

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

**I TE RATONGA AHUMANA TAIMAHI  
TĀMAKI MAKAURAU ROHE**

**[2019] NZERA 657  
3073912**

BETWEEN

OLIVER SAVAGE  
Applicant

AND

WAI SHING LIMITED  
Respondent

Member of Authority: Eleanor Robinson

Submissions received: Applicant and Respondent: 1 November 2019

Determination: 14 November 2019

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**COSTS DETERMINATION OF THE AUTHORITY**

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[1] The Authority issued a Minute dated 30 September 2019 which concerned an application by the Applicant for an interim injunction halting the Respondent from carrying out a disciplinary process against the Applicant. The Authority declined that application.

[2] In a subsequent Employment Court judgment the Court upheld a challenge to that Minute by the Applicant and ordered that the employment of the Applicant should not be terminated as a result of a disciplinary process unless: “the Authority or Court rescinds or varies the interim reinstatement order dated 29 August 2019.”<sup>1</sup>

[3] The Respondent now seeks costs in respect of its successful application to the Authority.

[4] Taking all the circumstances into consideration I decline to award costs in respect of the successful application in the Authority by the Respondent.

**Member of the  
Eleanor Robinson Employment Relations Authority**

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<sup>1</sup> *Savage v Wai Shing Limited* [2019] NZEmpC 141