

TREATY ACTION AND IMPLEMENTATION

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I. OVERVIEW

This article documents governmental activity undertaken to implement New Zealand's international obligations during the current interval.¹ It concludes that the level of activity in the current interval, relative to the previous interval,² has increased for the parliamentary, executive and judicial branches of government. This overview summarises that activity and compares it with the activity undertaken during the previous interval.

A. Parliamentary Activity

1. Acts of Parliament

During the current interval, Parliament enacted 58 bills with implications for New Zealand's international obligations. Fifty-three simply amended Acts that had implemented treaties, two improved compliance with treaties that had already been implemented and three implemented three new agreements. Fifty-three of these Acts involved multilateral agreements, two involved bilateral agreements, two involved a set of recommendations and one involved a code.

In terms of Acts, this level of activity is more than the previous interval. During the previous interval, Parliament enacted 24 bills with implications for New Zealand's international obligations. Fifteen simply amended Acts that had implemented treaties, six improved compliance with treaties that had already been implemented and three implemented three new agreements. Twenty-one of these Acts involved multilateral agreements, three involved bilateral agreements and one involved a set of recommendations.³

2. Treaty Examination Reports

During the current interval, the House of Representatives considered three select committee reports on treaties (three agreements in all). All three reports brought matters to the attention of the House. Public submissions did not feature in these reports, and none warranted a Government response.

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1 The current interval began on 1 July 2011 and ended on 30 June 2012.

2 The previous interval began on 1 July 2010 and ended on 30 June 2011.

3 Mark Gobbi "Treaty Action and Implementation" (2011) 9 NZYIL 351 at 351 and 361-368.

In terms of reports, this level of activity is less than during the previous interval (six fewer reports). In terms of agreements examined, this level of activity is also less than during the previous interval (ten fewer agreements). During the previous interval, the House of Representatives considered nine select committee reports on treaties (thirteen agreements in all). Three of these reports gave a positive pro forma response to the treaty examined (ie, “no matters to bring to the attention of the House”). Public submissions did not feature in these reports. Six reports brought matters to the attention of the House. Public submissions featured in two of these reports and none warranted a Government response.⁴

B. Executive Activity

1. Regulations

During the current interval, the Executive made 38 regulations relevant to New Zealand’s international obligations. Four of these regulations implemented bilateral agreements, three implemented various standards, and the remaining 31 implemented multilateral agreements (although many of these dealt with the requirements of the same multilateral agreement). Twenty-two dealt with environmental agreements, one implemented a bilateral tax agreement, six dealt with trade, six dealt with safety matters, two dealt with drugs and one concerned land transport.

This level of activity is more than the level of activity that took place during the previous interval. During the previous interval, the Executive made 28 regulations relevant to New Zealand’s international obligations. Six of these regulations implemented bilateral agreements, while the remaining 22 implemented multilateral agreements (although many of these dealt with the requirements of the same multilateral agreement). Fifteen dealt with environmental agreements, four implemented bilateral tax agreements, three dealt with trade, two implemented United Nations Security Council resolutions, two dealt with immigration, one concerned civil aviation and one dealt with recommendations regarding money-laundering.⁵

2. Treaty Actions

During the current interval, the Executive was involved in 64 treaty actions with respect to eight multilateral agreements and 27 bilateral agreements. Of the eight multilateral agreements, the Executive adhered to five and signed one. Five came into force. Of the 27 bilateral agreements, the Executive adhered to 23 and signed six. Twenty-four came into force.

This level of activity is more than the level of activity that took place during the previous interval. During the previous interval, the Executive was involved in 60 treaty actions with respect to six multilateral agreements and

⁴ At 351-352 and 359-361.

⁵ At 352 and 368-375.

34 bilateral agreements. Of the six multilateral agreements, the Executive adhered to six. Four came into force. Of the 34 bilateral agreements, the Executive adhered to 16 and signed 16. Eight came into force.⁶

3. Periodic Reports

New Zealand is required to provide periodic reports to the United Nations regarding its compliance with the following human rights treaties: the International Covenant on Civil and Political Rights,⁷ the International Covenant on Economic, Social and Cultural Rights,⁸ the International Convention on the Elimination of All Forms of Racial Discrimination,⁹ the Convention on the Elimination of All Forms of Discrimination against Women,¹⁰ the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,¹¹ the Convention on the Rights of the Child¹² and the Convention on the Rights of Persons with Disabilities.¹³

During the current interval, the Executive submitted New Zealand's 18th, 19th and 20th consolidated periodic report to the Committee on the Elimination of Racial Discrimination.¹⁴

In terms of periodic reports, this level of activity is greater than the level of activity that took place during the previous interval. During the previous interval, the Executive did not submit a periodic report to the United Nations.¹⁵

C. Judicial Activity

During the current interval, the judiciary delivered 128 judgments that referenced New Zealand's international obligations. Ten of these judgments were reported in the New Zealand Law Report series; the Supreme Court delivered four, the Court of Appeal delivered five and the High Court delivered one. Seventy-two were reported in other series; the Supreme Court delivered two, the Court of Appeal delivered 19, the High Court delivered 23, the District Court delivered three and the Family Court delivered 25. Forty-six were unreported; the High Court delivered 17, the District Court delivered two and the Family Court delivered 27.

6 At 352-353 and 356-359.

7 Opened for signature 16 December 1966, entered into force 23 March 1976

8 Opened for signature 16 December 1966, entered into force 3 January 1976.

9 Opened for signature 7 March 1966, entered into force 4 January 1969.

10 Opened for signature 18 December 1979, entered into force 3 September 1981.

11 Opened for signature 10 December 1984, entered into force 26 June 1987.

12 Opened for signature 20 November 1989, entered into force 2 September 1990.

13 Opened for signature 30 March 2007, entered into force 3 May 2008. The Ministry of Justice currently publishes an online record of New Zealand's periodic reporting under these agreements, which can be found at "International Human Rights Instrument" <www.justice.govt.nz>.

14 *Reports submitted by the States Parties under Article 19 of the Convention: Twentieth Periodic Reports of States Parties due in 2012: New Zealand* CERD/C/NZL/20 (2012).

15 Gobbi (2011), above n 3, at 353-354.

Of these 128 judgments, 50 dealt with custody matters, 13 with criminal procedure, 12 with crimes, eight with immigration, eight with parenting orders, six with property matters, five with judicial review, four with civil procedure, four with constitutional law, three with extradition, three with administrative law, two with social security and two with insolvency. One dealt with contracts, one with arbitration, one with name suppression, one with compulsory treatment orders, one with service orders, one with youth justice and one with land transport.

These 128 judgments referred to 43 different international instruments (three of which do not have New Zealand as a party), of which 40 are multilateral agreements, one is a model law, one is a set of principles and one is a bilateral agreement. In total, these judgments have 183 references. In these cases, the most frequently cited international agreements are the Convention on the Rights of the Child (38 references), the Convention on the Civil Aspects of International Child Abduction (31 references), the International Covenant on Civil and Political Rights (27 references), the European Convention for the Protection of Human Rights and Fundamental Freedoms (13 references), the International Covenant on Economic, Social and Cultural Rights (seven references), the Convention on Protection of Children and Co-operation in respect of Intercountry Adoption (six references), the Convention against Transnational Organised Crime (four references), the Model Treaty on Mutual Assistance in Criminal Matters (four references), the Treaty on Extradition between New Zealand and the United States (four references), the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (three references) and the Model Law on International Commercial Arbitration (three references). Eleven other instruments are referenced twice and 21 others are referenced once.

In terms of the number of judgments delivered, the level of activity is more than the activity that took place during the previous interval. During the previous interval, the judiciary delivered 88 judgments that referenced New Zealand's international obligations.¹⁶ Sixteen of these judgments were reported in the New Zealand Law Report series; the Supreme Court delivered seven, the Court of Appeal delivered six, and the High Court delivered three. Fourteen were reported in other series; the Court of Appeal delivered five, the High Court delivered four, the Family Court delivered four and the Human Rights Review Tribunal delivered one. Fifty-eight were unreported; the Supreme Court delivered two, the Court of Appeal delivered eight, the High Court delivered 25, the District Court delivered one and the Family Court delivered 22.

Of these 88 judgments, 26 dealt with custody matters, 11 with immigration, eight with crimes, seven with administrative law, six with civil procedure, five with criminal procedure, four with maintenance, three with human rights, two with bankruptcy, two with judicial review and two with arbitration. One

16 Gobbi (2011), above n 3, at 354-356 and 375-385.

dealt with contracts, one with constitutional law, one with habeas corpus, one with evidence, one with residential tenancy, one with resource management, one with torts, one with maritime law, one with parole, one with objectionable publications and one with summary judgment.

These 88 judgments referred to 27 different international instruments (one of which does not have New Zealand as a party), of which 26 are multilateral agreements and one is a model law. In total, these judgments have 121 references. In these cases, the most frequently cited international agreements are the International Covenant on Civil and Political Rights (29 references), the Convention on the Rights of the Child (26 references), the Convention on the Civil Aspects of International Child Abduction (10 references), the European Convention for the Protection of Human Rights and Fundamental Freedoms (10 references), the Convention relating to the Status of Refugees (six references), the International Covenant on Economic, Social and Cultural Rights (five references) and the Convention on the Recovery Abroad of Maintenance (four references). Four other instruments are referenced three times, three others are referenced twice and 13 others are referenced once.

D. Conclusion

During the current interval, each of the three branches of government contributed to the implementation of New Zealand's international obligations. The level of activity for the current interval increased relative to the previous interval for Parliament, the Executive and the Judiciary. International agreements remain a vital source of law in New Zealand.

II. TREATY ACTION

This Part sets out the treaty actions taken by the Executive during the current interval. It lists the agreements that New Zealand has signed, ratified, accepted, approved, or acceded to, or that entered into force for New Zealand. It also sets out the reports on treaties that the Executive tabled in the House during the current interval.

*A. Executive Treaty Action*¹⁷

1. Multilateral Treaties

Anti-Counterfeiting Trade Agreement (signed on 1 October 2011)

Manila amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 and the Seafarers' Training, Certification and Watchkeeping (STCW) Code (adhered to on 1 July 2011; entered into force on 1 January 2012)

¹⁷ See New Zealand Ministry of Foreign Affairs and Trade Annual Report 2011/12 (Ministry of Foreign Affairs and Trade, A.1 AR, 2012) at 131-133 (MFAT supplied the treaty action specifics on request).

