

**IN THE EMPLOYMENT COURT OF NEW ZEALAND  
AUCKLAND**

**I TE KŌTI TAKE MAHI O AOTEAROA  
TĀMAKI MAKĀURAU**

**[2024] NZEmpC 156  
EMPC 234/2022**

IN THE MATTER OF a challenge to a determination of the  
Employment Relations Authority

BETWEEN ERIC SEEKIE  
Plaintiff

AND SOCCER PLUS NEW ZEALAND  
CHARITABLE TRUST  
First Defendant

AND KIM BEALE  
Second Defendant

**EMPC 272/2022**

IN THE MATTER OF an application for leave to extend time to  
file a challenge

BETWEEN SOCCER PLUS NEW ZEALAND  
CHARITABLE TRUST  
First Applicant

AND KIM BEALE  
Second Applicant

AND ERIC SEEKIE  
Respondent

Hearing: On the papers

Appearances: C Stewart and J O Whyte, counsel for Mr Seekie  
M Pollak, counsel for Soccer Plus New Zealand Charitable Trust  
and Kim Beale

Judgment: 20 August 2024

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**CONSENT JUDGMENT OF JUDGE J C HOLDEN**

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[1] Eric Seekie has challenged a determination of the Employment Relations Authority.<sup>1</sup>

[2] Soccer Plus New Zealand Charitable Trust has made an application for leave to extend time to file a cross-challenge to the Authority's determination.

[3] Counsel have now filed a joint memorandum informing the Court that all matters between the parties have been settled and requesting the withdrawal and discontinuance of the proceedings. The terms of settlement are included in a confidential settlement agreement that was attached to the joint memorandum.

[4] Counsel request Kim Beale, principal trustee of Soccer Plus New Zealand Charitable Trust, be joined to these proceedings for the purposes of issuing a consent judgment, pursuant to s 221(a) of the Employment Relations Act 2000.

[5] I make the following orders by consent:

- (a) Mr Beale is joined to the proceedings as the second defendant to Mr Seekie's challenge (EMPC 234/2022), and as the second applicant to the application for leave to extend time to file a cross-challenge (EMPC 272/2022) pursuant to s 221(a) of the Employment Relations Act.
- (b) Mr Seekie's challenge is withdrawn.
- (c) The application for leave to extend time to file a cross-challenge is withdrawn.
- (d) The Authority's determination is set aside, and this judgment stands in its place.

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<sup>1</sup> *Seekie v Soccer Plus New Zealand Charitable Trust* [2022] NZERA 247 (Member O'Sullivan).

- (e) All matters arising out of the alleged employment relationship between Mr Seekie and Soccer Plus New Zealand Charitable Trust have been fully and finally settled between the parties.
- (f) The terms of the settlement agreement between Mr Seekie, Mr Beale and Soccer Plus New Zealand Charitable Trust are final and binding on the parties and shall be enforceable as orders of the Court.
- (g) The terms of settlement otherwise shall remain, insofar as the law allows, entirely confidential between the parties and their authorised representatives.

[6] There are no issues as to costs.

J C Holden  
Judge

Judgment signed at 9.30 am on 20 August 2024