

**IN THE EMPLOYMENT RELATIONS AUTHORITY
CHRISTCHURCH**

**CA 59A/07
5088699**

BETWEEN NZ AMALGAMATED
 ENGINEERING PRINTING &
 MANUFACTURING UNION
 INC
 Applicant

AND AIR NELSON LIMITED
 Respondent

Member of Authority: Helen Doyle

Representatives: Tony Wilton, Counsel for Applicant
 David France, Counsel for Respondent

Submissions received: 13 June 2007 from Applicant
 20 June 2007 from Respondent

Determination: 21 June 2007

DETERMINATION OF THE AUTHORITY

[1] The applicant applies to the Employment Relations Authority at Christchurch for removal to the Employment Court at Christchurch of a claim for penalties and compliance orders for breaches of s97 of the Employment Relations Act – File 5088699. The application is on the grounds that an important question of law is likely to arise in the matter other than incidentally about the interpretation and application of section 97.

[2] The applicant attaches to the application for removal a copy of a minute from Chief Judge Colgan of the Employment Court. It provides amongst other matters that if the substantive claim comes before the Employment Court then the Chief Judge will consider establishing a full Court to hear the case.

[3] The respondent does not oppose the application.

[4] There is an important question of law in this matter and no good reason not to remove it to the Employment Court.

[5] This matter is removed to the Court in its entirety under s178 of the Employment Relations Act 2000.

[6] Costs will no doubt be dealt with by the Court at an appropriate time.

Helen Doyle
Member of the Employment Relations Authority