

## ORDER PROHIBITING PUBLICATION

IN THE EMPLOYMENT COURT OF NEW ZEALAND  
CHRISTCHURCH

I TE KŌTI TAKE MAHI O AOTEAROA  
ŌTAUTAHI

[2025] NZEmpC 184  
EMPC 353/2025

IN THE MATTER OF	a without notice application for freezing and ancillary orders
AND IN THE MATTER OF	an application for substituted service
BETWEEN	A LABOUR INSPECTOR Applicant
AND	SSM INVESTMENTS LIMITED First Respondent
AND	SHAZNEEN SHARIZA KHAN Second Respondent

Hearing: 20 August 2025  
(Heard at Christchurch and via audio-visual link)

Appearances: A Webster, counsel for applicant

Judgment: 20 August 2025

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### ORAL JUDGMENT (NO 2) OF JUDGE K G SMITH

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[1] On 11 August 2025, I granted without notice freezing and ancillary orders relating to the assets of SSM Investments Ltd and Mrs Khan.<sup>1</sup> I also made a non-publication order and prohibited the Court file from being searched without a Judge first granting permission.

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<sup>1</sup> *A Labour Inspector v SSM Investments Ltd* [2025] NZEmpC 169.

[2] Those orders were to be reviewed today. Unfortunately, the Labour Inspector has encountered difficulties in serving the respondents.

[3] The company's registered office is Mrs Khan's home address in Cromwell. The Labour Inspector has ascertained that Mrs Khan is overseas, which information was obtained when the Inspector's process server was unable to effect service. It appears that Mrs Khan's home is unoccupied.

[4] A decision was made not to leave the service copies of proceedings and orders at an empty property, for the obvious reasons that they would not come to the attention of the respondents and that the security of them was in doubt.

[5] Yesterday, the Labour Inspector applied for substituted service. The application relies on reg 28 of the Employment Court Regulations 2000. What is sought is that, in lieu of serving the respondents directly, service would instead be effected at an email address the Labour Inspector has used to correspond with Mrs Khan throughout the investigation and, most recently, appears as a contact address at the foot of a statement in reply filed in the Employment Relations Authority.

[6] I agree that, in these circumstances, it is appropriate to authorise substituted service in the way applied for; namely, for copies of the proceedings, all judgments and orders, including this one, to be served on Mrs Khan and on the company at the email address referred to in the application and in the Labour Inspector's affidavit.

[7] That leaves practical issues to deal with.

[8] The orders made on 11 August 2025 are set to expire today unless renewed. Nothing has changed in the background circumstances between when the orders were made on 11 August 2025 and today that would cause me to discharge them without an opportunity for the Labour Inspector and the respondents to be heard.

[9] It follows that the orders made on 11 August 2025 will be extended.

[10] I make the following orders:

- (a) Service is to be effected on the respondents by emailing copies of the proceedings, judgments and orders to them at the email address supplied by Mrs Khan as earlier noted. For the avoidance of doubt, service at that address will be service on both respondents and, if any document is too large to be sent directly by email, it may be served through the OpenText Core Share function to that address.
- (b) The freezing and ancillary orders are extended until **5 pm on 2 September 2025**, and are adjourned to be reviewed at **9.30 am that day**.
- (c) The non-publication order previously made is extended until **5 pm on 2 September 2025** and will lapse if it is not renewed by then.
- (d) The order previously made prohibiting the Court file from being searched without a Judge first granting leave is continued.

[11] Costs associated with today's hearing are reserved.

K G Smith  
Judge

Judgment delivered orally at 10.56 am on 20 August 2025