

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
WELLINGTON**

**I TE RATONGA AHUMANA TAIMAHI  
TE WHANGANUI-Ā-TARA ROHE**

[2020] NZERA 486  
3100814 and 3103632

BETWEEN           HAMISH THOMSON  
                          Applicant in 3100814  
                          First Respondent in 3103632

AND                   AFFILIATED INSURANCE  
                          BROKERS LIMITED  
                          Second Respondent in 3103632

AND                   CROMBIE LOCKWOOD (NZ)  
                          LIMITED  
                          Respondent in 3100814  
                          Applicant in 3103632

Member of Authority:     Michael Loftus

Representatives:         Charles McGuinness, counsel, and Nick Platje, advocate  
                              for Hamish Thomson and Affiliated Insurance Brokers  
                              Limited  
                              Megan Richards, June Hardacre and Kate Allan, counsel  
                              for Crombie Lockwood (NZ) Limited

Investigation Meeting:    24, 25 and 26 November 2020 at Wellington

Date of Determination:   26 November 2020

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**CONSENT DETERMINATION OF THE AUTHORITY**

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[1]     During the investigation meeting the parties adjourned to discuss their differences. These were resolved and the parties ask I record their settlement as a consent determination.

[2]     I accept and as a result make the following orders:

- a.     The restraints that applied to Hamish Thomson were reasonable and enforceable for a period of twelve months from the date of the

termination of his employment with Crombie Lockwood (NZ) Limited;  
and

- b. A payment of damages in an agreed but confidential sum will be made to Crombie Lockwood (NZ) Limited by Hamish Thomson and Affiliated Insurance Brokers Limited, who shall be jointly and severally liable, no later than 20 December 2020; and
- c. There shall be no order as to costs.

[3] The parties are to be commended for settling this matter on their own terms.

Michael Loftus  
Member of the Employment Relations Authority