

**IN THE EMPLOYMENT COURT
AUCKLAND**

**[2010] NZEMPC 155
ARC 1/10**

IN THE MATTER OF a challenge to a determination of the
Employment Relations Authority

AND IN THE MATTER OF an application for costs

BETWEEN NING WANG
Plaintiff

AND HAMILTON MULTICULTURAL
SERVICES TRUST
Defendant

Hearing: By memoranda of submissions filed on 9 and 16 November 2010

Judgment: 24 November 2010

COSTS JUDGMENT OF JUDGE M E PERKINS

[1] On 27 October 2010 I delivered my substantive judgment in this matter.¹

[2] Mr Wang was partially successful in his proceedings. I indicated that I would consider a reasonable reimbursement of his disbursements. As he was not legally represented, I declined his application for costs.

[3] I directed that memoranda be filed by the parties. These have now been received.

[4] Mr Wang seeks reimbursement of filing and hearing fees. He also seeks reimbursement of witness fees and photocopying, stationery, postage, transportation, telephone, and internet costs.

¹ [2010] NZEmpC 142.

[5] Ms Wilkinson, in her memorandum for the defendant, submits that the filing, hearing, and witness fees are costs and not disbursements. That is clearly not correct and Mr Wang should have reimbursement of those items. He is, however, to provide confirmation to the defendant that he has paid to the witnesses the fees claimed before he is entitled to be reimbursed.

[6] I order that, in addition to those items mentioned in 5 above, the Trust is to pay him \$250 as a contribution towards the other disbursements incurred by him.

ME Perkins
Judge

Judgment signed at 9 am on Wednesday 24 November 2010