

**IN THE EMPLOYMENT COURT OF NEW ZEALAND  
AUCKLAND**

**I TE KŌTI TAKE MAHI O AOTEAROA  
TĀMAKI MAKĀURAU**

**[2024] NZEmpC 218  
EMPC 359/2024**

IN THE MATTER OF            a challenge to a determination of the  
   Employment Relations Authority

AND IN THE MATTER OF    an application for a stay of execution

BETWEEN                      CHANNEL INFRASTRUCTURE NZ  
   LIMITED  
   Plaintiff

AND                                AARON HOLROYD AND OTHERS  
   Defendants

Hearing:                      On the papers

Appearances:                T Clarke and G Service, counsel for plaintiff  
   P Cranney and G Liu, counsel for defendants

Judgment:                    15 November 2024

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**INTERLOCUTORY JUDGMENT OF JUDGE KATHRYN BECK  
(Application for a stay of execution)**

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[1]     These proceedings involve a challenge to a determination of the Employment Relations Authority.<sup>1</sup> A directions conference was scheduled for 9.30 am today. Counsel for the parties have provided a joint memorandum in relation to the application for stay of execution, and so the directions conference was vacated.

[2]     The parties agree to stay execution of the Authority's determination on the following conditions:

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<sup>1</sup>     *Holroyd v Channel Infrastructure NZ Ltd* [2024] NZERA 503 (Member Lynch).

- (a) No later than **4 pm on 15 November 2024**, the plaintiff will pay into Court the sum of \$4,486,744.70, representing the current best attempt to calculate the amount pending the outcome of the Court's judgment, as security for payment of the judgment sum if the challenge is unsuccessful.
- (b) The plaintiff will circulate its methodology for the re-calculated sum set out at [2](a) to the defendants' counsel in advance of paying the sum into Court.
- (c) The monies will be held on term deposit in an interest-bearing trust account and will be paid out on further direction or order of a Judge, or on receipt by the Court of a joint memorandum signed by both parties' counsel.

[4] There is no issue as to costs.

Kathryn Beck  
Judge

Judgment signed at 12.30 pm on 15 November 2024