

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI O AOTEAROA

SC UR 16/2025
[2025] NZSC 105

RE

FRED AKARANA-REWI
Applicant

Counsel: Applicant in person

Judgment: 19 August 2025

JUDGMENT OF MILLER J

- A** **The application for recall of my judgment of 11 July 2025 (*Re Akarana-Rewi* [2025] NZSC 81) is dismissed.**
- B** **The Registrar is directed not to accept for filing any further recall applications in relation to this matter.**
-

REASONS

[1] Mr Akarana-Rewi seeks recall of my decision of 11 July 2025 declining to review the Registrar’s decision not to accept for filing Mr Akarana-Rewi’s application for leave to appeal.¹

[2] Amongst other matters, Mr Akarana-Rewi says my decision was wrong and an abuse of process. He says I overlooked r 43(1B)(d) of the Court of Appeal (Civil) Rules 2005, which he says “provides an express exception to abandonment where a party is appealing to the Supreme Court against a decision on a review of a Registrar’s ruling”. He also says there was a teleconference in the Court of Appeal which he was unable to attend because he was driving at the time and unable to stop safely.

¹ *Re Akarana-Rewi* [2025] NZSC 81 [Review judgment].

[3] I do not consider that Mr Akarana-Rewi has raised any new matters which would justify recall.² As I noted in my judgment of 11 July, the issue of any extension of time under r 43 must first be considered by the Court of Appeal.³ The application is therefore dismissed for the reasons given in my earlier judgment. The Registrar is directed not to accept for filing any further recall applications in relation to this matter.

[4] Mr Akarana-Rewi has the right to seek a panel review of my 11 July decision under s 82(4)(b) of the Senior Courts Act 2016.⁴

² See *Saxmere Co Ltd v Wool Board Disestablishment Co Ltd (No 2)* [2009] NZSC 122, [2010] 1 NZLR 76 at [2] citing *Horowhenua County v Nash (No 2)* [1968] NZLR 632 (SC) at 633.

³ Review judgment, above n 1, at [8].

⁴ That is because it was decided under s 82(3) of the Senior Courts Act 2016, in addition to r 5A(3) of the Supreme Court Rules 2004.