

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

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

[2023] NZERA 717
3075592

BETWEEN

ROGER SIMPSON
Applicant

AND

BRAND DEVELOPERS LIMITED
Respondent

Member of Authority: Sarah Blick

Representatives: David Balfour, advocate for the applicant
Simon Laphorne, counsel for the respondent

Investigation: On the papers

Determination: 30 November 2023

COSTS DETERMINATION OF THE AUTHORITY

[1] The Authority issued a determination on 14 November 2023 finding the real nature of the relationship between Roger Simpson and Brand Developers Limited (BDL) was not one of employment. The Authority therefore did not have jurisdiction to resolve Mr Simpson's claims.¹ The issue of costs was reserved for the parties to attempt to resolve. The parties now advise they have resolved costs and ask I record their agreement as a consent determination.

[2] I therefore order by consent that within 7 days of the date of this determination that Roger Simpson pay Brand Developers Limited costs in the sum of \$8,000 plus GST.

Sarah Blick
Member of the Employment Relations Authority

¹ *Simpson v Brand Developers Ltd* [2023] NZERA 676.