Third Protocol amending the Treaty of Amity and Cooperation in Southeast Asia (entered into force on 8 June 2012)

International Tropical Timber Agreement (entered into force on 7 December 2011)

Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel (adhered to on 20 September 2011; entered into force on 20 October 2011)

Protocol Amending the TRIPS Agreement (adhered to on 21 October 2011)

Protocol of Amendments to the Convention on the International Hydrographic Organisation (adhered to on 8 November 2011)

Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (adhered to on 21 September 2011; entered into force on 21 October 2011)

2. Bilateral Treaties

Convention between New Zealand and Canada for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income (with Protocol) (signed on 3 May 2012)

Agreement between New Zealand and the European Union Establishing a Framework for the Participation of New Zealand in European Union Crisis Management Operations (signed on 18 April 2012; adhered to on 30 April 2012; entered into force on 1 May 2012)

Memorandum of Understanding between the Government of New Zealand and the Government of the Republic of Indonesia on Environmental Cooperation (signed on 17 April 2012; adhered to on 17 April 2012; entered into force on 17 April 2012)

Memorandum of Understanding between the Government of New Zealand and the Government of the Republic of Indonesia on Labour Cooperation (signed on 17 April 2012; adhered to on 17 April 2012; entered into force on 17 April 2012)

Agreement between New Zealand and the European Union Amending the Agreement on Mutual Recognition in Relation to Conformity Assessment between New Zealand and the European Union (signed on 23 February 2012)

Agreement between the Government of New Zealand and the Government of the Republic of South Africa Concerning Co-Production of Films (signed on 11 September 2011; adhered to on 12 October 2011; entered into force on 20 October 2011)

Agreement on Audio-Visual Co-Productions between the Government of New Zealand and the Government of the Republic of India (adhered to on 4 October 2011; entered into force on 4 October 2011)

Agreement between New Zealand and the Slovak Republic on a Working Holiday Scheme (adhered to on 17 April 2012; entered into force on 17 April 2012)

Agreement in the Form of an Exchange of Letters between the European Union and New Zealand Pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 Relating to Modification of Concessions in the Schedules of the Republic of Bulgaria and Romania in the Course of Their Accession to the European Union (adhered to on 17 November 2011; entered into force on 1 December 2011)

Exchange of Notes amending the Agreement on a Working Holiday Scheme between the Government of New Zealand and the Government of the Argentine Republic (adhered to on 28 July 2011; entered into force on 28 July 2011)

Exchange of Notes amending the Agreement on a Working Holiday Scheme between the Government of New Zealand and the Oriental Republic of Uruguay (adhered to on 28 July 2011; entered into force on 29 July 2011)

Protocol to the Agreement on a Working Holiday Scheme between the Government of New Zealand and the Government of the Czech Republic (adhered to on 7 November 2011; entered into force on 1 December 2011)

Agreement between New Zealand and the Government of the Hong Kong Special Administrative Region of the People's Republic of China for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income (adhered to on 9 November 2011; entered into force on 9 November 2011)

Agreement between New Zealand and the Swiss Confederation on Sanitary Measures Applicable to Trade in Live Animals and Animal Products (adhered to on 30 March 2012; entered into force on 1 May 2012)

Agreement between the Government of New Zealand and the Government of Samoa for the Allocation of Taxing Rights with respect to Certain Individuals and to Establish a Mutual Agreement Procedure in respect of Transfer Pricing Adjustments (adhered to on 26 March 2012; entered into force on 26 March 2012)

Agreement between the Government of New Zealand and the Government of Samoa on the Exchange of Information with respect to Taxes (adhered to on 26 March 2012; entered into force on 26 March 2012)

Exchange of Letters constituting an Amendment to Article 3 of the Australia New Zealand Closer Economic Relations Trade Agreement (adhered to on 30 April 2012; entered into force on 30 April 2012)

Exchange of Letters constituting an Amendment to the Product Specific Rules in Annex G of the Australia New Zealand Closer Economic Relations Trade Agreement (adhered to on 1 September 2011; entered into force on 1 September 2011)

Agreement between the Government of New Zealand and the Government of Turkey for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income (entered into force on 1 August 2011)

Agreement on a Working Holiday Scheme between the Government of New Zealand and the Government of the Republic of Turkey (adhered to on 1 August 2011; entered into force on 1 August 2011)

Agreement between the Government of New Zealand and the Government of the Republic of Turkey relating to Air Services (adhered to on 9 May 2012; entered into force on 9 May 2012)

Second Protocol amending the Convention between the Government of New Zealand and the Government of Belgium for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to taxes on income, and the Protocol, signed at Brussels on 15 September 1981 (adhered to on 15 September 2011)

Agreement between the Government of New Zealand and the Government of the Cayman Islands for the Allocation of Taxing Rights with Respect to Certain Income of Individuals and to Establish a Mutual Agreement Procedure in Respect of Transfer Pricing Adjustments (adhered to on 30 September 2011; entered into force on 30 September 2011)

Agreement between the Government of New Zealand and the Government of the Cayman Islands on the Exchange of Information with Respect to Taxes (adhered to on 30 September 2011; entered into force on 30 September 2011)

Agreement between the Government of New Zealand and the Government of Canada on Air Transport (entered into force on 18 October 2011)

Agreement between the Government of New Zealand and the Government of the Cook Islands on the Exchange of Information with Respect to Taxes (adhered to on 13 December 2011; entered into force on 13 December 2011)

Agreement between the Government of New Zealand and the Government of the Cook Islands on the Allocation of Taxing Rights with Respect to Certain Income of Individuals and to Establish a Mutual Agreement Procedure in Respect of Transfer Pricing Adjustment (adhered to on 13 December 2011; entered into force on 13 December 2011)

B. Reports on Treaties Tabled in the House of Representatives

1. Reports Where No Matters Were Drawn to the Attention of the House

International Treaty Examination of the United Nations Convention Against Corruption; Foreign Affairs, Defence and Trade Committee (11 May 2012):

Although the Committee stated that it had no matters to bring the attention of the House, it noted that the Convention “raises some substantive matters that will require thorough consideration before the Government could consider ratification.”¹⁸ A letter from the Ministry of Justice to the Committee that is attached to the report indicates that certain legislative changes are required, particularly in relation to article 52 of the Convention (prevention and detection of transfers of proceeds of crime), which concerns enhanced scrutiny of persons entrusted with prominent public functions.

2. Reports Where Matters Were Drawn to the Attention of the House

International treaty examination of the Agreement between the Government of Hong Kong and the Government of New Zealand for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income; Finance and Expenditure Committee (12 August 2011):

The Committee noted that double tax agreements reduce tax impediments to cross-border services, trade, and investment, and provide more certainty of tax treatment. It also noted that it received advice that the Agreement is expected to foster growth in economic activity between New Zealand and Hong Kong.

International treaty examination of the Protocol of Amendments to the Convention on the International Hydrographic Organization; Foreign Affairs, Defence and Trade Committee (12 August 2011):

The Committee noted that the Protocol addresses shortcomings found by a review of the Convention and focuses on improving the efficiency of the International Hydrographic Organization (IHO) and modernising its governance structure. The Committee formed the view that the Protocol will serve to improve the efficiency and accountability of the IHO.

III. LEGISLATION RELATED TO NEW ZEALAND'S INTERNATIONAL OBLIGATIONS

This Part sets out the legislation dealt with during the current interval that concerns New Zealand's international obligations. It is divided into two sections, the first listing the Acts that were enacted and the second listing the regulations that were made.

A. Acts of Parliament

Acts of Parliament relating to New Zealand's international obligations are identified as: (1) Acts simply amending legislation that has implemented treaties; (2) Acts improving compliance with treaties that have already been implemented; or (3) Acts implementing new treaty obligations.

18 Report at 2.

1. Acts Amending Legislation that has Implemented Treaties

Antarctica (Environmental Protection) Amendment Act 2012

This Act amends the Antarctica (Environmental Protection) Act 1994, which implements the Antarctic Treaty (1959), the Convention for the Conservation of Antarctic Seals (1972), the Convention on the Conservation of Antarctic Marine Living Resources (1980) and the Protocol on Environmental Protection to the Antarctic Treaty (1991).

Aquaculture Reform (Repeals and Transitional Provisions) Amendment Act 2011¹⁹

This Act amends the Aquaculture Reform (Repeals and Transitional Provisions) Amendment Act 2004. Among other things, the amendments provide for transitional matters in relation to certain amendments made under the Fisheries Act 1996 (which implements the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (1982)) and the Resource Management Act 1991 (which implements aspects of the Convention on Wetlands of International Importance especially as Waterfowl Habitat (1971), the United Nations Framework Convention on Climate Change (1992) and the Kyoto Protocol to the United Nations Framework Convention on Climate Change (1997)).

Children, Young Persons, and Their Families Amendment Act 2011

This Act amends the Children, Young Persons, and Their Families Act 1989, which implements the Arrangement between New Zealand and Australian States and Territories regarding the transfer of children subject to child protection orders (2000).

Children, Young Persons, and Their Families Amendment Act (No 2) 2011

This Act amends the Children, Young Persons, and Their Families Act 1989, which implements the Arrangement between New Zealand and Australian States and Territories regarding the transfer of children subject to child protection orders (2000).

Citizens Initiated Referenda Amendment Act 2012

This Act amends the Citizens Initiated Referenda Act 1993, which contributes to the implementation of the International Covenant on Civil and Political Rights (1966) [article 25].

¹⁹ This Act was included in the previous interval, but should not have been as its assent date falls within the current interval. The figures for the previous interval have been adjusted to reflect this in the comparison set out in Part I.A.1.

Corrections Amendment Act 2011

This Act amends the Corrections Act 2004, which implements the United Nations Standard Minimum Rules for the Treatment of Prisoners (1955 as amended 1977), and the Convention on the Rights of the Child (1989).

Crimes Amendment Act 2011

This Act amends the Crimes Act 1961, which implements the Convention relating to the Status of Refugees (1951) [article 31], the International Covenant on Civil and Political Rights (1966), the Convention on the Elimination of All Forms of Discrimination against Women (1979) [articles 3, 4, 6, and 15], the Convention on the Physical Protection of Nuclear Material and Nuclear Facilities (1980), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984), the Recommendations of Financial Action Task Force on Money Laundering (Task Force established 1989), the Convention on the Rights of the Child (1989), the Convention on the Marking of Plastic Explosives for the Purpose of Detection (1991), the ILO Convention 182 (1999): Concerning the Worst Forms of Child Labour, the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (1997), the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2000), the Convention against Transnational Organised Crime (2000), the Protocol against the Smuggling of Migrants, by Land, Sea and Air, supplementing the Convention against Transnational Organised Crime (2000), the Protocol to Prevent, Suppress and Punish Trafficking of Persons, especially Women and Children, supplementing the Convention against Transnational Organised Crime (2000).

Crimes Amendment Act (No 2) 2011

As above.

Crimes Amendment Act (No 4) 2011

As above.

Criminal Proceeds (Recovery) Amendment Act 2011

This Act amends the Criminal Proceeds (Recovery) Act 2009, which implements some of the recommendations of Financial Action Task Force on Money Laundering (Task Force established 1989).

Criminal Proceeds (Recovery) Amendment Act 2012

This Act amends the Criminal Proceeds (Recovery) Act 2009, which implements some of the recommendations of Financial Action Task Force on Money Laundering (Task Force established 1989).

Customs and Excise Amendment Act 2011

This Act amends the Customs and Excise Act 1996, which implements the Convention on the Temporary Importation of Private Road Vehicles (1954), the Customs Convention on Containers (1972), the Recommendations of Financial Action Task Force on Money Laundering (Task Force established 1989), the Protocol of Amendment to the International Convention on the Simplification and Harmonization of Customs Procedures (1999), the Free Trade Agreement between the Government of New Zealand and the Government of the People's Republic of China (2008), the ASEAN-Australia-New Zealand Free Trade Area (2009). The Act also implements a standard for motor fuel testing established by the American Society for Testing and Materials International (ASTM D2699:79).

Customs and Excise Amendment Act 2012

As above.

District Courts Amendment Act 2011

This Act amends the District Courts Act 1947, which contributes to the implementation of the International Covenant on Civil and Political Rights (1966) [article 14].

District Courts Amendment Act (No 2) 2011

As above.

