

LEGAL SCHOLARSHIP NETWORK: LEGAL STUDIES RESEARCH PAPER SERIES

VICTORIA UNIVERSITY OF WELLINGTON LEGAL RESEARCH PAPERS

Vol. 4, No. 27: Oct 6, 2014

ALLEGRA CRAWFORD, ASSISTANT EDITOR

Research Assistant, Victoria University of Wellington School of Law allegra.crawford@vuw.ac.nz

LAURA LINCOLN, ASSISTANT EDITOR

Research Assistant, Victoria University of Wellington School of Law laura.lincoln@vuw.ac.nz

JOHN PREBBLE, EDITOR

Professor of Law, Victoria University of Wellington - Faculty of Law, Adjunct Senior Research Fellow, Monash University, Gastprofessor, Institut für Österreichisches und Internationales Steuerrecht, Wirtschaftsuniversität Wien john.prebble@vuw.ac.nz

Browse ALL abstracts for this journal

Links: Subscribe ~ Unsubscribe | Distribution | Network Directors | Submit ~ Revise Your Papers

Announcements

Collected Papers by the Right Honourable Sir Geoffrey Palmer QC Part X New Zealand Resource Management Law

The Palmer Series collects the papers of the Right Honourable Sir Geoffrey Palmer QC, Distinguished Fellow of the Victoria University of Wellington Law Faculty. The Palmer series is sponsored by an anonymous donor whom the Faculty gratefully acknowledges.

Table of Contents

Ivor Richardson, Victoria University of Wellington - Faculty of Law

Launch of Journals by Sir Ivor Richardson

Ivor Richardson, Victoria University of Wellington - Faculty of Law

Deciding the Case: Recollections

Ivor Richardson, Victoria University of Wellington - Faculty of Law

Opening of New Law Building, University of Canterbury

Ivor Richardson, Victoria University of Wellington - Faculty of Law

Review of Guy Lennard: Sir William Martin

Ivor Richardson, Victoria University of Wellington - Faculty of Law

Review of T. F. Paul: Land and Income Tax Handbook

Ivor Richardson, Victoria University of Wellington - Faculty of Law

Review of Anthony P. Molloy: Molloy on Estate Planning

Ivor Richardson, Victoria University of Wellington - Faculty of Law

LEGAL SCHOLARSHIP NETWORK: LEGAL STUDIES RESEARCH PAPER SERIES VICTORIA UNIVERSITY OF WELLINGTON LEGAL RESEARCH PAPERS

"The Privy Council as the Final Court for the British Empire" \Box

43 Victoria University of Wellington Law Review 103, 2012 Victoria University of Wellington Legal Research Paper Series Richardson Paper No. 91

IVOR RICHARDSON, Victoria University of Wellington - Faculty of Law

Email: richardsons@xtra.co.nz

After introductory comments on how the Judicial Committee functioned as the final court for the British Empire for over a century, including statistical material and discussion of the judicial membership and counsel involved in Indian appeals, this article discusses a range of highly unusual cases from India, Canada and New Zealand. The aim is to give something of the flavour of the Judicial Committee's work and its impact on local courts. The final section of the paper suggests conclusions that can be drawn from that survey.

"Launch of Journals by Sir Ivor Richardson" $oxdsymbol{\Box}$

"Launch of the Journals by Sir Ivor Richardson" (1995) 1 New Zealand Journal of Taxation and Policy 196. Victoria University of Wellington Legal Research Paper Series Richardson Paper No. 92

IVOR RICHARDSON, Victoria University of Wellington - Faculty of Law

Email: richardsons@xtra.co.nz

On the 5th February 1995 the two journals published by the Research Centre for Business Law in conjunction with Brooker's Ltd - the New Zealand Journal of Taxation and Policy and the New Zealand Business Law Quarterly - were launched at a ceremony held at the University of Auckland. This article reproduces Sir Ivor Richardson's speech on the occasion. He remarks on the lack of articles on tax policy published in New Zealand to that date, and the gap that the Journal of Taxation and Policy is poised to fill. The Business Law Quarterly intends to promote interdisciplinary research and business. Both journals can therefore make important contributions to improving the understanding of business and tax law in New Zealand.

