IN THE SUPREME COURT OF NEW ZEALAND

SC CIV 24/2004 [2005] NZSC 6

BETWEEN JAMES BRYSON

Appellant

AND THREE FOOT SIX LIMITED

Respondent

Court: Gault J and Blanchard J

Counsel: M E Gould and T J Anderson for Appellant

P M Muir for Respondent

Judgment: 22 February 2005

JUDGMENT OF THE COURT

- A. The application for leave to appeal is granted.
- B. The ground to be argued in support of the appeal is whether, at the time the relationship between the parties was terminated by the respondent, Three Foot Six Ltd, the appellant, Mr Bryson, was its "employee" as defined in s 6 of the Employment Relations Act 2000 rather than an independent contractor.

REASONS

[1] Having considered the written submissions of counsel, we have decided that this application can be dealt with on the papers and that leave to appeal should be granted on the ground stated in para B of the order which raises an issue of general or public importance in terms of s 13(2)(a) of the Supreme Court Act 2003.

Solicitors: Gibson Sheat, Lower Hutt for Appellant Simpson Grierson, Auckland for Respondent