Domestic Violence Amendment Act 2012

This Act amends the Domestic Violence Act 1995, which contributes to the implementation of the International Covenant on Civil and Political Rights (1966) [article 17] and the Convention on the Elimination of All Forms of Discrimination against Women (1979) [articles 3 and 12].

Education Amendment Act 2011

This Act amends the Education Act 1989, which implements ILO Convention 10 (1921): Minimum Age (Agriculture), ILO Convention 58 (1936): Minimum Age (Sea), ILO Convention 59 (1937): Minimum Age (Industry), Convention against Discrimination in Education (1960) and ILO Convention 122 (1964): Employment Policy.

Electoral (Administration) Amendment Act 2011

This Act amends the Electoral Act 1993, which contributes to the implementation of the International Covenant on Civil and Political Rights (1966) [articles 21 and 25] and the Convention on the Elimination of All Forms of Discrimination against Women (1979) [Part I and article 7].

Employment Relations (Secret Ballot for Strikes) Amendment Act 2012

This Act amends the Employment Relations Act 2000, which implements aspects of ILO Convention 14 (1921): Weekly Rest (Industry), ILO Convention 22 (1926): Seamen's Articles of Agreement, ILO Convention

32 (1932): Protection against Accidents (Dockers), and ILO Convention 122 (1964): Employment Policy. The Act also incorporates the principles underlying ILO Convention 87 (1948): Freedom of Association and ILO Convention 98 (1949): Right to Organise and Bargain Collectively.

Evidence Amendment Act 2011

This Act amends the Evidence Act 2006, which replaced the Evidence Act 1908. The Evidence Act 1908 implemented the Hague Convention Abolishing the Requirement of Legislation for Foreign Public Documents (1961), the International Covenant on Civil and Political Rights (1966) [articles 14 and 17] and the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984) [articles 9 and 15].

Family Courts Amendment Act 2011

This Act amends the Family Courts Act 1980, which implements the Convention on the Elimination of All Forms of Discrimination against Women (1979) [article 3].

Fair Trading (Soliciting on Behalf of Charities) Amendment Act 2012

This Act amends the Fair Trading Act 1986, which implements the UN Guidelines for Consumer Protection (1985) and Annex 14 of the Free Trade Agreement between the Government of New Zealand and the Government of the People's Republic of China (2008), which sets out the Agreement between the Government of New Zealand and the Government of the People's Republic of China on Cooperation in the Field of Conformity Assessment in Relation to Electrical and Electronic Equipment and Components (2008).

Fisheries Amendment Act 2011

This Act amends the Fisheries Act 1996, which implements the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (1982).

Immigration Amendment Act 2011

This Act amends the Immigration Act 2009, which implements ILO Convention 97 (1949): Migration for Employment, the Convention relating to the Status of Refugees (1951), the International Covenant on Civil and Political Rights (1966), the Protocol relating to the Status of Refugees (1967), the Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (1984), the Convention against Transnational Organised Crime (2000), the Protocol against the Smuggling of Migrants, by Land, Sea and Air, supplementing the Convention against Transnational Organised Crime (2000), and

the Protocol to Prevent, Suppress and Punish Trafficking of Persons, especially Women and Children, supplementing the Convention against Transnational Organised Crime (2000).

Judicature Amendment Act 2012

This Act amends the Judicature Act 1908, which implements the Agreement between the Government of New Zealand and the Government of Australia on Trans-Tasman Court Proceedings and Regulatory Enforcement (2008).

Land Transport Amendment Act 2011

This Act amends the Land Transport Act 1998, which implements the Convention on Road Traffic (1949).

Misuse of Drugs Amendment Act 1978 Amendment Act 2011

This Act amends the Misuse of Drugs Amendment Act 1978, which implements the Single Convention on Narcotic Drugs (1961), the Convention on Psychotropic Substances (1971), the Protocol to the Single Convention on Narcotic Drugs (1972), the Convention on the Physical Protection of Nuclear Material and Nuclear Facilities (1980), the Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988), some of the Recommendations of Financial Action Task Force on Money Laundering (Task Force established 1989) and aspects of the Convention on the Marking of Plastic Explosives for the Purpose of Detection (1991).

Misuse of Drugs Amendment Act 2011

This Act amends the Misuse of Drugs Act 1975, which implements the Single Convention on Narcotic Drugs (1961), the Convention on Psychotropic Substances (1971), the Protocol to the Single Convention on Narcotic Drugs (1972), the Convention on the Physical Protection of Nuclear Material and Nuclear Facilities (1980), the Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988), some of the Recommendations of Financial Action Task Force on Money Laundering (Task Force established 1989) and aspects of the Convention on the Marking of Plastic Explosives for the Purpose of Detection (1991).

Misuse of Drugs Amendment Act (No 2) 2011

As above.

Maori Fisheries Amendment Act 2011

This Act amends the Maori Fisheries Act 2004, which implements the International Covenant on Economic, Social and Cultural Rights (1966).

Marriage Amendment Act 2012

This Act amends the Marriage Act 1955, which implements the Convention relating to the Status of Refugees (1951) [article 12], the International Covenant on Economic, Social and Cultural Rights (1966) [article 10], the Convention on the Rights of the Child (1989) and the Convention on the Elimination of All Forms of Discrimination against Women (1979) [article 16].

Mutual Assistance in Criminal Matters Amendment Act 2012

This Act amends the Mutual Assistance in Criminal Matters Act 1992, which implements the Single Convention on Narcotic Drugs (1961), the Convention for the Suppression of Unlawful Seizure of Aircraft (1970), the Convention on Psychotropic Substances (1971), the Protocol to the Single Convention on Narcotic Drugs (1972), the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (1973), the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, Including Diplomatic Agents (1973), the Convention against the Taking of Hostages (1979), the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (1984), the Convention against Illicit Traffic in Narcotic Drugs Psychotropic Substances (1988), the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation (1988), the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (1988), the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (1988), the Recommendations of Financial Action Task Force on Money Laundering (Task Force established 1989), the Convention on the Safety of United Nations and Associated Personnel (1994), the Convention against Transnational Organised Crime (2000), the Protocol against the Smuggling of Migrants, by Land, Sea and Air, supplementing the Convention against Transnational Organised Crime (2000) and the Protocol to Prevent, Suppress and Punish Trafficking of Persons, especially Women and Children, supplementing the Convention against Transnational Organised Crime (2000).

New Zealand Bill of Rights Amendment Act 2011

This Act amends the New Zealand Bill of Rights 1990, which implements the Convention Relating to the Status of Refugees (1951) [articles 2, 4 and 26], the International Covenant on Civil and Political Rights (1966), the Convention on the Elimination of All Forms of Discrimination Against Women (1979) [Part I and article 2] and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984) [articles 2, 7, 8 and 10].

New Zealand Security Intelligence Service Amendment Act 2011

This Act amends the New Zealand Security Intelligence Service Act 1969, which amends the Convention on the Physical Protection of Nuclear Material and Nuclear Facilities (1980) and the Convention on the Marking of Plastic Explosives for the Purpose of Detection (1991).

Policing (Storage of Youth Identifying Particulars) Amendment Act 2011

This Act amends the Policing Act 2008, which implements article 43 of the Charters of the United Nations (1945).

Prisoners' and Victims' Claims Amendment Act 2011

This Act amends the Prisoners' and Victims' Claims Act 2005, which implements the Universal Declaration of Human Rights (1948), the Convention relating to the Status of Refugees (1951), the Convention on the Elimination of All Forms of Racial Discrimination (1963), the International Covenant on Civil and Political Rights (1966), the Optional Protocol to the International Covenant on Civil and Political Rights (1966) and the Convention on the Elimination of All Forms of Discrimination against Women (1979).

Privacy Amendment Act 2011

This Act amends the Privacy Act 1993, which implements the Recommendation of the Council of the Organisation for Economic Co-operation and Development Concerning the Protection of Privacy and Transborder Flows of Personal Data (1980).

Public Finance Amendment Act 2012

This Act amends the Public Finance Act 1989, which implements the International Monetary Fund Articles of Agreement (1945).

Public Finance (Mixed Ownership Model) Amendment Act 2012

This Act amends the Public Finance Act 1989, which implements the International Monetary Fund Articles of Agreement (1945).

Resource Management Amendment Act (No 2) 2011

This Act amends the Resource Management Act 1991, which implements the Convention on Wetlands of International Importance especially Waterfowl Habitat (1971), the United Nations Framework Convention on Climate Change (1992) and the Kyoto Protocol to the United Nations Framework Convention on Climate Change (1997).

Sentencing Amendment Act 2011

This Act amends the Sentencing Act 2002, which implements the Convention on the Physical Protection of Nuclear Material and Nuclear Facilities (1980) and the Convention on the Marking of Plastic Explosives for the Purpose of Detection (1991).

Sentencing Amendment Act (No 2) 2011

As above.

Smoke-free Environments (Controls and Enforcement) Amendment Act 2011

This Act amends the Smoke-free Environments Act 1990, which implements the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (1973) and the Convention on the Rights of the Child (1989).

Social Security Amendment Act 2011

This Act amends the Social Security Act 1964, which implements ILO Convention 44 (1934): Unemployment Provision, ILO Convention 122 (1964): Employment Policy, and the Convention on Social Security between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of New Zealand (1969).

Social Security Amendment Act 2012

As above.

Social Security (Long-term Residential Care–Budget Measures) Amendment Act 2012

As above.

State-Owned Enterprises Amendment Act 2012

This Act amends the State-Owned Enterprises Act 1986. Section 8 of the Act states that, except as otherwise provided, the Employment Relations Act 2000 applies to every state enterprise. The Employment Relations Act 2000 implements various ILO conventions (see above).

Summary Proceedings Amendment Act 2011

This Act amends the Summary Proceedings Act 1957, which implements the International Covenant on Civil and Political Rights (1966) [articles 10, 12, and 14], the Convention on the Elimination of All Forms of Discrimination against Women (1979) [articles 6 and 11], the Convention on the Physical Protection of Nuclear Material and Nuclear Facilities (1980), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984) [article 3] and the Convention on the Marking of Plastic Explosives for the Purpose of Detection (1991).

Taxation (Budget Measures) Act 2012

This Act amends the Income Tax Act 2007. Schedule 24 of the Income Tax Act 2007 lists jurisdictions where tax exemption or relief laws might apply. In addition, a number of double taxation agreements with other jurisdictions are given effect via regulations made under the Act.

Taxation (International Investment and Remedial Matters) Act 2012

As above.

Taxation (Tax Administration and Remedial Matters) Act 2011

As above.

Te Ture Whenua Maori Amendment Act 2011

This Act amends the Maori Land Act 1993 (Te Ture Whenua Maori Act 1993), which implements aspects of the International Covenant on Economic, Social and Cultural Rights (1966).

Trade Marks Amendment Act 2012

This Act amends the Trade Marks Act 2002, which implements the Convention for the Protection of Industrial Property (1883) and the GATT Agreement on Trade-Related Aspects of Intellectual Property Rights (1994).

2. Acts Improving Compliance with Treaties Already Implemented²⁰

Adoption Amendment Act 2011 (divided from the Child and Family Protection Bill)

This Act, which amends the Adoption Act 1955 (which implements the Convention on the Rights of the Child (1989), implements aspects of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2000).

Care of Children Amendment Act 2011 (divided from the Child and Family Protection Bill)

This Act, which amends the Care of Children Act 2004, implements aspects of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (2000).

