

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

AA 73/10
5288945

BETWEEN JAMES DENYER (LABOUR
INSPECTOR)
Applicant

AND STAPLETON & CO
ACCOUNTANTS LIMITED
Respondent

Member of Authority: Vicki Campbell

Investigation: On the Papers

Determination: 16 February 2010

DETERMINATION OF THE AUTHORITY

Application for compliance

[1] Mr Denyer makes application for a compliance order against the respondent Stapleton & Co Accountants Limited. Compliance is sought with the Authority's Determination numbered AA 379/09 dated 29 October 2009 ("the Determination").

Non-compliance

[2] No Statement in Reply to the application for compliance has been received from the Respondent. By the consent of the applicant this matter has been determined on the papers before the Authority.

[3] I am satisfied that Stapleton & Co Accountants Limited has not complied with the Determination and that the non-compliance continues today.

[4] Stapleton & Co Accountants Limited continuing defiance of the Authority's orders places it at peril of serious consequences. The Authority's orders may be the subject of a further application for compliance in the Employment Court. The

Employment Court is empowered to impose penalties for continuing non-compliance which include imprisonment, fines and the sequestration of property.

Order

I order Stapleton & Co Accountants Limited to comply with the Authority's Determination numbered AA 379/09 dated 29 October 2010, and to do so by 26 February 2010.

Costs

[5] Mr Denyer shall have the lodgement fee on this application.

I order Stapleton & Co Accountants Limited to pay to Mr Denyer \$70.00 being the lodgement fee on this application.

Vicki Campbell
Member of Employment Relations Authority