

**IN THE EMPLOYMENT COURT
AUCKLAND**

**[2011] NZEmpC 159
ARC 7/09**

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

BETWEEN GEOFFREY SCHOLEFIELD GWILT
 Plaintiff

AND BRIGGS & STRATTON NEW ZEALAND
 LIMITED
 Defendant

Hearing: on the papers - memorandum filed 30 November 2011

Judgment: 1 December 2011

SUPPLEMENTARY JUDGMENT OF JUDGE A A COUCH

[1] In my substantive judgment dated 27 October 2011¹, I invited the parties to agree if possible on costs and on disbursement of the money paid into Court. I have now received a memorandum setting out the agreement reached and asking for a consent judgment in those terms.

[2] The total sum paid into Court is to be disbursed as follows:

- (a) The plaintiff is to be paid \$10,177.15, which comprises the judgment sum of \$11,201.88 less \$1,024.73 being PAYE tax payable to the Inland Revenue Department by the defendant on the salary component of the Court award, being \$8,171.68 less 12.54 percent.

¹ [2011] NZEmpC 140

(b) The defendant is to be paid the balance of the total sum including interest and the sum payable to the Inland Revenue Department for which it is responsible.

[3] This judgment resolves all outstanding issues of costs in this proceeding including those relating to the interlocutory hearing conducted by Judge Travis.

[4] I commend the parties on resolving these outstanding issues by agreement.

AA Couch
Judge

Signed at 9.00 am on 1 December 2011.