3. Acts Implementing New Treaties²¹

Copyright Amendment Act 2011 (divided from the Trade Marks (International Treaties and Enforcement) Amendment Bill)

This Act, which amends the Copyright Act 1994, implements aspects of the Madrid Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (1989), the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (1957 as amended 1979) and the Singapore Treaty on the Law of Trademarks (2006).

20 The Acts listed under this heading supplement the list of Acts known to have implications for New Zealand's international obligations set out in Part V of Mark Gobbi "In Search of International Standards and Obligations Relevant to New Zealand Acts" (2007) 4 NZYIL 349 at 366-393.

21 Above n 20.

National Animal Identification and Tracing Act 2012

New Zealand is a member of the World Organisation for Animal Health (OIE). The OIE encourages members to develop robust animal identification and tracing systems to control and prevent animal diseases. The Act appears to be implementing chapter 4.2 of the OIE's Terrestrial Animal Health Code (which is published annually).

Trade Marks Amendment Act 2011 (divided from the Trade Marks (International Treaties and Enforcement) Amendment Bill)

This Act, which amends the Trade Marks Act 2002, implements the Madrid Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (1989), the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (1957 as amended 1979) and the Singapore Treaty on the Law of Trademarks (2006).

*B. Regulations*²²

This section sets out the regulations made during the current interval that relate to New Zealand's international obligations.²³

Agricultural Compounds and Veterinary Medicines Amendment Regulations 2011²⁴

These regulations are made under s 75(1)(f) of the Agricultural Compounds and Veterinary Medicines Act 1997. The regulations amend Schedule 8 of the Agricultural Compounds and Veterinary Medicines Regulations 2001, which lists the substances that are not allowed to be used as agricultural compounds or ingredients in agricultural compounds. The amendment adds several substances to the list. The prohibition of the substances in Schedule 8 gives effect to the Convention on Persistent Organic Pollutants (2001) and the amendment enables New Zealand to comply with the Convention as amended in 2010.

22 The regulations listed under this heading supplement the list of regulations known to have implications for New Zealand's international obligations set out in Part V of Mark Gobbi "In Search of International Standards and Obligations relevant to New Zealand Regulations" (2007–2008) 5 NZYIL 327 at 343–372.

23 This list of regulations does not include commencement orders for Acts that implement international obligations, for example: the Misuse of Drugs Amendment Act 2011 Commencement Order 2012, the National Animal Identification and Tracing Act Commencement Order 2012, the Climate Change Response Amendment Act 2011 Commencement Order 2011, and the Misuse of Drugs Amendment Act 1978 Amendment Act 2011 Commencement Order 2011.

24 The Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Regulations 2011 revoke and replace the Agricultural Compounds and Veterinary Medicines Regulations 2001 as amended by the Agricultural Compounds and Veterinary Medicines Amendment Regulations 2011. Schedule 8 of the 2001 regulations is now Schedule 1 of the 2011 regulations.

Climate Change (Eligible Industrial Activities) Amendment Regulations 2012

These regulations are made under s 161A(1) of the Climate Change Response Act 2002. The Act implements the United Nations Framework Convention on Climate Change (1992) and the Kyoto Protocol to the United Nations Framework Convention on Climate Change (1997). The amendments adjust the allocation baselines for products produced by aluminium smelting by a specified company.

Climate Change (General Exemptions) Amendment Order 2011

This order is made under s 60 of the Climate Change Response Act 2002. The Act implements the United Nations Framework Convention on Climate Change (1992) and the Kyoto Protocol to the United Nations Framework Convention on Climate Change (1997). This order amends the Climate Change (General Exemption) Order 2009. The amendment specifies an exemption for the activity (listed in Part 3 of Schedule 3 of the Act) of mining natural gas (other than for export).

Climate Change (Other Removal Activities) Amendment Regulations 2011

These regulations are made under ss 163 and 168 of the Climate Change Response Act 2002. The Act implements the United Nations Framework Convention on Climate Change (1992) and the Kyoto Protocol to the United Nations Framework Convention on Climate Change (1997). These regulations amend the Climate Change (Other Removal Activities) Regulations 2009. The amendments provide for the calculation of removals with respect to the embedding activity of exporting LPG.

Climate Change (Stationary Energy and Industrial Processes) Amendment Regulations 2011

These regulations are made under s 163 of the Climate Change Response Act 2002. The Act implements the United Nations Framework Convention on Climate Change (1992) and the Kyoto Protocol to the United Nations Framework Convention on Climate Change (1997). These regulations amend the Climate Change (Stationary Energy and Industrial Processes) Regulations 2009. The amendments adjust the requirements for collecting information and calculating emissions in respect of the activity (listed in Part 3 of Schedule 3 of the Act) of combusting used oil, waste oil, used tyres, or waste for the purpose of generating electricity or industrial heat, specify a method of calculating emissions from underground coal gasification and specify a method of calculating emissions from the activity of combusting industrial waste. The amendments also adjust the emissions factors for mining or purchasing natural gas that are set out in table 10 of Schedule 2 of the principal regulations.

Climate Change (Unit Register) Amendment Regulations 2011

These regulations are made under ss 30G and 30H(4) of the Climate Change Response Act 2002. The Act implements the United Nations Framework Convention on Climate Change (1992) and the Kyoto Protocol to the United Nations Framework Convention on Climate Change (1997). These regulations amend the Climate Change (Stationary Energy and Industrial Processes) Regulations 2009. The amendments, which apply to industrial gas certified emission reduction units generated from hydrofluorocarbon-23 or nitrous oxide, provide that an account holder may not (with certain exceptions) transfer these units to a surrender account after a specified date.

Copyright (Infringing File Sharing) Regulations 2011

These regulations are made under s 234 of the Copyright Act 1994. The Act implements the Berne Convention for the Protection of Literary and Artistic Works (1896 as amended 1971), the Universal Copyright Convention (1952) and the GATT Agreement on Trade-Related Aspects of Intellectual Property Rights (1994). The regulations specify the details of the notification regime set up by the Copyright (Infringing File Sharing) Amendment Act 2011 in response to file sharing that infringes copyright.

Customs and Excise (Rules of Origin–Harmonised System) Amendment Regulations 2011

These regulations are made under the Customs and Excise Act 1996. They amend the Customs and Excise Regulations 1996 to make changes, and to authorise the making of changes, to the prescribed rules of origin for a number of countries to ensure consistency with the International Convention on the Harmonised Commodity Description and Coding System (1983). In the case of Australia, Malaysia, and Hong Kong, the changes are to be set out in lists that the Chief Executive of the New Zealand Customs Service makes (and publishes on the Internet site of the New Zealand Customs Service).

Customs and Excise (Rules of Origin–Product-specific Rules for Australian Goods) Amendment Regulations 2011

These regulations are made under the Customs and Excise Act 1996. They amend the Customs and Excise Regulations 1996 to incorporate by reference a new Annex G of the Australia New Zealand Closer Economic Relations Trade Agreement (ANZCERTA). Annex G sets out criteria for determining whether certain classes of goods qualify as originating from Australia. The Governments of Australia and New Zealand have agreed, by an exchange of letters, to replace the existing Annex G with a new Annex G.²⁵

25 The old Annex G was set out in Schedule 7 of the principal regulations, which was consequentially revoked. Claims for preference made before 1 September 2011 will be determined under the principal regulations as in force before that date. At the time of the

Customs and Excise (Rules of Origin for Australian Goods–ANZCERTA Article 3) Amendment Regulations 2012

These regulations are made under the Customs and Excise Act 1996. They amend the Customs and Excise Regulations 1996 to give effect to changes to Article 3 of the Australia New Zealand Closer Economic Relations Trade Agreement (ANZCERTA) agreed to by the Governments of New Zealand and Australia. Article 3 is the part of ANZCERTA that sets out conditions that goods have to meet in order to qualify as goods originating from New Zealand or Australia.

Customs and Excise (Specified AANZFTA Parties–Indonesia) Amendment Order 2011

This order is made under s 64A(3A) of the Customs and Excise Act 1996. The order amends the Customs and Excise (Specified AANZFTA Parties) Order 2009 to declare Indonesia to be a specified AANZFTA party (party to the Agreement Establishing the ASEAN–Australia–New Zealand Free Trade Area) for the purposes of the Customs and Excise Act 1996.

Customs Export Prohibition (Toothfish) Amendment Order 2012

This order is made under ss 56 and 57(3) of the Customs and Excise Act 1996. It amends the Customs Export Prohibition (Toothfish) Order 2009, which prohibits the exportation of two species of toothfish, unless it is covered by a completed catch document issued in accordance with Convention Measure 1870/VIII (as amended by Conservation Measure 10-05 (2008), which was adopted by the Commission for the Conservation of Antarctic Marine Living Resources under Article IX of the Convention on the Conservation of Antarctic Marine Living Resources (1980)). The amendment extends the exportation prohibition for a further three years.

Customs Import Prohibition (Toothfish) Amendment Order 2012

This order is made under ss 56 and 57(3) of the Customs and Excise Act 1996. It amends the Customs Export Prohibition (Toothfish) Order 2009, which prohibits the importation of two species of toothfish, unless it is covered by a completed catch document issued in accordance with Convention Measure 1870/VIII (as amended by Conservation Measure 10-05 (2008), which was adopted by the Commission for the Conservation of Antarctic Marine Living Resources under Article IX of the Convention on the Conservation of Antarctic Marine Living Resources (1980)). The amendment extends the importation prohibition for a further three years.

making of these regulations, the text of the new Annex G was available on the website of the then Ministry of Economic Development. The official version of Annex G is now available on the website of the New Zealand Customs Service at <www.customs.govt.nz>. Access to the provisions of the ANZCERTA is also facilitated by the Chief Executive of the New Zealand Customs Service in the other ways required by s 287D of the Customs and Excise Act 1996.

Double Tax Agreements (Hong Kong) Order 2011²⁶

This order is made under s BH1 of the Income Tax Act 2007. This order gives effect to the Agreement between the Government of the Hong Kong Special Administrative Region of the People's Republic of China and the Government of New Zealand for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income (2010).

Electricity (Safety) Amendment Regulations 2011

These regulations are made under ss 169, 169A, and 169B of the Electricity Act 1992, which implement Australian/New Zealand joint standards regarding electricity. Among other things, the amendments update references to the relevant standards so that they remain current and enable those in the industry to use the latest practices, technologies, and products.

Fisheries (High Seas Fishing Notifications—Commission for the Conservation of Antarctic Marine Living Resources) Amendment Notice 2011²⁷

This notice is made under s 113C of the Fisheries Act 1996, which implements the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea (1982) relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (1982). It amends the Fisheries (High Seas Fishing Notifications—Commission for the Conservation of Antarctic Marine Living Resources) Notice 2009 to update the list of international conservation and management measures that have been adopted by the Commission for the Conservation of Antarctic Marine Living Resources.

Fisheries (High Seas Fishing Notifications—Commission for the Conservation of Antarctic Marine Living Resources) Amendment Notice (No 2) 2011

As above.

Fisheries (High Seas Fishing Notifications—Commission for the Conservation of Southern Bluefin Tuna) Amendment Notice 2011²⁸

This notice is made under s 113C of the Fisheries Act 1996. The Act implements the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea (1982) relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (1982). It amends the Fisheries (High Seas Fishing Notifications—Commission for the Conservation of Southern Bluefin

26 This legislative instrument was included in the previous interval, but should not have been as it was made in the current interval. The figures for the previous interval have been adjusted to reflect this in the comparison set out in Part I.B.1.

