

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

**I TE KŌTI TAKE MAHI O AOTEAROA
ŌTAUTAHI**

**[2024] NZEmpC 121
EMPC 54/2024**

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 OTIRA STAGECOACH HOTEL
LIMITED
Plaintiff

AND JOHN CHARLES WRIGHT
Defendant

Hearing: On the papers

Appearances: D Taffs, counsel for plaintiff
J D Kaye, counsel for defendant

Judgment: 5 July 2024

**INTERLOCUTORY JUDGMENT OF JUDGE K G SMITH
(Application for a stay of execution)**

[1] On 19 January 2024, the Employment Relations Authority issued a determination resolving an employment relationship problem between John Wright and Otira Stagecoach Hotel Ltd.¹ Subsequently, the Authority issued a costs determination.²

[2] Mr Wright succeeded in establishing his claims and the Authority ordered Otira Stagecoach to make compensatory payments to him.

¹ *Wright v Otira Stagecoach Hotel Ltd* [2024] NZERA 29 (Member van Keulen).

² *Wright v Otira Stagecoach Hotel Ltd* [2024] NZERA 113 (Member van Keulen).

[3] Otira Stagecoach has challenged the determinations.

[4] The parties have jointly sought a stay of execution of both determinations pending resolution of the challenge. The application proposes that, by consent, the stay be granted on condition that certain funds are paid to the Registrar of this Court.

[5] In the circumstances I am satisfied that an order can be made. The Authority's determinations are stayed subject to:

- (a) the plaintiff paying to the Registrar of this Court the agreed sum of \$53,119.74;
- (b) payment of that sum being made no later than **12 July 2024**; and
- (c) the sum once paid being held by the Registrar in an interest-bearing account pending further order of the Court.

[6] For the avoidance of doubt, the order in para [5] above will lapse without either party needing to make a further application if the required payment is not made on time.

[7] There is no issue as to costs.

K G Smith
Judge

Judgment signed at 12.15 pm on 5 July 2024