NOTE: HIGH COURT ORDER PROHIBITING PUBLICATION OF THE IDENTITY OF THE COUNTRIES THAT HAVE PROVIDED DETAILS ABOUT THEIR DEALINGS WITH THE PEOPLE'S REPUBLIC OF CHINA IN NEWS MEDIA OR ON THE INTERNET OR OTHER PUBLICLY AVAILABLE DATABASE REMAINS IN FORCE.

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI

SC 57/2019 [2019] NZSC 100

BETWEEN MINISTER OF JUSTICE First Applicant

> ATTORNEY-GENERAL Second Applicant

AND

KYUNG YUP KIM Respondent

Court:Glazebrook, O'Regan and Ellen France JJCounsel:U R Jagose QC and A F Todd for Applicants
A J Ellis, B J R Keith and G K Edgeler for RespondentJudgment:20 September 2019

JUDGMENT OF THE COURT

- A The application for leave to appeal against the Court of Appeal's decision is granted (*Kim v Minister of Justice of New Zealand* [2019] NZCA 209). The respondent's application for leave to cross-appeal is also granted.
- B The approved question is whether the Court of Appeal was correct to quash and remit the Minister of Justice's decision to surrender the respondent under s 30 of the Extradition Act 1999.

Solicitors:

Crown Law Office, Wellington for Applicants

Marshall, Bird, Curtis, Auckland for Respondent