

IN THE SUPREME COURT OF NEW ZEALAND

**SC 78/2009
[2009] NZSC 110**

BETWEEN AIR NELSON LIMITED
Appellant

AND THE NEW ZEALAND
AMALGAMATED ENGINEERING,
PRINTING AND MANUFACTURING
UNION INCORPORATED
Respondent

Court: Blanchard, Tipping and McGrath JJ

Counsel: C H Toogood QC and D J France for Appellant
R E Harrison QC for Respondent

Judgment: 27 October 2009

JUDGMENT OF THE COURT

A The application for leave to appeal is granted.

B The approved ground is:

What is the meaning of the words “the work of a striking or locked out employee” as used in s 97 of the Employment Relations Act 2000?

Solicitors:
Kiely Thompson Caisley, Auckland for Appellant
Gregory Lloyd, Wellington for Respondent