"Deciding the Case: Recollections" \Box

"Deciding the Case: Recollections" in Ruru (ed) In Good Faith: Symposium Proceedings Marking the 20th Anniversary of the Lands Case" (New Zealand Law Foundation and University of Otago, 2008) 13.

Victoria University of Wellington Legal Research Paper Series Richardson Paper No. 93

IVOR RICHARDSON, Victoria University of Wellington - Faculty of Law

Email: richardsons@xtra.co.nz

In this paper Sir Ivor discusses his recollections of deciding New Zealand Maori Council v. Attorney-General (the Lands Case). He stresses that in reaching its decision in this case the Court did not go beyond applying standard statutory interpretation and well-settled principles of judicial review. The difficulty in the case was the need to gain sufficient understanding of the complexities surrounding the Treaty of Waitangi which formed a part of the statutory background. Sir Ivor makes several points arising from the case: the difference between society in 1840 and the time of the Lands case, the basis of the Crown's claim to British Sovereignty over the South Island, the meaning to be given to the terms partner and partnership, and the requirement for consultation.

"Opening of New Law Building, University of Canterbury" \Box

"Opening of New Law Building, University of Canterbury" [1993] NZLJ 289. Victoria University of Wellington Legal Research Paper Series Richardson Paper No. 94

IVOR RICHARDSON, Victoria University of Wellington - Faculty of Law

Email: richardsons@xtra.co.nz

This article reproduces Sir Ivor Richardson's speech at the opening of the new Law Building at Canterbury University on 2nd July 1993. In it, Sir Ivor discusses his own experience at Canterbury Law School and the changes in both legal education and the legal profession since that time. Finally, he examines what kind of a legal system we want in the future and the legal education required for lawyers in the 21st Century. He suggests that legal education must equip lawyers to resolve controversies that require evaluation of economic and social goals, and balancing of individual and minority group rights, efficacy concerns and fairness. Further, it should ensure that the legal system reflects the values and goals of society.

"Review of Guy Lennard: Sir William Martin"

"Review of Guy Lennard: Sir William Martin (Whitcombe and Tombs Ltd, Wellington, 1962)" (1963) 1 NZULR 168. Victoria University of Wellington Legal Research Paper Series Richardson Paper No. 95

IVOR RICHARDSON, Victoria University of Wellington - Faculty of Law

Email: richardsons@xtra.co.nz

This article reviews the book Sir William Martin, a biography of the first Chief Justice of New Zealand. It notes the limitations of the book which stem from the lack of available sources from that time period. The review also includes some of the interesting attributes of Sir William Martin, such as his interaction with Maori and his participation in public affairs. The review concludes that the book is very readable and contributes to a relatively unknown period of New Zealand's legal history.

"Review of T. F. Paul: Land and Income Tax Handbook"

"Review of TF Paul Land and Income Tax Handbook (2nd ed, Butterworth & Co (NZ) Ltd, Wellington, 1967)" (1968) 3 NZULR 252

Victoria University of Wellington Legal Research Paper Series Richardson Paper No. 96

IVOR RICHARDSON, Victoria University of Wellington - Faculty of Law

Email: richardsons@xtra.co.nz

This is a short review of the 2nd edition of T. F. Paul's Land and Income Tax Handbook. It says that while the handbook does not discuss the difficulties in this area of the law it is a readable elementary account of the subject for non-lawyers such as secretarial and accounting students.

