

IN THE SUPREME COURT OF NEW ZEALAND

SC 55/2011  
[2011] NZSC 69

BETWEEN	ANTHONY PHILLIP MUSSON Applicant
AND	MINISTRY OF FISHERIES Respondent

Court: Tipping, McGrath and William Young JJ

Counsel: Applicant in person  
A Scott-Howman for Respondent

Judgment: 27 June 2011

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JUDGMENT OF THE COURT

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- A The application for leave to appeal is dismissed.**
- B The applicant must pay the respondent costs in the sum of \$1,500 plus disbursements, to be fixed if necessary by the Registrar.**

REASONS

[1] Mr Musson seeks leave to appeal directly to this Court from a decision of the High Court given on 6 April 2011.<sup>1</sup> His application was filed on 17 May 2011 and is therefore filed out of time. No reasons have been given to justify an extension of time.

[2] Leaving that point aside, the applicant has not established any of the criteria for the grant of leave as set out in s 13 of the Supreme Court Act 2003. Furthermore, he has not established that there are exceptional circumstances justifying bringing this appeal directly from the High Court to this Court.

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<sup>1</sup> *Musson v Ministry of Fisheries* HC Invercargill CIV-2011-425-43, 6 April 2011.

[3] Judgment was entered against the applicant in favour of the respondent in the District Court on 15 October 2010 for the sum of \$4502.18.<sup>2</sup> The judgment was in respect of unpaid levies and penalties imposed on the applicant pursuant to the Quota Management System established by the Fisheries Act 1996. The applicant appealed to the High Court and his appeal was dismissed on 6 April 2011.

[4] It is difficult to derive from the submissions filed by the applicant on what points, whether of law or otherwise, he seeks leave to appeal to this Court. The applicant's submissions seem to be concerned more with his general antipathy towards the Ministry of Fisheries and various other parties that he names. In short, nothing is raised which could possibly justify leave to appeal, even if this were a matter not involving a direct appeal from the High Court.

[5] The application for leave must therefore be refused.

Solicitors:  
Luke Cunningham & Clere, Wellington for Respondent

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<sup>2</sup> *The Chief Executive of the Ministry of Fisheries v Musson* DC Invercargill CIV-2009-025-483, 15 October 2010.