



# Employment Court of New Zealand

You are here: [NZLII](#) >> [Databases](#) >> [Employment Court of New Zealand](#) >> [2018](#) >> [\[2018\] NZEmpC 68](#)

[Database Search](#) | [Name Search](#) | [Recent Decisions](#) | [Noteup](#) | [LawCite](#) | [Download](#) | [Help](#)

---

## ASB Bank Limited v Nel [2018] NZEmpC 68 (14 June 2018)

Last Updated: 19 June 2018

IN THE EMPLOYMENT COURT  
AUCKLAND

[\[2018\] NZEmpC 68](#)  
EMPC 257/2016

IN THE MATTER OF a challenge to a determination of  
the Employment Relations  
Authority  
BETWEEN ANDRE NEL  
Plaintiff  
AND ASB BANK LIMITED  
Defendant

**EMPC 303/2016**  
IN THE MATTER OF a challenge to a determination of the  
Employment Relations Authority  
AND BETWEEN ASB BANK LIMITED  
Plaintiff  
AND ANDRE NEL  
Defendant

Hearing: (by telephone directions conference held on 14 June  
2018)

Appearances: C W Stewart and E L Taylor, counsel for the plaintiff S  
Dench, counsel for the defendant

Judgment: 14 June 2018

### JUDGMENT OF JUDGE B A CORKILL: ORDERS OF DISCONTINUANCE AND PAYMENT OUT

[1] At a telephone directions conference earlier this afternoon, I was informed that settlement between the parties has been completed.<sup>1</sup>

[2] I now make the following orders by consent:

1 As referred to in *Nel v ASB Bank Ltd* [\[2018\] NZEmpC 64](#).

ANDRE NEL v ASB BANK LIMITED NZEmpC AUCKLAND [\[2018\] NZEmpC 68](#) [14 June 2018]

- a. Each proceeding is discontinued, with no issue as to costs.
- b. Monies currently held by the firm Duncan Cotterill, including interest, are now to be released in full to ASB Bank Ltd. This order is by way of variation to an earlier consent order made on 15 February 2017, which concerned a payment into Court by ASB Bank Ltd as a condition of stay of execution of an order made by the Employment Relations Authority.<sup>2</sup>

B A Corkill Judge

Judgment signed at 3.40 pm on 14 June 2018

<sup>2</sup> *Nel v ASB Bank Ltd* [2016] NZERA Auckland 323.

---

