

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI O AOTEAROA

SC 62/2025
[2025] NZSC 129

BETWEEN
AND
HAIRLAND HOLDINGS LIMITED
Applicant
CHIEF EXECUTIVE OF THE MINISTRY
OF BUSINESS, INNOVATION AND
EMPLOYMENT
Respondent

Court: Ellen France, Williams and Kós JJ
Counsel: T P Cleary and P H Fisher for Applicant
K F Radich for Respondent
Judgment: 1 October 2025

JUDGMENT OF THE COURT

- A** Leave to appeal is granted (*Chief Executive of Ministry of Business, Innovation, and Employment v Hairland Holdings Ltd* [2025] NZCA 219).
- B** The approved question is whether the Court of Appeal was correct to allow the appeal on the basis that the Employment Relations Authority does not have jurisdiction to hear an application, brought by a purported employer against the Chief Executive of the Ministry of Business, Innovation and Employment, the Labour Inspector and/or its workers, for a bare declaration that its workers are not employees under s 6(1) of the Employment Relations Act 2000.

Solicitors:
Clancy Fisher Oxner & Bryant, Tokoroa for Applicant
G R La Hood, Ministry of Business, Innovation and Employment | Hikina Whakatutuki, Wellington
for Respondent