

Researching New Zealand Law

Why would an Aussie want to look at Kiwi law?

What's in it for you?

- Common law
- Competition law
- Torrens System
- Criminal law – the “Code”
- Testators Family Maintenance
- Law relating to indigenous people
- Bill of Rights
- Jeremy Finn

Where did we start?

- Treaty of Waitangi 1840
- New South Wales
- Colony in own right
- Statute of Westminster adopted 1947

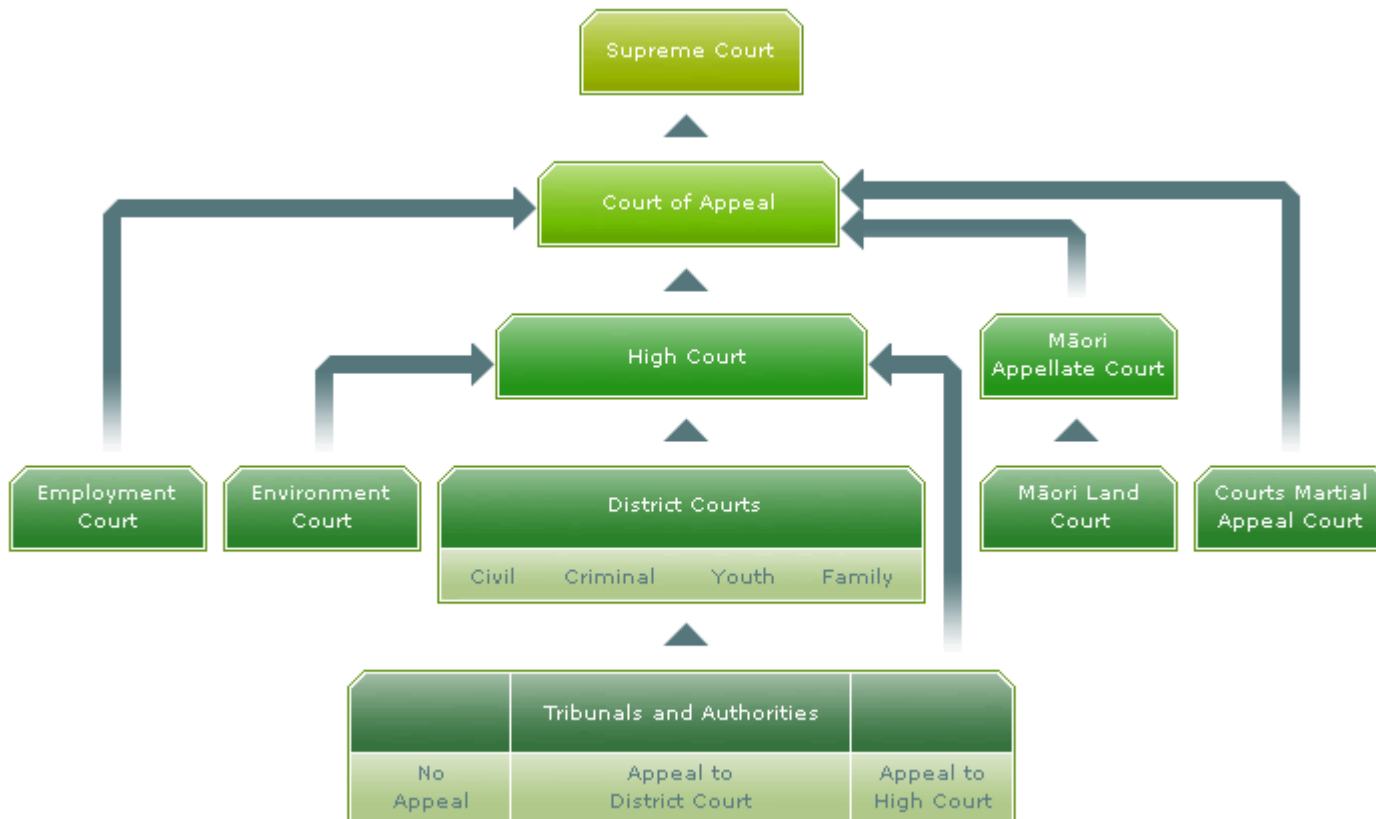
NZ Government

- Unitary state, not a federal jurisdiction like Australia
- Unicameral – only one Chamber in our Parliament
- No written entrenched Constitution
- Does have a number of constitutional statutes
- Treaty of Waitangi
- Maori Seats
- MMP (Mixed Member Proportional Representation)

Courts

- Cessation of Appeals to Privy Council 2004
- Supreme Court
- Myriad Courts, Tribunals, Authorities, Commissions...

