



Employment Court of New Zealand

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TUV v WXY [2018] NZEmpC 55 (25 May 2018)

Last Updated: 30 May 2018

IN THE EMPLOYMENT COURT CHRISTCHURCH

[\[2018\] NZEmpC 55](#)
EMPC 6/2018

| | |
|-------------------|--|
| IN THE MATTER OF | a challenge to a determination of the Employment Relations Authority |
| AND IN THE MATTER | of an application for stay of execution of a determination of the Employment Relations Authority |
| BETWEEN | TUV Plaintiff |
| AND | WXY Defendant |

Hearing: By joint memorandum filed on 22 May
2018

Representatives: A Douglass, counsel for plaintiff J Boyle,
counsel for defendant

Judgment: 25 May 2018

CONSENT INTERLOCUTORY JUDGMENT OF CHIEF JUDGE CHRISTINA INGLIS

APPLICATION FOR STAY OF EXECUTION OF DETERMINATION OF THE EMPLOYMENT RELATIONS AUTHORITY

[1] By consent, there is an order staying execution of the Employment Relations Authority's costs determination.¹ The order is made on terms agreed between the parties. The parties have requested that the agreed terms be recorded in a consent judgment. The agreed terms are:

(a) Within five working days of this order of the Court, the plaintiff will personally deposit \$6,218.52 into the Employment Court's interest-

¹ *TUV v WXY* [2018] NZERA Christchurch 61.

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bearing trust account, being the amount ordered as costs in the Employment Relations Authority.

(b) Pending the outcome of the plaintiff's substantive challenge to the Authority's determination,² the defendant will not take any action to enforce the costs determination.

(c) The parties agree that the monies referred to in [1](a) above will be paid out upon order of the Court based on the outcome of the plaintiff's challenge.

(d) For the avoidance of doubt, the plaintiff's instructing solicitor in this proceeding has no liability in respect of the costs order and the determination.

[2] No issue of costs arises on this application.

Christina Inglis Chief Judge

Judgment signed at 3.15 on 25 May 2018

2 *TUV v WXY* [2017] NZERA Christchurch 222.

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