IN THE EMPLOYMENT RELATIONS AUTHORITY
CHRISTCHURCH

CA 200/08
5080898

BETWEEN	SHELLEY TREZISE Applicant
AND	SUN VALLEY FOODS (1996) LTD (In Liquidation) Respondent

Member of Authority:	Philip Cheyne
Representatives:	Dick Knapp, Advocate for Applicant No appearance for Respondent
Investigation Meeting	16 September 2008 at Christchurch
Determination:	23 December 2008

DETERMINATION OF THE AUTHORITY

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[1] The respondent was not represented at the investigation meeting into Ms Trezise's personal grievance claim. Sometime after the date of the meeting it came to the attention of the Authority that the respondent company had been placed in liquidation on 1 October 2008.

[2] The effect of the appointment of a liquidator is that proceedings cannot continue without the agreement of the liquidator or a Court order: see s.248(1) of the Companies Act 1993. A minute was sent to the applicant's representative pointing this out. Mr Knapp phoned the Authority to say that the liquidator had approved the continuation of the proceedings. Mr Knapp was asked to arrange written confirmation of the liquidator's consent but nothing more has been heard from him.

[3] The appropriate course now is to bring this matter to an end. The Authority is prepared to reopen the matter with the liquidator's written consent to the proceedings.

Philip Cheyne
Member of the Employment Relations Authority