

Attention is drawn to the orders contained in this determination prohibiting publication of certain information

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
CHRISTCHURCH**

[2018] NZERA Christchurch 167  
3040411

BETWEEN            Q LIMITED  
                                 Applicant

AND                    F  
                                 Respondent

Member of Authority:    Andrew Dallas

Representatives:        Scott Wilson and Jonny Sanders, counsel for the Applicant  
                                 Andrew Shaw, counsel for the Respondent

Investigation Meeting    On the papers

Date of the Determination    15 November 2018

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**CONSENT DETERMINATION OF THE AUTHORITY**

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**Employment Relationship Problem**

[1]    On 26 September 2018, the Authority granted an urgent interim injunction in favour of Q Limited and made various interim orders.<sup>1</sup>

[2]    The parties were also directed to mediation. Having now resolved all matters between them, the parties seek the following permanent orders by consent. The Authority acknowledges the positive contributions of both parties in reaching this outcome.

**Permanent orders**

[3]    By consent and by this determination the following permanent orders are made:

- (a) the names of the parties are not to be published.

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<sup>1</sup> *Q Limited v F* [2018] NZERA Christchurch 140

(b) A permanent injunction is granted in favour of Q Limited restraining F from:

(i) using confidential information of Q Limited in any way other than as authorised by Q Limited or required by law;

(ii) disclosing any of the confidential information of Q Limited to any person, organisation or third party; and

(iii) copying any material containing any confidential information of Q Limited.

(c) F is to immediately return all of the information and copies of it belonging to Q Limited if located by F at any time in the future. Such information is to be returned to the offices of Duncan Cotterill, Level 2, Duncan Cotterill Plaza, 148 Victoria Street, Christchurch.

(d) F is to comply with clauses 19 (Intellectual Property) and 20 (Confidential Information) of his employment agreement dated 19 July 2018.

(e) There is no order for costs.

[4] This determination is enforceable under s 137(1)(b) of the Employment Relations Act 2000.

Andrew Dallas  
Member of the Employment Relations Authority