

Sport, swimming and Speedos

This is the seventh of an occasional series from Mark Wilson, the Southlander sailing the Speight's pub to London.



WE just cracked the half century out here at sea, 50 days and counting, fast! The last 10 of which have definitely been the best of the trip.

It's hard to verbalise the state of awe that has been cast over the lads by everything that has gone on in this amazing voyage.

Everything in the Bahamas was amazing — from the beaches to the hotels, to the collection of assorted beautiful women who clambered off the constant stream of gigantic cruise ships, which towered over the Lida like the State Insurance building does Invercargill. Throwing a bunch of Kiwi larrikins into that sort of environment was always going to be interesting.

We started by finding a beach full of locals and ripping into some good Kiwi beach cricket,

carefully avoiding the ever present threat of broken glass and small children.

We donated a few Speight's to the local lads who were quite amused and a little miffed about our purpose in the Bahamas. We managed to iron out a wee misunderstanding over a bottle of their beer we tipped out for a camera shot, took turns at bludgeoning the shower valve with a rock to get enough water to de-sand ourselves, and headed out for a meal.

Food in the Bahamas was great but when you have to pay \$NZ10 for a bottle of water you suddenly gain an appreciation for the abundant supply of fresh water in Southland.

The last two days in the Bahamas were spent at the water park located in the Atlantis complex causing absolute pandemonium in our foul team-issue Speedos.

To say we made an impact would have been a slight understatement. The lifeguards' whistles were going off more frequently than even the feverishly pedantic over officiating Paul Honiss could hope to match. The rest of the patrons did not know where to look and we were bombarded with requests for photos and questions on what we were actually doing there in the first place.

The magnitude of the water park and its associated hydro slides were not lost on Mr Water Safety James Livingston — he was salivating at the mere sight of the complex and I'm sure many gleeful squeals escaped his mouth during our visit.

In the Bahamas we also finished off the Speight's Great Beer Delivery Sports Tourney with the beach volleyball round. Northbridge



Kiwi larrikins: With bewildered lifeguards at Atlantis water park in the Bahamas (from left) are Steve Nichol, Tim Nichol, Jamie Munro, James Livingston, Mark Wilson and Andrew Mulligan donning their Speight's Speedos.

took it out but it wasn't all one way traffic ending in a dramatic 23-21 finish after Andrew Mulligan threw up a prayer, which somehow managed to crawl over the net and drop on our side to take the game. The setting was amazing and you would struggle to find a more impressive court anywhere, maybe Oreti Beach would give it a run for its money?

On Wednesday we headed off into the sunset towards New York. It's been smooth sailing since then with calm waters sunny skies and the carrot of New York on the horizon! Good luck to the boys up in Tauranga for Stag day, I'm sure you will ensure it is as epic as ever and the team will relish your rowdy support and a few Speight's together, afterwards.

SCANNING THE SOUTH

Live off the land

By LYNLEY DEAR

Never eat items from the bush, field or shore without consulting *A Field Guide to the Native Edible Plants of New Zealand* Andrew Crowe (Collins)

The bush is a salad, I have learned. Round every corner lurks a snack beginning with the supplejack. You can eat the shoots when young and tender asparagus-like, and bean-ish tasting tossed in a pan with chopped up stem, just like veg. . . . and surprise your eggs! Bush lawyer berries eaten by pigeons are red and chewy with just a smidgen of sweetness. But now I must say truly that I never nibble on the matai. With mushrooms, don't place health in jeopardy if it's oh- so -slightly peppery. As for parasol . . . don't waste this mushroom with the nutty taste.

Seaweeds too . . . most can be eaten but I won't tell you there's a treat in store, or that you'd ask for more. Neptune's necklace can be crunched, or try sea lettuce with your lunch . . . or don't! They're indigestible and smelly, (but can be made into a jelly.) So even if it's not gourmet to eat the trees and much the sand, remember what the old folks say, you really can live off the land.

Claiming awarded lost wages when a company goes into receivership

WORK TO RULE

MARY-JANE THOMAS



WHAT happens to employment authority awards when the company that has had the award made against it gets placed into receivership?

That is what faced B in a recent

Employment Relations Authority decision. At an earlier determination by the authority, B was found to have had a personal grievance for unjustified disadvantage and dismissal. She was awarded \$8000 reimbursement for lost wages and a further \$6000 compensation for the stress. The company was placed into receivership in March 2007 two weeks after the authority had held an investigation meeting but two weeks before the authority had determined the

issue. Under the rules of receivership and liquidation any claims for wages or other money or remuneration that fall within four months before the commencement of liquidation (receivership) become a preferential debt. In B's case of her total claim for lost wages \$1318.64 fell within that preferential period. Thereafter, all other monies owing to her as a result of the authority's determination were to be treated as an unsecured debt. This included the costs awarded.

After the authority member read all the relevant provisions it became clear that Parliament had intended that a worker's wage claim, regardless of whether it was undisputed, established or confirmed by the authority or court, that no one worker could gain a preference of more than four months of wages that they may be owed. The authority member also confirmed what is not a preferential wage claim becomes an outstanding debt owed by the company. This includes compensation awarded from the authority.

B's final argument was that the respondent company had misled the authority about the imminence of receivership at the investigation meeting. The company's director said receivership was unlikely. However, within two weeks of the meeting the company was placed into receivership. The authority member decided this would make no difference as it could not overcome the preferential claim provisions of the Companies Act. When a company goes into receivership

or liquidation, employees have a four-month period in which they can claim any wages owing to them. This runs back from the date of the liquidation-receivership. Any claims that fall outside of the preferential four-month period will be treated by the receiver as an unsecured debt of the company, which may or may not receive any money following the liquidation. w Mary-Jane Thomas is a partner at Preston Russell Law. She is always interested in ideas for articles. E-mail her at Mary-Jane.Thomas@prlaw.co.nz

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