

**IN THE EMPLOYMENT COURT
AUCKLAND**

**[2013] NZEmpC 118
ARC 9/12**

IN THE MATTER OF an application for a compliance order

BETWEEN BRENDA CHRISTIANSEN
 Applicant

AND SEVANS GROUP (NZ) LIMITED
 First Respondent

AND NEIL MERCER
 Second Respondent

AND STEPHEN EVANS
 Third Respondent

Judgment: 3 July 2013

JUDGMENT NO 2 OF JUDGE CHRISTINA INGLIS

[1] On 8 February 2013¹ orders were made under s 140(6) of the Employment Relations Act 2000 (the Act) in relation to the respondent company's failure to comply with an earlier compliance order of the Employment Relations Authority (the Authority). The applicant had also sought an order for sequestration of the first respondent's assets. Leave was granted to the applicant to bring that aspect of the application back before the Court. She was given 90 days within which to do so.

[2] A number of documents were subsequently filed by the applicant. In my minute of 31 May 2013 I referred to the steps required to support an application for sequestration. The material filed by the applicant was insufficient to enable any order for sequestration to be made. I directed that if the applicant was wishing to pursue such an order she was to file and serve the necessary documentation within 28 days of the date of the minute. I further stated that if such steps were taken, the

¹ [2013] NZEmpC 11.

application would be timetabled to a hearing and the respondent given an opportunity to be heard, but that if the applicant failed to take such steps, within the timeframe specified, the application would be dismissed. According to the timeframe specified in my minute of 31 May 2013, the applicant was required to file any necessary documentation by 28 June 2013.

[3] No such documentation has been filed. Accordingly the application for sequestration is dismissed.

Christina Inglis
Judge

Judgment signed at 12 noon on 3 July 2013