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[LAURA LINCOLN, ASSISTANT EDITOR](#)

Research Assistant, Victoria University of Wellington School of Law  
[laura.lincoln@vuw.ac.nz](mailto:laura.lincoln@vuw.ac.nz)

[JOHN PREBBLE, EDITOR](#)

Professor of Law, Victoria University of Wellington, Honorary Research Fellow, Monash University, Gastprofessor, Institut für Österreichisches und Internationales Steuerrecht, Wirtschaftsuniversität Wien  
[john.prebble@vuw.ac.nz](mailto:john.prebble@vuw.ac.nz)

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## Announcements

Victoria–Cornell Colloquium on Jurisprudential Perspectives of Taxation Law, Ithaca, NY, September 24 and 25, 2012, conveners Professor [John Prebble](#), Victoria University of Wellington and Professor Bradley Wendel, Cornell University. For the Invitation and Call for Papers for this conference, click on "[John Prebble](#)" (above, to Professor Prebble's SSRN author page). Then click on the Victoria University Logo in the header of that page to reach the Victoria University of Wellington Law School home page and conference announcements.

## Table of Contents

[Breach of Confidence and Misuse of Private Information: How Do the Two Actions Work Together?](#)

[N. A. Moreham](#), Victoria University of Wellington - Faculty of Law

[Statutory General Anti-Avoidance Rules of Income Tax Law and Comparable Judicial Rules of the Common Law and the Civil Law](#)

[John Prebble](#), Victoria University of Wellington, Monash University, Institut für Österreichisches und Internationales Steuerrecht, Wirtschaftsuniversität Wien

[Local Democracy and the Consideration of Community Views: Obligation and Observance](#)

[Dean R. Knight](#), Victoria University of Wellington - Faculty of Law

[Rebus Sic Stantibus and the Treaty of Waitangi](#)

[Mark J. Bennett](#), Victoria University of Wellington - Faculty of Law

[Nicole Roughan](#), University of Cambridge - Faculty of Law  
[^top](#)

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["Breach of Confidence and Misuse of Private Information: How Do the Two Actions Work Together?"](#) 

Media and Arts Law Review, p. 265, 2010

[Victoria University of Wellington Legal Research Paper No. 19/2012](#)

[N. A. MOREHAM](#), Victoria University of Wellington - Faculty of Law  
Email: [nicole.moreham@vuw.ac.nz](mailto:nicole.moreham@vuw.ac.nz)

This article examines the relationship between traditional breach of confidence principles and the 'new methodology' in modern English privacy cases, looking particularly at three Court of Appeal decisions, *McKennitt v Ash*, *Associated Newspapers Ltd v HRH Prince of Wales* and *Lord Browne of Madingley v Associated Newspapers Ltd*.


["Statutory General Anti-Avoidance Rules of Income Tax Law and Comparable Judicial Rules of the Common Law and the Civil Law"](#) 

TAXATION ISSUES: EXISTING AND EMERGING, pp. 101-134, Andrew Maples, Adrian Sawyer, eds., The Centre for Commercial and Corporate Law Inc, University of Canterbury, 2011

[Victoria University of Wellington Legal Research Paper No. 20/2012](#)

[JOHN PREBBLE](#), Victoria University of Wellington, Monash University, Institut für Österreichisches und Internationales Steuerrecht, Wirtschaftsuniversität Wien  
Email: [John.Prebble@vuw.ac.nz](mailto:John.Prebble@vuw.ac.nz)

This paper comprises a transcript of the oral addresses and discussion at a colloquium that compared the general anti-avoidance rule of income tax law with the civil law doctrine of *Rechtsmissbrauch* (abuse of law) and similar doctrines in eight jurisdictions: Germany, Croatia, New Zealand, Australia, the European Union, the United States, France, and the United Kingdom. The speakers addressed the statutory and judge made approaches of each jurisdiction to tax avoidance, illustrating the different approaches of common law and civil law jurisdictions. The addresses were followed by discussion with members of the audience on issues raised during the speakers' addresses and avoidance issues in general. The colloquium concluded with an envoi to draw together the various approaches to avoidance and to see some approaches to avoidance and to see some of the issues that remain in the future for those seeking to prevent avoidance.

