



Employment Court of New Zealand

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Reid v Ngāti Rangī Trust [2021] NZEmpC 56 (28 April 2021)

Last Updated: 5 May 2021

IN THE EMPLOYMENT COURT OF NEW ZEALAND WELLINGTON

I TE KŌTI TAKE MAHI O AOTEAROA TE WHANGANUI-A-TARA

[\[2021\] NZEmpC 56](#)

EMPC 449/2019

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|----------------------|--|
| IN THE MATTER OF | a challenge to a determination of the Employment Relations Authority |
| AND IN THE MATTER OF | an application for costs |
| BETWEEN | CASSANDRA REID Plaintiff |
| AND | NGĀTI RANGI TRUST Defendant |

Hearing: On the papers

Appearances: A Halse, advocate for plaintiff
G Ballara and S Radcliffe, counsel for defendant

Judgment: 28 April 2021

COSTS JUDGMENT OF JUDGE J C HOLDEN

[1] The Court awarded the defendant, Ngāti Rangī Trust, costs on its application to dismiss proceedings, calculated on a Category 2B basis.¹

[2] Ngāti Rangī Trust applied for an order for costs as it did not appear that the parties were in agreement over costs. The costs sought were Ngāti Rangī Trust's actual costs, incurred in relation to the application to dismiss proceedings, which were \$4,150 (exclusive of GST, which is not sought by Ngāti Rangī Trust).

¹ *Reid v Ngāti Rangī Trust* [\[2021\] NZEmpC 18](#) at [\[23\]](#).

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[3] Ngāti Rangī Trust sought its actual costs as they were less than its calculation of scale costs using the Court's Guideline Scale.²

[4] After Ngāti Rangī Trust filed its memorandum seeking an order for costs, it was advised by Mr Halse that Ms Reid accepted the amount of costs sought but would pay by weekly ten dollar instalments. Ten dollars was paid as a first instalment. Mr Halse has now filed a memorandum with the Court confirming Ms Reid's position. That memorandum explains why Ms Reid seeks to make payments by instalments.

[5] Ngāti Rangī Trust has not agreed to any arrangement and still seeks an order from the Court.

[6] There is no reason to depart from the parties' agreement as to the amount of costs and accordingly there is an order that Ms Reid pay Ngāti Rangī Trust costs of

\$4,150. It is left to the parties to discuss and agree on any arrangement for payment of those costs. Absent agreement, the sum

ordered is to be paid within 20 working days of the date of this judgment.

[7] Ngāti Rangi Trust also seeks costs of \$500 as a contribution towards its costs in preparing its memorandum for costs. That memorandum was straightforward and accordingly no costs are awarded in respect of it.

J C Holden Judge

Judgment signed at 2.30 pm on 28 April 2021

2 “Employment Court of New Zealand Practice Directions” <www.employment.govt.nz> at No 16.

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