

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
CHRISTCHURCH OFFICE**

CA 157/09  
5221391

BETWEEN STEVEN BYERS, BENJAMIN  
BYERS, NATHANIEL BYERS  
Applicant

AND S D ROBERTSON  
Respondent

Member of Authority: James Crichton

Date: 17 September 2009

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**DETERMINATION OF THE AUTHORITY**

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[1] By letter dated 10 September 2002, the receiver of Benat Farming Limited (in receivership) [the former employer] advised the Authority that the claims brought by the applicants [the former employees] had been satisfied.

[2] Subsequent correspondence from the former employees failed to affirmatively confirm this advice and the file was administratively closed.

[3] Then by letter dated 15 July 2009, fully seven years after the last correspondence from the former employees, those same parties sought to re-open the matter.

[4] In the meantime, the former employer has long since been struck off the Companies Register and neither a receivership nor a liquidation is current.

[5] That being the position, there would be little point in the matter being re-opened as there is effectively no legal person to proceed against.

[6] It follows that the application to re-open the matter is denied.

James Crichton  
Member of the Employment Relations Authority