**IN THE SUPREME COURT OF NEW ZEALAND**

**SC 62/2005**
**[2005] NZSC 81**

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| BETWEEN | ROBERT ARTHUR FELTON & ORS<br>Appellants |
| AND | ANNETTE FRANCES JOHNSON<br>Respondent |

Court: Elias CJ and Tipping J

Counsel: D G Smith for Appellants
D G Hurd and M J Allan for Respondent

Judgment: 8 December 2005

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## JUDGMENT OF THE COURT

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[1] The application for leave to appeal is granted.

[2] The approved ground, in terms of Rule 29, is whether the decision of the Court of Appeal represents a correct interpretation and application of s 47(2) of the Property (Relationships) Act 1976; and, in particular, whether an application under that provision must be made within two years of the date of the impugned agreement.

Solicitors:
Benton Law, Auckland for Appellants
Patterson Hopkins, Auckland for Respondent