27 Above n 26.

28 Above n 27.

Tuna) Notice 2009 to update the list of international conservation and management measures that have been adopted by the Commission for the Conservations of Southern Bluefin Tuna.

Fisheries (High Seas Fishing Notifications–Commission for the Conservation of Southern Bluefin Tuna) Amendment Notice (No 2) 2011

As above.

Fisheries (High Seas Fishing Notifications–North East Atlantic Fisheries Commission) Amendment Notice 2011

This notice is made under s 113C of the Fisheries Act 1996. The Act implements the United Nations Convention on the Law of the Sea (1982) relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (1982). The notice amends the Fisheries (High Seas Fishing Notifications–North East Atlantic Fisheries Commission) Notice 2009 to update the list of international conservation and management measures that have been adopted by the North East Atlantic Fisheries Commission.

Fisheries (High Seas Fishing Notifications) Notice 2012

This notice is made under s 113C of the Fisheries Act 1996. The Act implements the United Nations Convention on the Law of the Sea (1982) relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (1982). The notice gives notice of the arrangement known as the Report of the Second Session of the Preparatory Conference for the Commission of the South Pacific Regional Fisheries Management Organisation. It also gives notice of the relevant conservation and management measures.

Fisheries (High Seas Fishing Notifications) Notice 2011²⁹

As above.

Fisheries (High Seas Fishing Notifications: Western and Central Pacific Fisheries Commission) Amendment Notice 2011

This notice is made under s 113C of the Fisheries Act 1996. The Act implements the United Nations Convention on the Law of the Sea (1982) relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (1982). The notice amends the Fisheries (High Seas Fishing Notifications: Western and Central Pacific Fisheries Commission) Notice 2009 to update the list of international conservation and management measures that have been adopted by the Western and Central Pacific Fisheries Commission.

29 The Fisheries (High Seas Fishing Notifications) Notice 2012 has revoked and replaced the Fisheries (High Seas Fishing Notifications) Notice 2011.

Fisheries (High Seas Fishing Notifications: Western and Central Pacific Fisheries Commission) Amendment Notice 2012

As above.

Fisheries (Schedule 6) Order 2012

This order is made under s 72(7) of the Fisheries Act 1996. The Act implements the United Nations Convention on the Law of the Sea (1982) relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (1982). The order inserts rig into Schedule 6 of the Fisheries Act 1996 as a stock that may be returned to the waters from which it was taken if certain requirements are met.

Gas (Safety and Measurement) Amendment Regulations 2011

These regulations are made under ss 54 and 54A of the Gas Act 1992. They amend the Gas (Safety and Measurement) Regulations 2010 to update references to various international standards.

Hazardous Substances and New Organisms (Schedules 1AA and 2A) Order 2011³⁰

This order is made under ss 140A(1)(a) and 140B(a) of the Hazardous Substances and New Organisms Act 1996, which implements the Stockholm Convention on Persistent Organic Pollutants (2004). It amends Schedules 1AA and 2A of the Hazardous Substances and New Organisms Act 1996. Schedule 1AA of the Act sets out the text of the Convention. The amendments set out in the order bring that text up to date.

Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 Amendment Order 2011

This order is made under ss 3(1) and 3A(1) of the Imports and Exports (Restrictions) Act 1988. The Act implements the Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (1989) and the Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides (1998). The order amends the Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 to update the lists of chemicals to which these Conventions relate.

Land Transport (Driver Licensing) Amendment Rule 2011

This rule is made under the Land Transport Act 1998. It amends the Land Transport (Driver Licensing) Rule 1999, which implements aspects of the United Nations Convention of Road Traffic (1949) and Annex 7 to the United Nations Convention on Road Traffic (1968). The amendments make extensive changes to the principal Rule.

30 See above n 26.

Medicines Amendment Regulations 2011

These regulations are under ss 65 and 105 of the Medicines Act 1981. They amend the Medicines Regulations 1984, which implement the United Nations Convention on Psychotropic Substances (1971), to update the list of classified medicines.

Misuse of Drugs (Classification of Tapentadol) Order 2011

This order is made under s 4A(1) of the Misuse of Drugs Act 1975. The Act implements the Single Convention on Narcotic Drugs (1961), the Convention on Psychotropic Substances (1971), the Protocol to the Single Convention on Narcotic Drugs (1972), the Convention on the Physical Protection of Nuclear Material and Nuclear Facilities (1980), the Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988) and aspects of the Recommendations of Financial Action Task Force on Money Laundering (Task Force established 1989), the Convention on the Marking of Plastic Explosives for the Purpose of Detection (1991). The order adds tapentadol to Part 3 of Schedule 2 of Act (designating it as a class B3 controlled drug).

National Animal Identification and Tracing (Obligations and Exemptions) Regulations 2012

These regulations are made under s 69 of the National Animal Identification and Tracing Act 2012, which appears to be implementing chapter 4.2 of the Terrestrial Animal Health Code of the World Organisation for Animal Health (which is published annually). These regulations specify certain obligations and exemptions.

Tariff (Specified AANZFTA Parties–Indonesia) Amendment Order 2011

This order is made under s 7A(1)(a) of the Tariff Act 1988. The order amends the Tariff (Specified AANZFTA Parties) Order 2009 to declare Indonesia to be a specified AANZFTA party (party to the Agreement Establishing the ASEAN–Australia–New Zealand Free Trade Area) for the purposes of the Tariff Act 1988.

Trade in Endangered Species Order 2011

This order is made under s 53 of the Trade in Endangered Species Act 1989. The Act implements the Convention on International Trade in Endangered Species of Wild Fauna and Flora (1973). The order substitutes new schedules in the Act, which specify the order to which species belong, update the lists of endangered, threatened and exploited species, and amend terminology to reflect more accurately that used in the Convention.

Various Land Transport Rules:

Part 11 of the Land Transport Act 1998 provides for the making of rules with respect to various aspects of land transport. Many of these rules incorporate international standards or implement international obligations. The following rule was made during the current interval:

Dangerous Goods Amendment 2011 (rule 45001/3)

Among other things, this instrument removes reference to *New Zealand Standard 5433 Transport of Dangerous Goods on Land* from a number of provisions of the *Land Transport Rule: Dangerous Goods 2005* (rule 45001) because packaging performance standards will be removed from the next edition of the Rule and manufacturers of dangerous goods packaging in New Zealand prefer to use the United Nations Recommendations on the Transport of Dangerous Goods for these standards.

Various Maritime Rules:

Section 36(1) of the Maritime Transport Act 1994 provides for the making of rules for the purposes of the implementation of technical standards, codes of practice, performance standards and other requirements of certain conventions. Section 36(1)(u) of the Act provides for the making of rules for prescribing or providing for such matters as may be necessary to enable New Zealand to become a party to any international convention, protocol, or agreement relating to maritime transport as may be recommended by the International Maritime Organization. The following rules were made during the current interval:

Maritime Rules: Part 31A—Crewing and Watchkeeping—Unlimited, Offshore and Coastal (Non-Fishing Vessels)—Amendment 2012

These amendments give effect to changes to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (1978 as amended 1995) agreed at the Manila conference in June 2010.

Maritime Rules: Part 32—Ships' Personnel—Qualifications—Amendment 2012

These amendments give effect to changes to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (1978 as amended 1995) agreed at the Manila conference in June 2010.

Maritime Rules: Part 35—Training and Examinations—Amendment 2012

These amendments give effect to changes to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (1978 as amended 1995) agreed at the Manila conference in June 2010.

IV. JUDICIAL DECISIONS RELATED TO NEW ZEALAND'S INTERNATIONAL OBLIGATIONS

This Part sets out the reported and unreported judicial decisions rendered during the current interval that concern New Zealand's international obligations. It divides the reported cases into those cases reported in the New Zealand Law Reports (NZLR) series in which international obligations were determinative, those cases reported in the NZLR series in which international obligations were cited but not determinative, and those cases reported in other series. It also identifies the international agreements that were referenced and sets out the distribution of these references among the various courts.

A. Reported Cases

1. NZLR Cases in Which International Obligations Were Determinative

Smallmon v Transport Sales Ltd [2011] NZCA 340, [2012] 2 NZLR 109 (Ellen France, Stevens and Wild JJ), contract case that cites the United Nations Convention on Contracts for the International Sale of Goods (1980):

The Court of Appeal held that the vendor had made no promise as to certain trucks that could be registered in Queensland and that the agreement between the parties entailed no implied term in this respect. As a result, the Court ruled that article 35(2) of the Convention (fitness for purpose) did not apply and dismissed the action.

2. NZLR Cases in which International Obligations Were Cited but Not Determinative

A (A Firm of Solicitors) v District Court at Auckland [2012] NZCA 246, [2012] 2 NZLR 844 (Ellen France, Wild and Venning JJ), criminal procedure case that cites the Scheme Relating to Mutual Assistance in Criminal Matters within the Commonwealth (1986) and United Nations Model Treaty on Mutual Assistance in Criminal Matters (1990)

Abdula v R [2011] NZSC 130, [2012] 1 NZLR 534 (Elias CJ, Blanchard, Tipping, McGrath and William Young JJ), criminal procedure and human rights case that cites the International Covenant on Civil and Political Rights (1966) and European Convention on the Protection of Human Rights and Fundamental Freedoms (1950)

Attorney-General v Chapman [2011] NZSC 110, [2012] 1 NZLR 462 (Elias CJ, McGrath, William Young, Gault and Anderson JJ), constitutional law case that cites the EEC treaty (1957) (quotes a case that cites it), the European Convention on the Protection of Human Rights and Fundamental Freedoms (1950), the International Covenant on Civil and Political Rights (1966) and the Optional Protocol to the International Covenant on Civil and Political Rights (1966)

Davies v R [2011] NZCA 546, [2012] 1 NZLR 364 (O'Regan P, Glazebrook and Wild JJ), sentencing case that cites the International Covenant on Civil and Political Rights (1966)

Dotcom v Attorney-General [2012] NZHC 1494, [2012] 3 NZLR 115 (Winkelmann J), criminal procedure case that cites the United Nations Model Treaty on Mutual Assistance in Criminal Matters (1990) and the Scheme Relating to Mutual Assistance in Criminal Matters within the Commonwealth (1986)

Hamed v R [2011] NZSC 101, [2012] 2 NZLR 305 (Elias CJ, Blanchard, Tipping, McGrath and Gault JJ), criminal procedure case that cites European Convention on the Protection of Human Rights and Fundamental Freedoms (1950) and the International Covenant on Civil and Political Rights (1966)

Ministry of Health v Atkinson [2012] NZCA 184, [2012] 3 NZLR 456 (O'Regan P, Glazebrook, Ellen France, Harrison and White JJ), human rights case that cites the United Nations Convention on the Rights of Persons with Disabilities (2006), the International Covenant on Economic, Social and Cultural Rights (1966) and the International Covenant on Civil and Political Rights (1966)

RIDCA Central (Regional Intellectual Disability Care Agency) v VM [2011] NZCA 659, [2012] 1 NZLR 641 (O'Regan P, Arnold, Randerson, Harrison and Wild JJ), mental health (compulsory treatment orders) case that cites European Convention on the Protection of Human Rights and Fundamental Freedoms (1950)

Takamore v Clarke [2011] NZCA 587, [2012] 1 NZLR 573 (Glazebrook, Chambers and Wild JJ), Maori customary rights and administration of estate case that cites the United Nations Declaration on the Rights of Indigenous Peoples (2007), the International Covenant on Civil and Political Rights (1966), the International Covenant on Economic, Social and Cultural Rights (1966) and European Convention on the Protection of Human Rights and Fundamental Freedoms (1950)

