



Employment Court of New Zealand

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Elisara v Allianz New Zealand Limited [2019] NZEmpC 112 (28 August 2019)

Last Updated: 4 September 2019

IN THE EMPLOYMENT COURT OF NEW ZEALAND AUCKLAND

I TE KŌTI TAKE MAHI O AOTEAROA TĀMAKI MAKĀURAU

[\[2019\] NZEmpC 112](#)

EMPC 307/2017

IN THE MATTER OF	a challenge to a determination of the Employment Relations Authority
AND IN THE MATTER OF	an application for access to court documents by Stephanie Bonney- Lovegrove on behalf of another
BETWEEN	TITIIMAEA EUGENE ELISARA Plaintiff
AND	ALLIANZ NEW ZEALAND LIMITED Defendant

Hearing: On the papers

Judgment: 28 August 2019

INTERLOCUTORY JUDGMENT (NO 3) OF CHIEF JUDGE CHRISTINA INGLIS

(Application for access to court documents)

[1] This is an application for access to documents held by the Court. The applicant seeks access to copies of any memoranda filed on behalf of Mr Elisara in relation to final non-publication orders sought by Allianz New Zealand Ltd (Allianz).

[2] The applicant, Ms Bonney-Lovegrove, is not party to these proceedings but represents a person with an interest in Allianz's application for final non-publication orders (being one of the people in respect of whom the application is sought).

[3] The approach to applications of this sort has previously been dealt with by the Court and can be summarised as follows. The starting point is that the Employment

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Relations Act 2000 does not deal with access to documents held on the court file; nor do the [Employment Court Regulations 2000](#). The approach adopted under the [Senior Courts \(Access to Court Documents\) Rules 2017](#) is to be applied.¹ Access to court documents will only be provided for a recognised and legitimate purpose.²

[4] The present application is not opposed. In the circumstances, and having regard to the reasons why access is sought, the application is granted. The Registrar is accordingly to provide the details sought by the applicant.

Christina Inglis Chief Judge

Judgment signed at 11 am on 28 August 2019

1. [Senior Courts \(Access to Court Documents\) Rules 2017](#), r 12(a)-(h), r 13. See the approach taken in *Prasad v LSG Sky Chefs New Zealand Ltd* [\[2017\] NZEmpC 160](#) at [\[4\]](#), [\[8\]](#). See too the discussion in *Prasad v LSG Sky Chefs New Zealand Ltd* [\[2018\] NZEmpC 9](#).
 2. *Greymouth Petroleum Holdings Ltd v Empresa Nacional Del Petróleo* [\[2017\] NZCA 490](#), [\[2017\] NZAR 1617](#) at [\[36\]](#).
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