



Trans-Tasman Proceedings Act 2010

Fact sheet - Trans-Tasman Proceedings Act 2010

Appearance at court via video or audio link (remote appearance)

From 11 October 2013, if you are involved in a New Zealand court case you and your lawyer can ask the New Zealand court for permission to appear before it remotely from Australia.

A remote appearance can be by an audio or audio visual link. This includes telephone conferences and videolink. Remote appearances in New Zealand proceedings are governed by [Trans-Tasman Proceedings Act 2010](#) (NZ).

What kinds of proceedings can I appear remotely in?

You and your lawyer are entitled to appear remotely if:

- you apply under the Trans-Tasman Proceedings Act 2010 (NZ) for a New Zealand court case to be stayed (see the 'Determining where to hear a case' fact sheet)
- the facilities can reasonably be made available.

You or your lawyer can apply to appear remotely in any civil proceedings to which you are a party. The New Zealand court will only give permission if it is satisfied that:

- the remote appearance will allow the party to more conveniently participate in the proceeding,
- the facilities for making a remote appearance can be made available and
- it is appropriate to give leave.

Information for Australian lawyers wanting to appear before a New Zealand court

An Australian lawyer can ask the New Zealand court for permission to appear before it even if they are not registered to practice law in New Zealand. The New Zealand court may give permission for an Australian lawyer to appear before it if it is satisfied that the lawyer is a qualified Australian lawyer and the party the lawyer is representing ordinarily resides or has its principal place of business in Australia.

An Australian solicitor or barrister appearing remotely in New Zealand proceedings under this regime will be granted the same protections and immunities as a barrister appearing before the Australian Federal Court.

This factsheet is for information only and does not constitute legal advice or additional treaty or legislative material.