3. Cases Reported in Other Series that Reference International Obligations

Aboudi v Collins [2012] NZFC 2694 (Judge Callinocos), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

AJB v MJM; TJR v TBM [Relocation] [2012] NZFC 1553, [2012] NZFLR 993 (Judge NA Walsh), custody case that cites United Nations Convention on the Rights of the Child (1989) and the Hague Convention on the Civil Aspects of International Child Abduction (1980)

AM v PM [2012] NZHC 1440 (Gendall J), custody case that cites the Hague Convention of the Civil Aspects of International Child Abduction (1980)

Avtar Singh and Ors v Minister of Immigration [2011] NZCA 532 (Arnold, Ellen France and Wild JJ), immigration case that cites United Nations Convention on the Rights of the Child (1989)

Bayer v Bayer [2012] NZFC 2878, [2012] NZFLR 567 (Judge Boshier), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

Bull v Bull [2012] NZFC 2961 (Judge Murfitt), parenting order case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

Cai v R [2011] NZCA 604 (Harrison, Miller and Asher JJ), criminal case that cites the Council of Europe Convention on Cybercrime (2001)

Ceramalus v Chief Executive, Ministry of Social Development [2012] NZHC 587 (Woolford J), social security case that cites the International Covenant on Civil and Political Rights (1966), the International Covenant on Economic Social and Cultural Rights 1966, the Universal Declaration of Human Rights (1948) and the United Nations Charter (1945)

Churchward v R [2011] NZCA 531, (2011) 25 CRNZ 446 (Glazebrook, Ellen France and Harrison JJ), criminal case that cites United Nations Convention on the Rights of the Child (1989)

Clark v Registrar of the Manukau District Court [2012] NZCA 193 (Randerson, Harrison and Wild JJ), criminal procedure case that cites the European Convention on the Protection of Human Rights and Fundamental Freedoms (1950) and the International Covenant on Civil and Political Rights (1966)

Commissioner of Police v Kim Dotcom [2012] NZHC 634 (Potter J), criminal procedure case that cites the United Nations Model Treaty on Mutual Assistance in Criminal Matters (1990)

CPH v LP [2012] NZFC 3660 (Judge Southwick), parenting order case that cites the United Nations Convention on the Rights of the Child (1989)

DAL v NJW [2012] NZFC 2050 (Judge Smith), parenting order case that cites the United Nations Convention on the Rights of the Child (1989)

Debra Lister v Accident Compensation Corporation [2011] NZCA 625 (Arnold, Randerson and Stevens JJ), civil procedure case that cites the International Covenant on Civil and Political Rights (1966)

Dhindsa v The Secretary of Labour [2012] NZCA 282 (O'Regan P, Arnold and Ellen France JJ), immigration case that cites the United Nations Convention on the Rights of the Child (1989) and the International Covenant on Civil and Political Rights (1966)

Dotcom v United States of America [2012] DCR 661 (Judge Harvey), extradition case that cites the Treaty on Extradition between New Zealand and the United States (1970) and Convention against Transnational Organised Crime (2000)

Dotcom v United States of America [2012] NZHC 75 (Asher J), criminal procedure case that cites the Treaty on Extradition between New Zealand and the United States (1970)

E'AVT v VT [2012] NZFC 2973 (Judge Coyle), parenting order case that cites the United Nations Convention on the Rights of the Child (1989)

Exide Technologies Ltd v Attorney-General [2011] NZCA 651 (O'Regan P, Arnold and Harrison JJ), administrative law case that cites the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (1989), the Stockholm Convention on Persistent Organic Pollutants (2004), and the Waigani Convention to Ban the

Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement and Management of Hazardous Wastes within the South Pacific Region (2001)

Greenpeace of New Zealand Inc v Minister of Energy & Resources [2012] NZHC 1422 (Gendall J), judicial review case that cites the International Convention for the Prevention of Pollution for Ships (1973/78), the International Convention on Oil Pollution Preparedness, Response and Cooperation (1990), the Convention for the Protection of Natural Resources and Environment of the South Pacific Region (1986), the United Nations Convention on the Law of the Sea (1982) and the United Nations Declaration on the Rights of Indigenous Peoples (2007)

Government of the United States of America v Jiang [2012] DCR 724 (Judge Wainwright), extradition case that cites the Treaty on Extradition between New Zealand and the United States (1970) and Convention against Transnational Organised Crime (2000)

Gurpreed Singh Dhindsa v The Secretary of Labour and Anor [2012] NZCA 282 (O'Regan P, Arnold and Ellen France JJ), administrative law case that cites United Nation Convention of the Rights of the Child (1989) and International Covenant on Civil and Political Rights (1966)

GWJB v JCB [2012] NZFC 3968 (Judge O'Dwyer), parenting order case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

Harlen v Ministry of Social Development [2012] NZHC 669, [2012] NZAR 491 (Courtney J), social security case that cites the International Covenant on Economic, Social and Cultural Rights (1966), the International Covenant on Civil and Political Rights (1966), and United Nations Convention on the Rights of the Child (1989)

Harris v R [2011] NZCA 611 (Ellen France, Miller and Asher JJ), criminal case that cites the European Convention on the Protection of Human Rights and Fundamental Freedoms (1950)

Helu v Immigration and Protection Tribunal [2012] NZHC 1270, [2012] NZAR 688 (Toogood J), a judicial review case that cites the International Covenant on Civil and Political Rights (1966)

JMG v CCS Disability Action (Wellington Branch Inc) [2012] NZFLR 369 (HC) (Miller J), personal property rights case that cites the Convention on the Rights of Persons with Disabilities (2007)

John David Rangitauira v The Queen [2011] NZCA 354 (Stevens, Potter and Ronald Young JJ), criminal procedure that cites Convention against Transnational Organised Crime (2000) and the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984)

Joseph v Minister of Internal Affairs [2012] NZHC 49, [2012] NZAR 179 (Lang J), immigration case that cites the United Nations Convention on the Reduction of Statelessness (1961) and the United Nations Convention on the Rights of the Child (1989)

JVKB v AJB [2012] NZFC 2878 (Judge Boshier), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

Le Cordon Bleu International BV v Commissioner of Trade Marks [2012] NZHC 724, [2012] NZAR 524 (Collins J), intellectual property case which cites the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (1957)

Lister v Accident Compensation Corporation (ACC) [2011] NZCA 625 (Arnold, Randerson and Stevens JJ), civil procedure case that cites the International Covenant on Civil and Political Rights (1966)

LP-JR v MCW [2012] NZFC 4184 (Judge Flatley), custody case that cites United Nations Convention on the Rights of the Child (1989)

LZ v AV [2012] NZFC 3187 (Judge Wills), civil procedure case that cites the United Nations Convention on the Recovery Abroad of Maintenance (1956)

M (CA 427-2011) v R [2012] NZCA 270 (Stevens, Chisholm and Heath JJ), criminal case that cites the European Convention on the Protection of Human Rights and Fundamental Freedoms (1950)

M v M [2012] NZHC 874, [2012] NZFLR 429 (Miller J), custody case that cites the Hague Convention on Civil Aspects of International Child Abduction (1989)

M v Minister of Immigration [2011] NZFLR 977 (HC) (Courtney J), immigration case that cites the International Covenant on Civil and Political Rights (1966) and the European Convention on the Protection of Human Rights and Fundamental Freedoms (1950)

M v Refugee Status Appeals Authority [2011] NZSC 143 (Blanchard, McGrath and William Young JJ), immigration case that cites the Convention relating to the Status of Refugees (1951)

Mars New Zealand Ltd v Heinz Wattie's Ltd [2012] NZHC 591 (Collins J), intellectual property case which cites the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (1957)

ME v SWE [2012] NZFC 4100 (Judge Binns), custody case that cites United Nations Convention on the Rights of the Child (1989)

Mossman v Eastwood [2012] NZFC 1503 (Judge PJ Callinicos), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

New Zealand Police v K [2011] NZCA 533 (Stevens, R Young and Andrews JJ), custody case that cites Hague Convention on the Civil Aspects of International Child Abduction (1980)

Olua v R [2012] NZCA 177 (Stevens, Chisholm and Priestley JJ), criminal procedure case that cite the European Convention on the Protection of Human Rights and Fundamental Freedoms (1950)

Otimi v R [2012] NZCA 216 (O'Regan P, MacKenzie and Asher JJ), criminal case that cites the United Nations Declaration on the Rights of Indigenous Peoples (2007)

PASD v MMB [2012] NZFC 3825 (Judge SJ Maude), parenting order case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

Peter Richard Prescott v Police [2012] NZHC 834 (Allan J), transport case that cites the Covenant of the League of Nations (1919)

Peterson v Lucas Mill Pty Ltd [2012] NZHC 1101 (Bell J), copyright case that cites the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS) (1994)

Petterson v Gothard [2012] NZHC 666 (Heath J), insolvency case that cites the UNCITRAL Model Law on Electronic Commerce (1996)

PFMB v JJB [Services orders] [2012] NZFC 4689, [2012] NZFLR 837 (Judge Coyle), a services order (children and young persons) case that cites United Nations Convention on the Rights of the Child (1989)

PIB v GA [2012] NZFC 3877 (Judge Cocurullo), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

Police v W [2013] DCR 209 (Judge Neave), criminal case that cites United Nations Convention on the Rights of the Child (1989)

Property Rights in New Zealand Inc v Manawatu-Wanganui Regional Council [2012] NZHC 1272 (Kós J), judicial review case that cites the Convention on Biological Diversity (1992)

Q v Attorney-General [2011] NZAR 625 (HC) (Courtney J), administrative law case that cites the United Nations Convention Relating to the Status of Refugees (1951)

R v M [Youth Justice] [2011] NZCA 673, [2012] NZAR 137 (O'Regan, Wild and Heath JJ), youth justice case that cites United Nations Convention on the Rights of the Child (1989)

RAC v ABC [2012] NZFC 2688 (Judge NA Walsh), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

Rangitauira v R [2011] NZCA 354 (Stevens, Potter and Ronald Young JJ), name suppression case that cites the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984) and Convention against Transnational Organised Crime (2000)

RCL v APBL [2012] NZHC 1292 (Gendall J), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

Re Adoption application by BK [2012] NZFC 4447 (Judge Druce), custody case that cites the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (1993)

Re DMW [2012] NZFC 2915 (Judge DA Burns), custody case that cites the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (1993), the United Nations Convention on the Rights of the Child (1989) and the European Convention on the Protection of Human Rights and Fundamental Freedoms (1950)

Re MMWS [2012] NZFC 3752 (Judge JF Moss), custody case that cites United Nations Convention on the Rights of the Child (1989)

RLJ v SL [2012] NZFC 3505 (Judge GF Ellis), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

S v Chief Executive of the Ministry of Social Development [2011] NZFLR 906 (HC) (Mallon J), custody case that cites the International Covenant on Civil and Political Rights (1966)

SCR, Adoption application by [2012] NZFC 5466 (Judge AP Walsh), custody case that cites the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (1993)

Siemer v Chief Justice of the New Zealand Supreme Court [2011] NZHC 936 (Woodhouse J), civil procedure case that cites the International Covenant on Civil and Political Rights (1966)

