

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

[2013] NZERA Auckland 394
5396990

BETWEEN VENU VINOD BASANI
Applicant
AND BP OIL NEW ZEALAND
LIMITED
Respondent

Member of Authority: R A Monaghan

Representatives: V Basani in person
P Muir and R Rendle, counsel for respondent

Memoranda received: 30 August 2013 from applicant
16 August and 2 September 2013 from respondent

Determination: 3 September 2013

COSTS DETERMINATION OF THE AUTHORITY

A. Venu Basani is ordered to contribute to the costs of BP Oil New Zealand Ltd in the sum of \$3,500.

[1] In a determination dated 19 July 2013 I found Mr Basani's dismissal by BP Oil New Zealand Ltd (BP) was justified.

[2] Costs were reserved, and the parties have filed memoranda on the matter.

[3] Counsel for BP sought a contribution to costs in the sum of \$3,500, plus \$375 as disbursements. They relied on the principles in *PBO Limited (formerly Rush Security Limited) v da Cruz*¹ and the notional daily rate in the Authority of \$3,500. The investigation meeting in the Authority lasted for one day. Accordingly a

¹ [2005] 1 ERNZ 808

contribution in the sum of \$3,500, plus disbursements of \$375 for photocopying, has been sought.

[4] Mr Basani asked that no order be made. He said he is in debt but did not provide any information about his income and assets, nor about his debts or other liabilities. I am not satisfied that a reduction in the notional daily rate is warranted.

[5] Mr Basani is therefore ordered to contribute to BP's costs in the sum of \$3,500. I make no further order.

R A Monaghan

Member of the Employment Relations Authority