

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
WELLINGTON**

[2013] NZERA Wellington 113  
5419984

|         |  |
|---------|--|
| BETWEEN | MAS ZENGRANGE (NZ)<br>LIMITED<br>Applicant |
| AND     | HDT LIMITED<br>First Respondent            |
| AND     | MARK RALPH CLIFFORD<br>Second Respondent   |
| AND     | IAN CHRISTOPHER GARNET<br>Third Respondent |
| AND     | JOHN EMERY SULE<br>Fourth Respondent       |

Member of Authority: G J Wood

Representatives: Charles McGuinness for the Applicant  
Peter Churchman for the Respondents

Determination: 23 September 2013

---

**DIRECTION OF THE AUTHORITY**

---

[1] Pursuant to s.160(1)(a) and (b) of the Act, the managing director of the applicant, Mr Roger Ballantine, has been directed to attend an investigation meeting of the Authority in order to give evidence by way of producing for the Authority any books, papers, records or things in Mr Ballantine's possession or under Mr Ballantine's control in any way relating to the matter between the parties. Alternatively, Mr Ballantine may file a sworn affidavit attaching the relevant documents. I am satisfied of the relevance of these documents, on the basis of Mr Churchman's submissions to that effect.

[2] Those documents are copies of all correspondence since February 2012 (however sent) and notes or records of telephone or other similar communications since February 2012 between Roger Ballantine and the directors, managers or employees of any of the Hall & Watts Defence group of companies relating to the respondents (whether jointly or separately) in these proceedings, including communications with John Hoskins and Arvind Thakkar.

[3] Mr Ballantine is not required to provide documents that are subject to legal professional privilege, or would tend to incriminate the applicant, or if provided would be injurious to the public interest.

[4] If Mr Ballantine chooses not to provide the information sought by attaching it to an affidavit, he is to appear at an investigation meeting of the Authority on Monday, 14 October 2013 at 10am at the Authority's offices. This process has been adopted because of concerns that the Authority may lack jurisdiction to order disclosure of documents between the parties in the absence of voluntary agreement.

**G J Wood**  
**Member of the Employment Relations Authority**