Siemer v Solicitor-General of New Zealand [2012] NZSC 37, [2012] BCL 224 (Blanchard and William Young JJ), civil procedure case that cites the International Covenant on Civil and Political Rights (1966)

Siemer v Harvey [2012] NZHC 1434 (Toogood J), judicial review case that cites the International Covenant on Civil and Political Rights (1966)

Slater v R [2011] NZCA 568 (Harrison, Miller and Asher JJ), criminal case that cites the International Covenant on Civil and Political Rights (1966)

Telecom Corporation of New Zealand Ltd v Commerce Commission [2012] NZCA 278 (Glazebrook, Chambers and Ellen France JJ), commerce case that cites the Treaty on the Functioning of the European Union (2009)

The Commissioner of Police v Dotcom [2012] NZHC 634 (Potter J), criminal procedure case that cites the United Nations Model Treaty on Mutual Assistance in Criminal Matters (1990)

U v Attorney-General [2012] NZHC 1180; [2012] NZFLR 709 (Gendall J), custody case that cites the International Covenant on Civil and Political Rights (1966), the United Nations Convention on the Rights of the Child (1989) and the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (1993)

United States of America v Dotcom [2012] NZHC 1353, [2012] BCL 344 (Winkelmann J), extradition case that cites the Treaty on Extradition between New Zealand and the United States (1970)

Vogel v Attorney-General [2012] NZHC 269, [2012] NZAR 154 (Lang J), declaratory Bill of Rights judgment that cites the International Covenant on Civil and Political Rights (1966), the International Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984), the United Nations Standard Minimum Rules for the Treatment of Prisoners (1955), and the European Convention for the Protection of Human Rights and Fundamental Freedoms (1950)

B. Unreported Cases

AAM v MM (FC Dunedin FAM-2011-012-000522, 1 November 2011, Judge Coyle), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

Amstad v Police (HC Auckland CRI-2011-404-000161, 6 September 2011, Whata J), sentencing case that cites United Nations Convention on the Rights of the Child (1989)

AND v MMN (FC Christchurch FAM-2011-009-000341, 8 July 2011, Judge E Smith), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980) and the United Nations Convention on the Rights of the Child (1989)

Andrews v Meijers (FC Christchurch FAM-2008-009-004331 12 July 2011, Judge Murfitt), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

AOB v BGB (FC New Plymouth FAM-2003-043-000693, 26 September 2011, Judge Courtney), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

Babulal v Chief Executive, Department of Labour (HC Auckland CIV-2011-404-001773, 29 September 2011, Lang J), immigration case that cites the International Covenant on Civil and Political Rights (1966), the International Covenant on Economic, Social and Cultural Rights 1966 and the United Nations Convention on the Rights of the Child (1989)

Chen v Dept of Labour (HC Auckland CIV-2011-404-007827, Woolford J), immigration case that cites the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, the Vienna Convention of Consular Relations (1963) and the International Covenant on Economic, Social and Cultural Rights (1966)

Chief Executive of Ministry of Social Development v ANF (FC Tauranga FAM-2002-063-000024, 16 November 2011, Judge Wills), custody case that cites United Nations Convention on the Rights of the Child (1989)

Chief Executive of the Ministry of Social Development v LETH (FC Dunedin FAM-2011-012-000573, 15 December 2011, Judge Coyle), custody case that cites United Nations Convention on the Rights of the Child (1989)

Child Poverty Action Group Inc v Attorney-General (HC Wellington CIV-2009-404-273, 25 October 2011, Dobson J, Ms J Grant MNZM (Lay Member) and Ms S Ineson QSM (Lay Member)), human rights case that cites the International Covenant on Civil and Political Rights (1966), the International Covenant on Economic, Social and Cultural Rights (1966) and the United Nations Convention on the Rights of the Child (1989)

CRM v LCK (FC Tauranga FAM-2009-070-000940, 22 August 2011, Judge JP Geoghegan), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

CTM v JMW (HC Wellington CIV-2011-404-4696, 15 December 2011, Woodhouse J), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction 1980

CVC v SDL-H (FC Christchurch FAM-2007-009-002031, 21 September 2011, Judge von Dadelszen), custody case that cites United Nations Convention on the Rights of the Child (1989) and the Hague Convention on the Civil Aspects of International Child Abduction (1980)

DKS v AHS (FC Auckland FAM-2009-044-000708, Judge Burns), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

Ewebiyi v Parr (HC Christchurch CIV-2011-409-002010, 7 December 2011, Fogarty J), immigration case that cites the International Covenant on Civil and Political Rights (1966), the International Covenant on Economic, the Social and Cultural Rights (1966) and the United Nations Convention on the Rights of the Child (1989)

Exide Technologies Ltd v Attorney-General (HC Wellington CIV-2011-485-001549, 16 September 2011, Miller J), judicial review case that cites the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (2004), the Stockholm Convention on Persistent Organic Pollutants (2004), the United

Nations Convention on the Law of the Sea (1982), the Vienna Convention on the Law of Treaties (1969), the Waigani Convention to Ban the Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement and Management of Hazardous Wastes within the South Pacific Region (2001) and the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (1989)

Forrest v Chief Executive of the Dept of Corrections (HC Wellington CIV-2011-409-1233, 2 December 2011, Gendall J), criminal procedure case that cites the International Covenant on Civil and Political Rights (1966)

GRW v ND (aka NS) (FC Auckland FAM-2011-004-000545 20 July 2011, Judge Twaddle), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

HJG v SRG (FC Wellington FAM-2011-085-000569, 2 September 2011, Judge Ellis), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

HM v CS (FC Hawera FAM-2010-021-000182, 11 October 2011, Judge Courtney), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

Ironsands Investments Ltd v Toward Industries Ltd (HC Auckland CIV-2010-404-004879, 30 August 2011, Courtney J), arbitration case that cites the Model Law on International Commercial Arbitration (1985), the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (1923), the Convention on the Execution of Foreign Arbitral Awards (1927) and the Model Law on International Commercial Arbitration (1985)

JMW v CTM (FC Auckland FAM-2007-004-001791, 2 August 2011, Judge Ryan), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

JRB v AQB (FC Hamilton FAM-2002-019-001615, 16 August 2011, Judge Coyle), parenting order case that cites the United Nations Convention on the Rights of the Child (1989)

JTP v BLS (FC Hamilton FAM-2002-019-001333, 19 July 2011, Judge Cocurullo), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

KUM (Application for adoption by) (FC Dunedin FAM-2011-012-000358, 27 January 2012, Judge Coyle), custody case that cites the United Nations Convention on the Rights of the Child (1989)

M v W (HC Auckland CIV-2011-404-004696, 15 December 2011, Woodhouse J), custody case that cites the Hague Convention on Civil Aspects of International Child Abduction (1980)

MGP v KRW (FC Christchurch FAM-2011-009-001488, FAM-2011-009-001576, 5 October 2011, Judge von Dadelzen), custody case that cites United Nations Convention on the Rights of the Child (1989)

Ministry of Social Development v NC (FC Porirua FAM-2010-091-000364, 15 July 2011, Judge Ullrich), custody case that cites United Nations Convention on the Rights of the Child (1989)

MJD v BMW (FC Dunedin FAM-2000-012-000782, 20 September 2011, Judge Coyle), parenting order case that cites United Nations Convention on the Rights of the Child (1989)

Mudgway v DM Roberts Ltd (HC Tauranga CIV-2012-470-000114, Doogue J), property case that cites the Model Law on International Commercial Arbitration (1985)

New Zealand Central Authority on Behalf of Mr Cooke v Ms Davis (FC Hastings FAM-2011-004-002896, FAM-2011-004-002890, 2 March 2012, Judge P Callinicos), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

PAH v CG (FC Tauranga FAM-2011-079-000015, 11 November 2011, Judge Somerville), custody case that cites United Nations Convention on the Rights of the Child (1989)

Perpetual Trustee Company Ltd v Downey (HC Auckland, CIV-2001-404-4096, Bell J), insolvency case that cites the Model Law on Cross Border Insolvency (1987)

R v Parish (DC Christchurch CRI-2011-409-000070, 16 February 2012, Judge Neave), criminal case that cites the European Convention on the Protection of Human Rights and Fundamental Freedoms (1950)

R v UGT (HC Rotorua CRI-2011-263-000073, 14 July 2011, Whata J), criminal case that cites the United Nations Convention on the Rights of the Child (1989)

Re an application by IAM (FC Wellington FAM-2010-085-001075, 5 July 2011, Judge von Dadelzen), custody case that cites United Nations Convention on the Rights of the Child (1989)

Re Cith (FC Palmerston North FAM-2011-054-000180, 25 November 2011, Judge Binns), custody case that cites United Nations Convention on the Rights of the Child (1989)

RK v KRJ (FC Alexandra FAM-2010-002-000088, 11 July 2011, Judge Coyle), custody case that cites United Nations Convention on the Rights of the Child (1989)

SP-I-HT, Re (FC Auckland FAM-2009-004-001923, 19 September 2011, Judge Burns), custody case that cites the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (1993)

SV, Adoption application by (DC Auckland FAM-2010-004-001053, 4 July 2011, Judge de Jong), custody case that cites the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (1993)

Taylor v Chief Executive of the Department of Corrections (No 2) (HC Auckland CIV-2011-404-003227, 5 August 2011, Allan J), criminal procedure case that cites the International Covenant on Civil and Political Rights (1966)

TB v JPB (HC Auckland CIV-2011-404-000679, 15 September 2011, Peters J), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

TLE v MTLNTEN (FC Hastings FAM-2003-020-000341, 2 September 2011, Judge von Dadelszen), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980) and the United Nations Convention on the Rights of the Child (1989)

VMH v SMAS-B (FC Palmerston North FAM-2011-054-000180, 25 November 2011, Judge JA Binns), custody case that cites the International Covenant on Civil and Political Rights (1966) and United Nations Convention on the Rights of the Child (1989)

Wei v Commissioner of Inland Revenue (HC Auckland CIV-2010-404-005461, 24 November 2011, Ellis J), a criminal case that cites European Convention on the Protection of Human Rights and Fundamental Freedoms (1950)

Woolf v Woolf (HC Dunedin CIV-2010-412-000778, 8 September 2011, Priestley J), custody case that cites the Hague Convention on the Civil Aspects of International Child Abduction (1980)

C. Distribution of References to International Agreements Among Various Courts, NZLR Cases, Other Reported Cases, and Unreported Cases³¹

International obligations	NZLR	Other	Unrep	All	Total
Convention on the Rights of the Child (1989)		CA: 5 HC: 2 DC: 1 FC: 8	HC: 5 FC: 17	CA: 5 HC: 7 DC: 1 FC: 25	38
Convention on the Civil Aspects of International Child Abduction (1980)		HC: 2 FC: 14	HC: 4 FC: 11	HC: 6 FC: 25	31

31 Key: SC = Supreme Court, CA = Court of Appeal, HC = High Court, DC = District Court, FC = Family Court, * = New Zealand is not a party to this agreement.

