

**IN THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND**

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

[2026] NZERA 192
3437945

BETWEEN KISSMAT BANUNA
Applicant

AND ANTHONY CORIN
Respondent

Member of Authority: Rachel Larmer

Representatives: Applicant in person
Anthony Corin in person

Date of Investigation Meeting: 30 March 2026 at Auckland

Date of Oral Determination: 30 March 2026

Written Record of Oral Determination: 31 March 2026

ORAL DETERMINATION OF THE AUTHORITY

Employment Relationship Problem

The parties

[1] This matter involved determination of Ms Banuna's compliance order application against the respondent, Mr Anthony Corin, who is the sole director of Shorcom Limited (in Liquidation) ("Shorcom").

Material background

[2] The Authority issued a substantive 'on the papers' determination dated 28 November 2025 for the wage arrears component of the claims Ms Banuna had made

against her former employer, Shorcom.¹ Ms Banuna's remaining claims were set down for an in-person investigation meeting on 17 February 2026.

[3] However, Ms Banuna's additional claims against Shorcom were not able to be determined because it went into liquidation on 11 February 2026. The Liquidator did not consent to Ms Banuna's proceedings against Shorcom continuing.

17 February 2026 investigation meeting

[4] The investigation meeting set down on 17 February 2026 proceeded to investigate and determine Ms Banuna's application for leave to recover from Mr Corin personally any wage arrears and other money that Shorcom had defaulted on paying her, on the grounds Mr Corin was 'a person involved in breaches of employment standards', as defined by ss 5 and 142W of the Employment Relations Act 2000 (the Act).

[5] Ms Banuna's application for leave to recover from Mr Corin personally for the wage arrears and other money Shorcom had defaulted on paying her succeeded, see the Authority's determination in *Banuna v Shorcom Ltd (In Liquidation) and Corin* dated 18 February 2026.²

[6] Mr Corin was ordered to pay Ms Banuna \$17,335.57 by 18 March 2026 plus ongoing interest on any amount that remained outstanding from that date onwards.

[7] Nothing has been paid and no arrangements have been made by Mr Corin to pay Ms Banuna. Mr Corin told the Authority he expects he will become bankrupt in the next month or so as he is currently in discussions with the Official Assignee about voluntary bankruptcy.

The Authority's investigation

[8] An in-person investigation meeting for Ms Banuna's compliance order application was held in Auckland on 30 March 2026.

[9] Ms Banuna confirmed under affirmation that she had not been paid any of the money she was awarded by the Authority and that Mr Corin has not made any

¹ *Banuna v Shorcom Limited* [2025] NZERA 770.

² *Banuna v Shorcom Ltd (In Liquidation) and Corin* [2026] NZERA 85.

arrangements for her to be paid. Mr Corin agreed under affirmation that Ms Banuna's evidence about that was correct.

[10] Mr Corin did not lodge a statement in reply and he did not lodge any evidence. However, the Authority heard from Mr Corin because he attended the investigation meeting in person and gave evidence under affirmation.

The issues to be determined

[11] The following issues are to be determined:

- (a) Has Mr Corin complied with the Authority's determination in *Banuna v Shorcom Ltd (In Liquidation) and Corin* dated 18 February 2026?
- (b) If not, should a compliance order be issued?
- (c) What interest should Ms Banuna be awarded in this determination?
- (d) What, if any, costs and disbursements should be awarded?

Has Mr Corin complied with the Authority's determination dated 18 February 2026?

[12] In *Banuna v Shorcom (In Liquidation) and Corin* the Authority ordered Mr Corin, within 28 days of the date of the 18 February 2026 determination, to pay Ms Banuna \$17,335.57 consisting of:³

- (a) \$14,145.26 wage arrears plus interest up to 28 November 2025 that Shorcom had defaulted on paying her.
- (b) \$118.76 interest on the outstanding amount of \$14,145.26 for the period 29 November 2025 to 18 February 2026 that Shorcom had defaulted on paying her.
- (c) \$1,000.00 of the penalty that had been imposed on Mr Corin under s 134(2) of the Employment Relations Act 2000 (the Act).
- (d) \$2,000.00 towards Ms Banuna's legal costs.
- (e) \$71.55 to reimburse Ms Banuna's filing fee for that matter.

³ *Banuna*, above n1.

[13] Mr Corin was also ordered to pay interest on any amount of the \$14,264.02 (being \$14,145.26 awarded in the *Banuna v Shorcom Ltd (In Liquidation) and Corin* determination dated 28 November 2025⁴ plus \$118.76 interest awarded in the 18 February 2026 determination⁵) that remained outstanding from 19 February 2026 onwards until that amount, plus all interest on it, had been paid to Ms Banuna in full.⁶

[14] Interest was to be calculated using the Civil Debt Interest Calculator on the Ministry of Justice website.

[15] Within 28 days of the date of the 18 February 2026 determination, Mr Corin was also ordered to pay directly to the Crown bank account the \$500.00 balance of the penalty imposed on him under s 134(2) of the Act.

