



Supreme Court of New Zealand | Te Kōti Mana Nui o Aotearoa

April 2024

<b>Tuesday 23 April – Wednesday 24 April 2024</b>  Winkelmann CJ Glazebrook J Ellen France J Williams J Kós J	<b>SC 99/2023</b>  <b>Seafood New Zealand Limited</b> <i>B A Scott, A Kraack and T D Smith</i>  <b>V</b>  <b>Royal Forest &amp; Bird Protection Society of New Zealand Incorporated</b> <i>S R Gepp and M C Wright</i>  <b>Minister of Oceans and Fisheries</b> <i>N C Anderson and K F Gaskell</i>  <b>Te Ohu Kai Moana Trustee Limited</b> <i>J P Ferguson</i>  Civil Appeal Hearing
<b>Grounds on which leave was granted</b>	The approved question is whether the Court of Appeal was correct to dismiss the appeal.
<b>Supreme Court leave application decision</b>	<a href="#">SEAFOOD NEW ZEALAND LIMITED v ROYAL FOREST &amp; BIRD PROTECTION SOCIETY OF NEW ZEALAND INCORPORATED [2023] NZSC 154 [24 November 2023]</a>
<b>Court of Appeal decision</b>	<a href="#">FISHERIES INSHORE NEW ZEALAND LIMITED v ROYAL FOREST &amp; BIRD PROTECTION SOCIETY OF NEW ZEALAND INCORPORATED [2023] NZCA 359 [10 August 2023]</a>
<b>High Court decision</b>	<a href="#">ROYAL FOREST AND BIRD PROTECTION SOCIETY OF NEW ZEALAND INCORPORATED v MINISTER OF FISHERIES [2021] NZHC 1427 [16 June 2021]</a>

<b>Friday 26 April 2024</b>  Glazebrook J Ellen France J Williams J Kós J O'Regan J	<b>SC 96/2023</b>  <b>Ian James Burden</b> <i>A H Brown KC, J Oliver-Hood and J R E Wach</i>  <b>PGT Reclaimed (International) Limited</b> <i>A H Brown KC, J Oliver-Hood and J R E Wach</i>  <b>Plantation Grown Timbers (Vietnam) Limited</b> <i>A H Brown KC, J Oliver-Hood and J R E Wach</i>  <b>V</b>  <b>ESR Group (NZ) Limited</b> <i>J G Miles KC and A J Pietras</i>  Civil Appeal Hearing
<b>Grounds on which leave was granted</b>	The approved questions are as follows: (a) Was the Court of Appeal correct to conclude, for the purposes of s 9(1) of the Copyright Act 1994, that a copyright holder's consent is not necessary for a work to be "in circulation"? (b) Was the Court of Appeal correct to conclude, for the purposes of s 9(1) of the Copyright Act 1994, that circulation outside of New Zealand could constitute "circulation"?
<b>Supreme Court leave application decision</b>	<a href="#"><u>IAN JAMES BURDEN v ESR GROUP (NZ) LIMITED [2023] NZSC 159 [7 December 2023]</u></a>
<b>Court of Appeal decision</b>	<a href="#"><u>ESR GROUP (NZ) LIMITED v BURDEN [2023] NZCA 335 [31 July 2023]</u></a>
<b>High Court decision</b>	<a href="#"><u>BURDEN v ESR GROUP (NZ) LTD [2022] NZHC 1818 [29 July 2022]</u></a>

Judges as seen from public seating

**23 – 24 April 2024**

The Hon Justice Williams	The Hon Justice Glazebrook	The Rt Hon the Chief Justice	The Hon Justice Ellen France	The Hon Justice Kós
--------------------------	----------------------------	------------------------------	------------------------------	---------------------

**26 April 2024**

The Hon Justice Kós	The Hon Justice Ellen France	The Hon Justice Glazebrook	The Hon Justice Williams	The Hon Justice O'Regan
---------------------	------------------------------	----------------------------	--------------------------	-------------------------

Normal sitting hours: 10.00am – 11.30am, 11.45am – 1.00pm, 2.15pm – 4.00pm

