Applicant

AND INSURANCE BROKERS
ASSOCIATION OF NEW ZEALAND
INCORPORATED
First Respondent

AND VERO INSURANCE LIMITED
Second Respondent

Court: McGrath, William Young and Glazebrook JJ

Counsel: F M R Cooke QC and A L Holloway for the Applicant
R G Simpson and D J Friar for the First and Second
Respondents

Judgment: 18 August 2014

JUDGMENT OF THE COURT

- A** The application for leave to appeal is granted (*New Zealand Fire Service Commission v Insurance Brokers Association of New Zealand Inc* [2014] NZCA 179)..
- B** The approved question is whether the Court of Appeal was correct to affirm the declarations made by the High Court.
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[1] The above question is intended to cover the Commission's arguments as to whether the High Court should have made declarations, given the alleged deficiencies in the factual foundation before the Court, as well as the issue of the correct interpretation of s 48 of the Fire Service Act 1975.

[2] The respondents have asked that this appeal be heard this year before Mr Simpson retires. They consider that more than one hearing day will be needed. The Registrar should therefore endeavour (if possible) to set the appeal down for a day and a half before the end of the year.

Solicitors:
DLA Phillips Fox, Wellington for Applicant
Bell Gully, Auckland for the First and Second Respondents