International Covenant on Civil and Political Rights (1966)	SC: 3 CA: 3	SC: 1 CA: 6 HC: 6 FC: 2	HC: 6	SC: 4 CA: 9 HC: 12 FC: 2	27
European Convention on the Protection of Human Rights and Fundamental Freedoms (1950)*	SC: 3 CA: 2	CA: 3 HC: 2 FC: 1	HC: 1 DC: 1	SC: 3 CA: 5 HC: 3 DC: 1 FC: 1	13
International Covenant on Economic, Social and Cultural Rights (1966)	CA: 1	HC: 2	HC: 4	CA: 1 HC: 6	7
Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (1993)		FC: 4	DC: 1 FC: 1	DC: 1 FC: 5	6
Convention against Transnational Organised Crime (2000)		CA: 2 DC: 2		CA: 2 DC: 2	4
Model Treaty on Mutual Assistance in Criminal Matters (1990)	CA: 1 HC: 1	HC: 2		CA: 1 HC: 3	4
Treaty on Extradition between New Zealand and the United States (1970)		HC: 2 DC: 2		HC: 2 DC: 2	4
Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984)		CA: 2 HC: 1		CA: 2 HC: 1	3
Model Law on International Commercial Arbitration (1985)			HC: 3	HC: 3	3
Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (1957)		HC: 2		HC: 2	2
Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (1989)		CA: 1	HC: 1	CA: 1 HC: 1	2
Convention on Persistent Organic Pollutants (2004)		CA: 1	HC: 1	CA: 1 HC: 1	2
Convention on the Law of the Sea (1982)		HC: 1	HC: 1	HC: 2	2
Convention on the Rights of Persons with Disabilities (2006)	CA: 1	FC: 1		CA: 1 FC: 1	2

Convention relating to the Status of Refugees (1951)		SC: 1 HC: 1		SC: 1 HC: 1	2
Convention to Ban the Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement and Management of Hazardous Wastes within the South Pacific Region (2001)		CA: 1	HC: 1	CA: 1 HC: 1	2
Council of Europe Convention on Cybercrime (2001)*		CA: 2		CA: 2	2
Declaration on the Rights of Indigenous Peoples (2007)	CA: 1	HC: 1		CA: 1 HC: 1	2
Optional Protocol to the International Covenant on Civil and Political Rights (1966)	SC: 1	HC: 1		SC: 1 HC: 1	2
Scheme Relating to Mutual Assistance in Criminal Matters within the Commonwealth (1986)	CA: 1 HC: 1			CA: 1 HC: 1	2
Universal Declaration of Human Rights (1948)		HC: 1		HC: 1	1
Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS) (1994)		HC: 1		HC: 1	1
Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment		HC: 1		HC: 1	1
Convention on Biological Diversity (1992)		HC: 1		HC: 1	1
Convention for the Protection of Natural Resources and Environment of the South Pacific Region (1986)		HC: 1		HC: 1	1
Convention of Consular Relations (1963)		HC: 1		HC: 1	1
Convention on Contracts for the International Sale of Goods (1980)	CA: 1			CA: 1	1
Convention on the Execution of Foreign Arbitral Awards (1927)			HC: 1	HC: 1	1
Convention on the Law of Treaties (1969)			HC: 1	HC: 1	1

Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (2004)			HC: 1	HC: 1	1
Convention on the Recognition and Enforcement of Foreign Arbitral Awards (1923)			HC: 1	HC: 1	1
Convention on the Recovery Abroad of Maintenance (1956)		FC: 1		FC: 1	1
Convention on the Reduction of Statelessness (1961)		HC: 1		HC: 1	1
Covenant of the League of Nations (1919)		HC: 1		HC: 1	1
International Convention for the Prevention of Pollution for Ships (1973/78)		HC: 1		HC: 1	1
International Convention on Oil Pollution Preparedness, Response and Cooperation (1990)		HC: 1		HC: 1	1
Model Law on Cross Border Insolvency (1987)			HC: 1	HC: 1	1
Treaty on the Functioning of the European Union (2009)*		CA: 1		CA: 1	1
UNCITRAL Model Law on Electronic Commerce (1996)		HC: 1		HC: 1	1
United Nations Charter (1945)		HC: 1		HC: 1	1
United Nations Standard Minimum Rules for the Treatment of Prisoners (1955)		HC: 1		HC: 1	1
Totals	20	100	63	183	183

V. UPDATE OF MASTER LIST OF IMPLEMENTING ACTS

This Part updates the master list of implementing Acts set out in Part V of “In Search of International Standards and Obligations Relevant to New Zealand Acts”(2007) 4 *New Zealand Yearbook of International Law* 366-393 (as amended).³² The master list should be amended as follows:

32 For previous amendments to the master list, see Gobbi (2011), above n 3 at 386; Mark Gobbi “Treaty Action and Implementation” (2010) 8 *NZYIL* 283 at 328-329; Mark Gobbi “Treaty Action and Implementation” (2009) 7 *NZYIL* 381 at 424-431; Mark Gobbi “Treaty Action and Implementation” (2008) 6 *NZYIL* 379 at 418-420; Gobbi (2007-2008), above n 16, at 326.

Age of Majority Act 1970

Add the following entry after this entry:

Agricultural Compounds and Veterinary Medicines Act 1997

Convention on Persistent Organic Pollutants (2001)#

Copyright Act 1994

Add “Madrid Agreement Concerning the International Registration of Marks (1989)”, “Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (1957 as amended 1979)”, and “Singapore Treaty on the Law of Trademarks (2006)” after “GATT Agreement on Trade-Related Aspects of Intellectual Property Rights (1994)”.

Mutual Assistance in Criminal Matters Act 1992

Add the following entry after this entry:

National Animal Identification and Tracing Act 2012

Chapter 4.2 of the World Organisation for Animal Health’s Terrestrial Animal Health Code

Trade Marks Act 2002

Add “Madrid Agreement Concerning the International Registration of Marks (1989)”, “Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (1957 as amended 1979)”, and “Singapore Treaty on the Law of Trademarks (2006)” after “GATT Agreement on Trade-Related Aspects of Intellectual Property Rights (1994)”.

VI. UPDATE OF MASTER LIST OF IMPLEMENTING REGULATIONS

This Part updates the master list of implementing regulations set out in Part V of “In Search of International Standards and Obligations relevant to New Zealand Regulations” (2007-2008) 5 New Zealand Yearbook of International Law 327-272 (as amended).³³ The master list should be amended as follows:

Adoption (Intercountry) Regulations 1998

Add the following entry after this entry:

Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Regulations 2011

Agricultural Compounds and Veterinary Medicines Act 1997, s 75(1)(f)

Convention on Persistent Organic Pollutants (2001)

33 For previous amendments to the master list, see Gobbi (2011), above n 3 at 386-389; Gobbi (2010), above n 32, at 330-335; Gobbi (2009), above n 32, at 425-431; Gobbi (2008), above n 32, at 421-423.

Climate Change (Agriculture Sector) Regulations 2010

Add the following entry after this entry:

Climate Change (Eligible Industrial Activities) Regulations 2010

Climate Change Response Act 2002, s 161A

United Nations Framework Convention on Climate Change (1992)#

Kyoto Protocol to the United Nations Framework Convention on Climate Change (1997)#

Copyright (Application to other Countries) Order 1995

Add the following entry after this entry:

Copyright (Infringing File Sharing) Regulations 2011

Copyright Act 1994, s 234

Berne Convention for the Protection of Literary and Artistic Works (1896 as amended 1971)

Universal Copyright Convention (1952)

GATT Agreement on Trade-Related Aspects of Intellectual Property Rights (1994)

Customs and Excise Regulations 1996

Add “International Convention on the Harmonised Commodity Description and Coding System (1983)” after the “Australia and New Zealand Closer Economic Relations Trade Agreement (1983)” item.

Customs Export Prohibition (Toothfish) Order 2009

Replace “Conservation Measure 170/XVIII adopted by the Commission for the Conservation of Antarctic Marine Living Resources in 1999 under Article IX of the Convention on the Conservation of Antarctic Marine Living Resources (1980)” with “Convention Measure 1870/VIII (as amended by Conservation Measure 10-05 (2008), which was adopted by the Commission for the Conservation of Antarctic Marine Living Resources under Article IX of the Convention on the Conservation of Antarctic Marine Living Resources (1980)”.

Customs Import Prohibition (Toothfish) Order 2009

Replace “Conservation Measure 170/XVIII adopted by the Commission for the Conservation of Antarctic Marine Living Resources in 1999 under Article IX of the Convention on the Conservation of Antarctic Marine Living Resources (1980)” with “Convention Measure 1870/VIII (as amended by Conservation Measure 10-05 (2008), which was adopted by the Commission for the Conservation of Antarctic Marine Living Resources under Article IX of the Convention on the Conservation of Antarctic Marine Living Resources (1980)”.

Fisheries (Basking Shark–High Seas Protection) Regulations 2010

Add the following entry after this entry:

Fisheries (High Seas Fishing Notifications–Commission for the Conservation of Antarctic Marine Living Resources) Notice 2009

Fisheries Act 1996, s 113C

The regulations give notice of a list of international conservation and management measures that the Commission for the Conservation of Antarctic Marine Living Resources has adopted. These measures apply to ships that are on the high seas in an area that the Commission covers and that are registered under the Ship Registration Act 1992 or fly the New Zealand flag.

Fisheries (High Seas Fishing Notifications) Notice 2010

Add the following entry after this entry:

Fisheries (High Seas Fishing Notifications) Notice 2012

Fisheries Act 1996, s 113C

This notice gives notice of the arrangement known as the Report of the Second Session of the Preparatory Conference for the Commission of the South Pacific Regional Fisheries Management Organisation. It also gives notice of the relevant conservation and management measures.

Fisheries (High Seas Fishing Notifications: Western and Central Pacific Fisheries Commission) Notice 2009

Add the following entry after this entry:

Fisheries (Schedule 6) Order 2012

Fisheries Act 1996, s 72(7)

The Fisheries Act 1996 implements the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (1982). The order inserts into Schedule 6 of the Fisheries Act 1996 as a stock that may be returned to the waters from which it was taken if certain requirements are met.

Gas (Safety and Measurement) Regulations 2010

Replace “an Australian Standard, an Australian/New Zealand joint standard, and several International Organization for Standardization standards” with “various international standards”.

Land Transport Rule 33020: Fuel Consumption Information 2008

Add the following entry after this entry:

Land Transport Rule 45001: Dangerous Goods 2005

Land Transport Act 1998, s 152

This rule permits manufacturers of dangerous goods packaging in New Zealand to use the packaging performance standards of the United Nations Recommendations on the Transport of Dangerous Goods.

Maritime Rules: Part 24D—Carriage of Cargoes—Convention Containers 2005

Add the following entry after this entry:

Maritime Rules: Part 31A—Crewing and Watchkeeping-Unlimited, Offshore and Coastal (Non-Fishing Vessels) 1998

Maritime Transport Act 1994, s 36

International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (1978 as amended 1995, 2010)

Maritime Rules: Part 32—Ships' Personnel—Qualifications 1999

Add the following entry after this entry:

Maritime Rules: Part 35—Training and Examinations 1999

Maritime Transport Act 1994, s 36

International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (1978 as amended 1995, 2010)

Medicines Regulations 1984

Add the following entry after this entry:

Misuse of Drugs (Classification of Tapentadol) Order 2011

Misuse of Drugs Act 1975, s 4A

Single Convention on Narcotic Drugs (1961)

Convention on Psychotropic Substances (1971)

Protocol to the Single Convention on Narcotic Drugs (1972)

Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988)

Mutual Assistance in Criminal Matters (Section 24(3)) Order 1999

Add the following entry after this entry:

National Animal Identification and Tracing (Obligations and Exemptions) Regulations 2012

National Animal Identification and Tracing Act 2012, s 69

Chapter 4.2 of the Terrestrial Animal Health Code of the World Organisation for Animal Health (annual)