"Review of Anthony P. Molloy: Molloy on Estate Planning"

"Review of Anthony P. Molloy: Molloy on Estate Planning (Butterworths, Wellington, 1970)" (1971) 4 NZULR 426. Victoria University of Wellington Legal Research Paper Series Richardson Paper No. 97

IVOR RICHARDSON, Victoria University of Wellington - Faculty of Law

Email: richardsons@xtra.co.nz

This article reviews Molloy on Estate Planning. It describes the book as a short, readable outline of the income tax and estate duty considerations in the use of family partnerships, family companies, family trusts and life insurance for planning purposes. However, the problem with the book being brief is that it is hard to also be comprehensive. After assessing the content of each chapter, the article concludes that, despite the criticisms made, the book is a useful introduction to the estate planning field.

\top

About this eJournal

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 Massachussetts 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.

Submissions

To submit your research to SSRN, sign in to the **SSRN User HeadQuarters**, click the My Papers link on left menu and then the Start New Submission button at top of page.

Distribution Services

If your organization is interested in increasing readership for its research by starting a Research Paper Series, or sponsoring a Subject Matter eJournal, please email: RPS@SSRN.com

Distributed by

Legal Scholarship Network (LSN), a division of Social Science Electronic Publishing (SSEP) and Social Science Research Network (SSRN)

Directors

LAW SCHOOL RESEARCH PAPERS - LEGAL STUDIES

BERNARD S. BLACK

Northwestern University - School of Law, Northwestern University - Kellogg School of Management, European Corporate Governance Institute (ECGI)

Email: bblack@northwestern.edu

RONALD J. GILSON

Stanford Law School, Columbia Law School, European Corporate Governance Institute (ECGI)

Email: rgilson@leland.stanford.edu

Please contact us at the above addresses with your comments, questions or suggestions for LSN-LEG.

Links: Subscribe to Jour

Links: Subscribe to Journal | Unsubscribe from Journal | Join Site Subscription | Financial Hardship

Subscription Management

You can change your journal subscriptions by logging into **SSRN User HQ**. If you have questions or problems with this process, please email **Support@SSRN.com** or call 877-SSRNHelp (877.777.6435 or 585.442.8170). Outside of the United States, call 00+1+585+4428170.

Site Subscription Membership

Many university departments and other institutions have purchased site subscriptions covering all of the eJournals in a particular network. If you want to subscribe to any of the SSRN eJournals, you may be able to do so without charge by first checking to see if your institution currently has a site subscription.

To do this please click on any of the following URLs. Instructions for joining the site are included on these pages.

- Accounting Research Network
- Cognitive Science Network
- Corporate Governance Network
- Economics Research Network
- Entrepreneurship Research & Policy Network
- Financial Economics Network
- Health Economics Network
- Information Systems & eBusiness Network
- Legal Scholarship Network
- Management Research Network
- Political Science Network
- Social Insurance Research Network
- Classics Research Network
- English & American Literature Research Network
- Philosophy Research Network

If your institution or department is not listed as a site, we would be happy to work with you to set one up. Please contact **site@ssrn.com** for more information.

Individual Membership (for those not covered by a site subscription)

Join a site subscription, request a trial subscription, or purchase a subscription within the SSRN User HeadQuarters: http://www.ssrn.com/subscribe

Financial Hardship

If you are undergoing financial hardship and believe you cannot pay for an eJournal, please send a detailed explanation to **Subscribe@SSRN.com**

To ensure delivery of this eJournal, please add **LSN@publish.ssrn.com** (**Prebble/Lincoln/Crawford**) to your email contact list. If you are missing an issue or are having any problems with your subscription, please Email Support@ssrn.com or call 877-SSRNHELP (877.777.6435 or 585.442.8170).

FORWARDING & REDISTRIBUTION

Subscriptions to the journal are for single users. You may forward a particular eJournal issue, or an excerpt from an issue, to an individual or individuals who might be interested in it. It is a violation of copyright to redistribute this eJournal on a recurring basis to another person or persons, without the permission of Social Science Electronic Publishing, Inc. For information about individual subscriptions and site subscriptions, please contact us at **Site@SSRN.com**

Copyright © 2014 Social Science Electronic Publishing, Inc. All Rights Reserved