Courts structure



New Courts website

Search

Courts of New Zealand

TE KŌTI TEITEI O AOTEAROA

ABOUT COURTS COURT BUSINESS FROM THE COURTS CONTACT US PRINT FONT SIZE


Welcome to Courts of New Zealand

Nau mai haere mai. Welcome to the internet site of the Courts of New Zealand. On this site you will find information about our Supreme Court, Court of Appeal and High Court.

[About Courts](#) provides information about the role, history and structure of the courts. [Court Business](#) includes court sitting calendars and case summaries, and assists media and lawyers in using this information. [From the Courts](#) provides news from the Higher Courts, including decisions of public interest.

If you have any comments please [contact us](#).

 about this image

| | | | |
|---|----------------------|---|------------------------|
|  | Supreme Court |  | Court of Appeal |
|  | High Court |  | Other Courts |

Finding your way around the Courts of New Zealand

- ◊ [Daily List](#)
- ◊ [Upcoming Cases](#)
- ◊ [Decisions of Public Interest](#)
- ◊ [Statistics](#)
- ◊ [You and the Courts](#)
- ◊ [Diagram of the Courts Structure](#)
- ◊ [The Rules Committee](#)

Primary legal information

- Legislation
- Subordinate Legislation
- Case law
- Maori custom law, Treaty, aboriginal rights
- Treaties and conventions

Legislation

- Official statute book
- Annual volumes from 1854
- 1908 Consolidation; ongoing Reprints
- Electronic sources
- PAL – and what's free?



PARLIAMENTARY
COUNSEL OFFICE

TE TARI TOHUTOHU
PĀREMATA

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Access keys

www.govt.nz

The Parliamentary Counsel Office (PCO) is New Zealand's law drafting office. It is responsible for drafting and publishing most New Zealand legislation.

New:

- [Report of the Parliamentary Counsel Office for the year ending 30 June 2006](#)
- [2006-2007 Reprints Schedule](#)
- [Results of the 2006-2007 Reprints survey](#)

Free access to New Zealand legislation: (external sites)

- Interim Website of New Zealand Legislation (hosted by Brookers)
 - [Acts and regulations](#)
current versions with amendments incorporated
- Knowledge Basket
 - [Bills and Supplementary Order Papers \(SOPs\)](#)
 - [Acts](#)
original versions (amendments not incorporated), and reprints published since 1/1/02
 - [Regulations](#)
original versions (amendments not incorporated), and reprints published since 1/10/03

Quick links:

- [Public Access to Legislation \(PAL\) Project](#)
- [Information on reprints](#)
- [Lists of legislation published](#)
since 1 January 2003—external site
- [Tables of Acts and Ordinances and Statutory Regulations in Force](#)

Cases

- Historical sources: Alan Edwards 10 (2002) Aust Law Lib (1) 37
- Law Reports
- Digest
- Citators
- Tribunals:
http://www.waikato.ac.nz/library/resources/law/dir_intro.shtml
- Electronic
- What's free?

<http://203.97.11.181/jdo/Search.jsp> ; <http://www.nzlii.org/>

The international dimension: treaties, conventions

- Increasingly imported into domestic law:

<http://www.justice.govt.nz/lac/index.html>

(see App.3, Treaties)

- New Zealand Treaty Series

Ministry of Foreign Affairs and Trade (MFAT)

<http://www.mfat.govt.nz/support/legal/default.html>

Bicultural aspects

- Treaty of Waitangi
 - Waitangi Tribunal: <http://www.waitangi-tribunal.govt.nz/>
- Maori Custom law:
<http://www.nzlla.org.nz/conferences.cfm#2004papers>
- Indigenous title

Online sources: subscription

- LexisNexis
- Brookers (Lawbook)
- CCH
- The Knowledge Basket

Sources: free

- Parliament
 - Parliamentary Counsel
- Courts
 - Cases of public interest
 - Comprehensive
- Tribunals – University of Waikato
- NZLII

Where should you start?

- GlobaLex for my outline:
http://www.nyulawglobal.org/globalex/New_Zealand.htm
- Judicial Decisions Online <http://www.justice.govt.nz/> :
 - High Court (August 2005 -)
 - Court of Appeal, Supreme Court (2003 -)
- Legislation:
 - Brookers (unofficial) <http://www.legislation.govt.nz/>
 - Watch the PAL Project for official online statutes
- Bills, Parliamentary Papers etc:
 - Parliamentary website <http://www.legislation.govt.nz/>
- Miscellaneous: NZLII <http://www.nzlii.org/>

- And if all else fails: ASK A KIWI - We like to be asked!