



criteria set out in s 13 Supreme Court Act 2003.<sup>1</sup> The point is specific to the facts of the present case and therefore does not give rise to a point of general or public importance or a matter of general commercial significance. We see no appearance of a miscarriage of justice if leave is refused.

[2] The grant of leave does not extend to the point raised in para 4.11 of the submissions for the applicants relating to fees charged to the first applicant by the second applicant and passed on by the first applicant to debtors. We do not consider the statutory criteria are met in relation to that issue and the difficulties identified in the Court of Appeal arising from the point not being raised in the High Court would also arise in this Court if leave were granted.

Solicitors:  
DLA Piper, Auckland for Applicants  
Meredith Connell, Wellington for Respondent

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<sup>1</sup> Did the Court of Appeal err in finding that it had been established that the debtors had suffered loss or damage for the purposes of s 94 of the Credit Contracts and Consumer Finance Act 2003.