



[2] Under the terms of the Record of Settlement Jamjar was to pay Mr Blincoe \$5,000 under s 123(1)(c)(i) of the Employment Relations Act 2000 (the Act) within seven days of the Mediator certifying the agreement.<sup>1</sup>

[3] Attempts on Mr Blincoe's behalf to get Jamjar to fulfil that obligation were unsuccessful.

[4] Mr Blincoe seeks a compliance order requiring payment. Another payment under the Record of Settlement was made and is not the subject of this claim.

[5] After this matter was filed in the Authority Jamjar Creation Limited went into liquidation. The applicant's representative sought approval from the liquidator to continue this proceeding. The liquidator consented.

[6] I proposed that this matter be considered on the papers and neither party objected. A statement was received from Mr Blincoe as well as confirmation that a claim for a penalty was no longer being pursued. Nothing was filed for the liquidator.

### **Compliance order**

[7] I accept that the Record of Settlement between Mr Blincoe and Jamjar is final and binding on, and enforceable by, them. Jamjar is obliged under the Record of Settlement to pay Mr Blincoe \$5,000 under s 123(1)(c)(i) of the Act. None of that sum has been paid. The time for payment is well passed. Jamjar has breached the Record of Settlement.

[8] I order Jamjar Creation Limited (in liquidation) to comply with the Record of Settlement dated 19 March 2020 by paying Antony Blincoe the sum of \$5,000 in full by 18 January 2021.

### **Costs**

[9] Costs are reserved.

Nicola Craig  
Member of the Employment Relations Authority

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<sup>1</sup> Record of Settlement, cl 1.