

Under the Employment Relations Act 2000

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY
WELLINGTON OFFICE**

BETWEEN Shane Kinley, The Registrar of Unions (Applicant)

AND M.E.U Society Incorporated (ROU 1024)
Support Workers Society Incorporated (ROU 1054)
The Auckland Association of Taxi Drivers Incorporated (ROU 1071)
South Island Legal Workers Society Incorporated (ROU 1084)
Regal Drivers Society Incorporated (ROU 1093)
Peoples Choice Association Incorporated (ROU 1095)
Fraser Collective Incorporated (ROU 1106)
The Kalax Incorporated (ROU 1110)
Post Office Workers Association Incorporated (ROU 1123)
Northland Dairy Service Stations Union Incorporated (ROU 1134)
Physiotherapy Collective Incorporated (ROU 1138)
Clackers Incorporated (ROU 1206)
Team Aranui Union Incorporated (ROU 1207)
United Correctional Staff Incorporated (ROU 1215)
(Respondents)

MEMBER OF AUTHORITY P R Stapp

ON THE PAPERS

DATE OF DETERMINATION 27 October 2006

DETERMINATION OF THE AUTHORITY

[1] The Registrar of Unions has applied for an order under s 17 of the Employment Relations Act 2000 directing the cancellation of union registration: statement of problem dated 3 August 2006.

[2] The unions provided in a list to the Authority by the Registrar are no longer incorporated under the Incorporated Societies Act 1908.

[3] The unions are:

- i. M.E.U Society Incorporated (ROU 1024)

- ii. Support Workers Society Incorporated (ROU 1054)
- iii. The Auckland Association of Taxi Drivers Incorporated (ROU 1071)
- iv. South Island Legal Workers Society Incorporated (ROU 1084)
- v. Regal Drivers Society Incorporated (ROU 1093)
- vi. Peoples Choice Association Incorporated (ROU 1095)
- vii. Fraser Collective Incorporated (ROU 1106)
- viii. The Kalax Incorporate (ROU 1110)
- ix. Post Office Workers Association Incorporated (ROU 1123)
- x. Northland Dairy Service Stations Union Incorporated (ROU 1134)
- xi. Physiotherapy Collective Incorporated (ROU 1138)
- xii. Clackers Incorporated (ROU 1206)
- xiii. Team Aranui Union Incorporated (ROU 1207)
- xiv. United Correctional Staff Incorporated (ROU 1215)

[4] I considered mediation. I decided not to direct the matter to mediation because of the nature of the application and the outcome of the attempts to serve the application with notice on the unions. The result of service was as follows.

[5] The Minute Secretary of Regal Drivers Society Incorporated (ROU 1093) replied. The Registrar has agreed not to proceed with the cancellation of this union at this time.

[6] Four Unions agreed by consent to be removed. These unions are:

- Peoples Choice Association Incorporated (ROU 1095)
- Post Office Workers Association Incorporated (ROU 1123)
- Physiotherapy Collective Incorporated (ROU 1138)
- United Correctional Staff Incorporated (ROU 1215)

[7] Five of the unions did not reply upon being served. I am satisfied they were served with the notice of the application for the order and given an opportunity to reply. By not replying I am satisfied they have no objection to an order being made. These unions are:

- Support Workers Society Incorporated (ROU 1054)
- South Island Legal Workers Society Incorporated (ROU 1084)
- Northland Dairy Service Stations Union Incorporated (ROU 1134)
- Clackers Incorporated (ROU 1206)
- Team Aranui Union Incorporated (ROU 1207)

[8] There has been an attempt by the Authority to serve the application on the remaining unions but the documents were returned to the Authority because service could not be achieved at the addresses provided. Without the Registrar being provided with alternative arrangements for an address for service on these unions I am satisfied that they are no longer incorporated under the Incorporated Societies Act 1908.

[9] I am further supported in this conclusion by the unsuccessful attempts of the Registrar to make contact with the unions. Without replies I have no knowledge of any objection from them. These unions are:

M.E.U Society Incorporated (ROU 1024)
The Auckland Association of Taxi Drivers Incorporated (ROU 1071)
Fraser Collective Incorporated (ROU 1106)
The Kalax Incorporated (ROU 1110)

[10] I am satisfied that the unions do not meet the requirements of s 14 (1) (b) of the Act. They are no longer incorporated under the Incorporated Societies Act 1908.

[11] Therefore I direct under s 17 (1) (b) of the Employment Relations Act that the Registrar of Unions cancel the registration of the following registered unions, namely:

Peoples Choice Association Incorporated (ROU 1095)
Post Office Workers Association Incorporated (ROU 1123)
Physiotherapy Collective Incorporated (ROU 1138)
United Correctional Staff Incorporated (ROU 1215)
Support Workers Society Incorporated (ROU 1054)
South Island Legal Workers Society Incorporated (ROU 1084)
Northland Dairy Service Stations Union Incorporated (ROU 1134)
Clackers Incorporated (ROU 1206)
Team Aranui Union Incorporated (ROU 1207)
M.E.U Society Incorporated (ROU 1024)
The Auckland Association of Taxi Drivers Incorporated (ROU 1071)
Fraser Collective Incorporated (ROU 1106)
The Kalax Incorporated (ROU 1110)

I so order.

P R Stapp
Member of the Authority