Classification (Types) of Law

Definitions

Public Law: concerns dealings between government, or government organisations (acting in their capacity as a government organisation), and individuals.

Private law: concerns dealings between persons, including legal persons such as companies.

International law: concerns dealings between states, and the application and interpretation of international agreements such as treaties.

Treaties/Conventions: Agreements between two or more states. These agreements can be called treaties or conventions and they create rights and obligations on topics such as trade.

Constitutional law: describes branches of government, their functions and their relationships with each other, and sets out the rules for creating law.

Administrative law: governs the actions of government agencies in their relations with individuals and includes the rules for review of decisions of government agencies.

Criminal law: sets out wrongs prohibited and punished by law. These types of wrongs have implications for society as a whole as well as for an individual victim.

Revenue law: concerns the rules which give governments the right to take money from persons, and principles for the interpretation of such rules.

Contract law: provides rules for agreements between individuals that are enforceable in the courts, and for the interpretation of such agreements.

Torts: concern wrongs committed by one person against another. The wrongs are activities that cause harm to others and it is the person harmed who can raise an action against the person who carried out the activity. In New Zealand, personal injury is excluded from tort law. Some wrongs can also be crimes.

Land law: concerns rules regarding ownership, occupation and use of land.

Property: concerns rules regarding ownership, possession and use of property other than land. The property can be tangible (e.g. a car) or intangible (e.g. a design).

Family law: concerns relationships between adults and between adults and children. It sets out minimum duties, rights to property, and rights of protection.

Trusts: the law provides special rules where property is held in trust for the benefit of persons. The property is held by a trustee who must deal with the property in the best interests of the beneficiaries.

Succession: provides rules for the transfer/division of property on the death of the owner, either by interpreting a valid will where the content of the will is disputed, or according to the rules for division of property where there is no will.

Company/Commercial: concerns rules for the setting up of business entities and their subsequent conduct.