



AULD BREWER MAZENGARB & MCEWEN

*Lawyers and Notary Public Roia Whai Mana Take Tūmatanui*

# Farming Law Expertise

## ***Mātanga Ture Ahuwhenua***





Auld Brewer Mazengarb & McEwen is a law firm providing specialist advice in our particular fields of expertise.

**O**ur clients operate in a range of sectors, including farming (both large and small farming clients), energy, finance, central and local government, manufacturing, property and technology and include many nationally known organisations.

Over many years, and through acting for local, national and international clients, the firm's partners have earned an enviable reputation for:

- understanding the business environment in which our clients operate, and
- providing valuable, timely and understandable legal advice.

To have earned this reputation, we don't try to act for everyone and we don't try to do everything.

Auld Brewer Mazengarb & McEwen's clients get all the benefits of lawyers who:

- provide legal advice only in those areas in which they:
  - have a high level of expertise, and
  - can significantly contribute to the success of their clients

- make, and meet, commitments
- easily interact with other professional advisers in the provision of advice
- provide effective legal outcomes for their clients
- focus on getting it right
- do the hard things
- give high quality value for money service
- are passionate about what they do and how they do it, and still see the law as a profession.

Our team of lawyers and management staff have worked in the milking shed, the shearing shed, and on the lambing beat and have close family connections in dairy, sheep, beef, crop and horticulture operations across Taranaki, King Country, Canterbury, Otago and Southland.

We regularly write on topics of interest to farmers in Ruminations Over the Fence in the Thursday Farmer section of the Taranaki Daily News.

We frequently meet with our clients at their place and we do not charge for travel within Taranaki.

We provide expert legal advice on:

- Succession planning
- Business structures and financing
- Leases and other property issues
- Employment and contract issues
- Dispute resolution
- Health and Safety
- Immigration
- Trusts and Estate planning.

**Contact:** Marie Callander

**Email:** [marie.callander@abmm.co.nz](mailto:marie.callander@abmm.co.nz)

**DDI:** 06 759 5313

**Mobile:** 027 634 8659



Our specialist areas of expertise include:

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## Employment Law and Dispute Resolution

### Caroline McLorinan

**Highlights of Caroline's work and expertise in advising farming clients include:**

- representing a share milker in a lower order share milking arbitration
- resolving many wages claims relating to farm workers
- advising about service tenancies (farm workers housing)

- in one of the early cases about tail jacking, successfully defending the farm owner against a claim for unjustified dismissal based on tail jacking
- providing employment advice and support to one of the larger farm owners in Taranaki

Caroline is a fully qualified mediator via the Resolution Institute and she is keen to use these skills to help farmers.





## Succession Planning including:

**Business structures – Financing – Property transactions – Estate planning**

**Marie Callander, Allen Mazengarb, Garry Anderson, Murray McEwen and Jeremy Hucker** (We draw on the expertise within this team as required)

### Highlights of our work and expertise in advising farming clients include:

- assessing legacy farm ownership and operational arrangements to advise about implications of a breakdown of family relationships and tougher financial times
- structuring and financing of off-farm investments
- acting for substantial farming clients on the subdivision of farmland into lifestyle blocks
- acting for farming clients when put under pressure by their bank to refinance – including ensuring correct procedural aspects are followed by their bank
- structuring and legal obligations for equity partnerships
- arrangement of farming and non-farming businesses, in particular the finance arrangement between the businesses
- commercial leasing of farmland for chicken farm operations
- due diligence investigations for purchase of farm and off-farm businesses
- sale and purchase of properties involving West Coast Leases
- advising farming families on:
  - estate planning including the establishment and use of family trusts to ensure that substantial farming assets remain under the control of the family
  - succession planning issues and the options available to them in terms of structuring and financing



Marie



Allen



Garry



Murray



Jeremy



# Estate Administration

**Allen Mazengarb, Murray McEwen and Jeremy Hucker**

**Highlights of our work and expertise include:**

- resolving inter-family issues with farming families including unequal sharing of assets under Wills
- dealing with farm property and overseas assets
- working with farm managers and advisors to safeguard estate farm property
- probate and Letters of Administration
- interim and final distribution of estate property
- resolving estate issues created by a breakdown in family relationships





# Health and Safety and Immigration

## Phil McCarthy

Through his experience as a prosecutor for the Department of Labour (predecessor to WorkSafe NZ), Phil has built up his health and safety expertise in a wide range of workplaces (including farms). Phil continues to advise clients on all health and safety matters affecting their workplaces.

### **Highlights of Phil's health and safety work and expertise include:**

- successfully representing a client facing prosecution for an alleged failure to take all practicable steps to ensure safety
- reviewing health and safety plans and policies

- advising employers and employees during disciplinary action involving health and safety
- advising clients about the new Health and Safety at Work Act 2015

Phil also advises employers on their obligations when employing migrant workers. Phil can assist employers through the visa application process, prepare visa applications on behalf of the migrant workers and review employment agreements to ensure compliance with employment and immigration law requirements.





## Referees

If you would like to talk to some of our clients about our expertise and how we have worked with them and their other advisers to help them solve problems and achieve their goals, we are happy to provide contact details of farming client referees.

## NZTE Capability Development Voucher Scheme

Auld Brewer Mazengarb & McEwen offers training services that are registered for the New Zealand Trade and Enterprise Capability Development Voucher Scheme.

We can provide one-on-one training in Taranaki for:

- Governance, including business structures

- Employment law
- Health and Safety

For more information about whether your business qualifies for a rebate visit <http://business.taranaki.info/content.php/page/regional-partner-network>

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**Auld Brewer Mazengarb & McEwen are pleased to sponsor Te Reo o Taranaki and the Rotokare Scenic Reserve Trust. For more information go to our website [www.abmm.co.nz](http://www.abmm.co.nz)**



***We Love Kiwis,  
We Hate Weasels!  
Ka arohaina te Kiwi,  
ka kinongia te wihara!***

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9 Vivian Street | PO Box 738, New Plymouth 4340  
P +64 6 757 5183 F +64 6 757 4605

[www.abmm.co.nz](http://www.abmm.co.nz)

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