

OUR NEW ZEALAND COURT SYSTEM

OVERVIEW OF THE APPEALS PROCESS

New Zealand's courts enforce criminal law and resolve civil disputes. The court system is adversarial. That is, there are two sides in a case, each side presents its most persuasive legal arguments and emphasises the facts that support its case. A judge or jury decides in favour of one side.

General courts

The main courts in New Zealand are, in descending order, the Supreme Court, the Court of Appeal, the High Court and the District Court. The Supreme Court is New Zealand's most powerful court and our final appeal court.

APPEALING A DECISION

If you want to appeal a decision made by a court, you must ask – or appeal to – a higher court. For example, if you want to appeal a decision made in the District Court, you need to go to the High Court. In some criminal cases, you could bypass the High Court and go directly to the Court of Appeal.

BINDING DECISIONS

A decision made by a higher court is binding on all lower courts. This means the lower courts must obey the decision of the higher court. Decisions made by the Supreme Court are binding on all other courts.

Tribunals and authorities are expert forums legislated to resolve civil disputes. Parties appearing before a tribunal or authority use mediation and compromise to come to an agreement.

Tribunals and authorities

Cases heard by a tribunal or authority can be appealed to the District Court or High Court. In some cases, no line of appeal is available.

THE DISTRICT COURT CAN HEAR APPEALS FROM:

- Disputes Tribunal
- Immigration Advisers Complaints and Disciplinary Tribunal
- Motor Vehicle Disputes Tribunal
- Private Security Personnel Licensing Authority
- Secondhand Dealers and Pawnbrokers Licensing Authority
- Tenancy Tribunal
- Weathertight Homes Tribunal (for less than \$350,000)

THE HIGH COURT CAN HEAR APPEALS FROM:

- Accident Compensation Appeal Authority
- Alcohol Regulatory and Licensing Authority
- Copyright Tribunal
- Customs Appeal Authority
- Human Rights Review Tribunal
- Immigration and Protection Tribunal
- Land Valuation Tribunal
- Lawyers and Conveyancers Disciplinary Tribunal
- Legal Aid Tribunal (only on points of law)
- Real Estate Agents Disciplinary Tribunal
- Social Security Appeal Authority
- Taiapure-Local Fisheries Tribunal
- Taxation Review Authority
- Trans-Tasman Occupations Tribunal
- Victims Special Claims Tribunal
- Weathertight Homes Tribunal (for more than \$350,000)

THE EMPLOYMENT COURT HEARS APPEALS FROM:

- Employment Relations Authority

THERE IS NO LINE OF APPEAL FOR CASES HEARD BY:

- Abortion Supervisory Committee
- Criminal Justice Assistance Reimbursement Scheme
- Legal Complaints Review Officer
- Review Authority
- Student Allowance Appeal Authority
- Waitangi Tribunal