["Local Democracy and the Consideration of Community Views: Obligation and Observance"](#) 

WE THE PEOPLE(S): PARTICIPATION IN GOVERNANCE, p. 284, Claire Charters, Dean R. Knight, eds., Victoria University Press, Wellington, 2011

[DEAN R. KNIGHT](#), Victoria University of Wellington - Faculty of Law  
Email: [dean.knight@vuw.ac.nz](mailto:dean.knight@vuw.ac.nz)

This chapter addresses the framework for participation in local democracy in New Zealand. In particular, the chapter looks closely at reforms of local government legislation that sought to capture and mandate the participation of citizens in local decision-making, including the adoption of a provision that requires local authorities to take account of community views whenever they make any decision. The chapter also looks at the role of the judiciary in supervising compliance with the novel legislative regime. Concerns are raised about juridification, with the courts strictly enforcing the obligation to take into account community views. This chapter questions whether this was the legislative intent and points to signals in the legislation that a degree of political judgement and some latitude are required when assessing when and how community views will be factored into decisionmaking.

["Rebus Sic Stantibus and the Treaty of Waitangi"](#) 

Victoria University of Wellington Law Review, Vol. 37, p. 505, 2006  
[Victoria University of Wellington Legal Research Paper No. 22/2012](#)

[MARK J. BENNETT](#), Victoria University of Wellington - Faculty of Law  
Email: [markbennettnz@gmail.com](mailto:markbennettnz@gmail.com)

[NICOLE ROUGHAN](#), University of Cambridge - Faculty of Law  
Email: [ncr29@cam.ac.uk](mailto:ncr29@cam.ac.uk)

The question of the continuing significance of the Treaty of Waitangi is one to which neither legal practice nor scholarship has offered a definitive answer. The question is often regarded as less legal than political; a question of intercultural justice to be pursued in the political realm. From within the law, however, the suggestion that the Treaty of Waitangi ought to be reassessed in light of modern circumstances was revived in 2005 when Jeremy Waldron, then University Professor at Columbia University, offered the international law doctrine of 'rebus sic stantibus' as a possible tool for analysis. This article responds to Professor Waldron's suggestion that the Treaty might be considered overridden by a fundamental change in political circumstances. It first argues that the structuring logic which Professor Waldron advocates is a misreading of the signpost that international law offers towards the role of treaties in problems of intercultural justice. This article then presents a comparative assessment of United States practice relating to treaties, before examining tikanga Maori to consider how its core values might offer guidance on the continuing relevance of the Treaty. Finally, this article looks to contributions from political philosophy relating to the political morality of Treaty-based intercultural justice

[^top](#)

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## Solicitation of Abstracts

The Victoria University of Wellington was founded in 1899 to mark the Diamond Jubilee of the reign of Queen Victoria of Great Britain and of the then British Empire. Law teaching started in 1900. The Law Faculty was formally constituted in 1907. The first dean was Richard Maclaurin (1870-1920), an eminent scholar of both law and mathematics. Maclaurin went on to lead the Massachusetts Institute of Technology as President in its formative years. Early professors included Sir John Salmond (1862-1924), still one of the Common

Law's leading scholars. His texts on jurisprudence and torts have gone through many editions and remain in print.

Alumni include Sir Robin Cooke (1926-2006), one of the leading judges of the British Commonwealth. As Baron Cooke of Thorndon, he sat on over 100 appeals to the Judicial Committee of the House of Lords, one of very few Commonwealth judges ever appointed to do so.

Since 1996 the [Law School](#) has occupied the Old Government Building in central Wellington. Designed by William Clayton and opened in 1876 to house New Zealand's then civil service, the building is a particularly fine example of Italianate neo-Renaissance style. Unusually among large colonial official buildings of the time it is constructed of wood, apart from chimneys and vaults.

The School is close to New Zealand's Parliament, courts, and the headquarters of government departments. Throughout Victoria's history, our law teachers have contributed actively to policy formation and to law reform. As a result, in addition to many scholarly articles and books, the Victoria SSRN pages include a number of official reports.

Victoria graduates approximately 230 LLB and LLB(Hons) students each year, and about 60 LLM students. The faculty has an increasing number of doctoral students. Ordinarily there are ten to twelve students engaged in PhD research.

Victoria University observes the British system of academic ranks. In North American terms, lecturers and senior lecturers are tenured doctrinal scholars, not legal writing teachers. A senior lecturer corresponds approximately to a North American associate professor in rank.

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Management, European Corporate Governance Institute (ECGI)  
Email: [bblack@northwestern.edu](mailto:bblack@northwestern.edu)

RONALD J. GILSON  
Stanford Law School, Columbia Law School  
Email: [rgilson@leland.stanford.edu](mailto:rgilson@leland.stanford.edu)

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