

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI

SC 10/2018
[2018] NZSC 36

BETWEEN NORTHLAND ENVIRONMENTAL
 PROTECTION SOCIETY
 INCORPORATED
 Applicant

AND CHIEF EXECUTIVE OF THE MINISTRY
 FOR PRIMARY INDUSTRIES
 First Respondent

AND COMPTROLLER OF CUSTOMS
 Second Respondent

AND CHIEF EXECUTIVE OF THE MINISTRY
 FOR CULTURE AND HERITAGE
 Third Respondent

Court: Elias CJ, Glazebrook and Ellen France JJ

Counsel: D M Salmon, D A C Bullock and H A T Bush for the Applicant
 J K Gorman and H T N Fong for the First and
 Second Respondents
 B R Arapere for the Third Respondent

Judgment: 19 April 2018

JUDGMENT OF THE COURT

A **Leave to appeal is granted** (*Northland Environmental Protection Society Incorporated v Chief Executive of the Ministry for Primary Industries* [2017] NZCA 607).

B **The approved questions are:**

(a) **Was the Court of Appeal correct in its interpretation of “finished or manufactured indigenous timber product” and the effect of the export restrictions in s 67C of the Forests Act 1949?**

(b) Was the Court of Appeal correct to hold that some or all swamp kauri is not a “protected New Zealand object” as defined in s 2(1) of the Protected Objects Act 1975?

Solicitors:
Lee Salmon Long, Auckland for Applicant
Crown Law Office, Wellington for Respondents