

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

[2012] NZERA Auckland 7
5038416

BETWEEN CHRISTOPHER LEE TANK
 Applicant

AND THE ATTORNEY-GENERAL
 IN RESPECT OF THE CHIEF
 EXECUTIVE OFFICER OF
 THE DEPARTMENT OF
 CHILD YOUTH AND
 FAMILY SERVICES
 Respondent

Member of Authority: Dzintra King

Representatives: No appearance for Applicant
 Andrew Berry, Counsel for Respondent

On the papers

Submissions received: No submissions from Applicant
 8 December 2011 from Respondent

Determination: 11 January 2012

DETERMINATION OF THE AUTHORITY

Employment Relationship Problem

[1] The applicant, Mr Christopher Tank, filed a Statement of Problem on 5 May 2006.

[2] The Authority convened a conference call which took place on 26 September 2007. A further call scheduled for 17 October 2007 was adjourned to enable the parties to exchange documents.

[3] On 21 July 2009 the Authority wrote to the applicant's representative asking whether the matter was to be withdrawn as no action had been taken regarding the file. There was no response.

[4] On 8 December 2011 the respondent asked that the matter be withdrawn pursuant to Clause 14 (2) of Schedule 2 Employment Relations Act 2000.

[5] There has been no response from the applicant.

[6] Clause 14 (2) provides that a matter before the Authority must be treated as withdrawn if no action has been taken on the matter by a party or the Authority for at least 3 years.

[7] The 3 year period had lapsed and the matter is withdrawn.

Dzintra King

Member of the Employment Relations Authority