[16] Mr Corin has not complied with the Authority's determination in *Banuna v Shorcom Ltd (In Liquidation) and Corin* dated 18 February 2026.⁷

Should a compliance order be issued?

Amended Statement of Problem

[17] As was discussed during the investigation meeting that was held on 17 February 2026, Ms Banuna had already lodged a compliance order application for this matter AEA 3437945 with the Authority that had not been withdrawn.

[18] Ms Banuna was therefore not required to lodge a new application or to pay another filing fee. Instead Ms Banuna lodged an amended statement of problem (ASoP) that made it clear she was no longer pursuing compliance against Shorcom but had applied for a compliance order against Mr Corin, that he comply with the Authority's determination in *Banuna v Shorcom Ltd (In Liquidation) and Corin* dated 18 February 2026.⁸

Outcome

[19] The Authority's determination dated 18 February 2026 has not been complied with, so the required breach has been established.

⁴ *Banuna*, above n1.

⁵ *Banuna*, above n2.

⁶ *Banuna*, above n2.

⁷ *Banuna*, above n2.

⁸ *Banuna*, above n2.

[20] Mr Corin is not yet bankrupt. The Authority therefore considered it appropriate to complete its involvement with these parties, in order to give them closure, by issuing the requested compliance order. Ms Banuna would likely not receive any of the money Mr Corin has to pay her unless a compliance order was made to compel that to occur.

[21] It was therefore necessary and appropriate for a compliance order to be issued. No conditions were suggested to the Authority, so none were made.

[22] Accordingly, within 28 days of the date of this determination, Mr Corin is ordered to comply with the Authority's determination in *Banuna v Shorcom Ltd (In Liquidation) and Corin* dated 18 February 2026, by paying:⁹

- (a) Ms Banuna the outstanding \$17,335.57 she was owed.
- (b) The Crown bank account the outstanding \$500.00 penalty that was imposed on him.

What interest should Ms Banuna be awarded?

[23] Paragraph [53] of the Authority's determination dated 18 February 2026 awarded Ms Banuna ongoing interest on any outstanding amount Mr Corin had not paid her from 19 February 2026 onwards.¹⁰

[24] Mr Corin has effectively had the use of money that he should have paid to Ms Banuna. It is therefore appropriate to quantify Ms Banuna's interest claim up to the date of this determination. Accordingly, Mr Corin is ordered to pay Ms Banuna interest of \$68.94 for the period 19 February 2026 (the day after the liability determination) to 31 March 2026, being the date of this determination.

[25] Interest continues to run on any amount outstanding that Ms Banuna has been awarded in this determination but which remains unpaid from 1 April 2026 onwards. Interest will continue to accrue until Ms Banuna has been paid in full all of the money, including interest and disbursements, that Mr Corin has been ordered to pay her.

[26] Interest is to be calculated in accordance with the Interest on Civil Debt Calculator on the Ministry of Justice website.

⁹ *Banuna*, above n2.

¹⁰ *Banuna*, above n2.

What costs and disbursements should be awarded?

[27] Ms Banuna was self-represented, so she is not entitled to an award of costs in her favour because she did not actually incur any legal costs in connection with this compliance order determination.

[28] Ms Banuna is however entitled to recover her filing fee of \$71.55 (for lodging this compliance order application) from Mr Corin.

[29] Accordingly, within 28 days of the date of this determination, Mr Corin is ordered to pay Ms Banuna \$71.55 to reimburse her filing fee for this matter.

Other

[30] If Mr Corin fails to pay Ms Banuna the amounts he had been ordered to pay her in this determination, then Ms Banuna may apply under s 138(6) of the Act to the Court to exercise the powers it has under s 140(6) of the Act.

[31] The Court's powers under s 140(6) of the Act include the discretion to address a party's non-compliance with the Authority's compliance order by:

- (a) Dismissing or staying proceedings in which the person in default is a plaintiff in Court proceedings.
- (b) Striking out the defendant's defence, if the party in default is a defendant in Court proceedings.
- (c) Order the person in default to be imprisoned for a term not exceeding three months.
- (d) Impose a fine of up to \$40,000.00 on the person in default.
- (e) Order that the property of the person in default be sequestered.

Orders

- [32] Without 28 days of the date of this determination, Mr Corin is ordered to:
- (a) Comply with paragraphs [52]-[54] of the Authority's determination in *Banuna v Shorcom Ltd (in Liquidation) and Corin* dated 18 February 2026.¹¹
 - (b) This compliance order requires Mr Corin, by 27 April 2026 to pay:
 - (i) Ms Banuna \$17,335.57; and
 - (ii) The Crown bank account \$500,00.
 - (c) Pay Ms Banuna:
 - (i) \$68.94 interest for the period 19 February 2026 to 31 March 2026.
 - (ii) \$71.55 to reimburse her filing fee for this matter.
 - (d) Pay interest, to be calculated using the Civil Debt Interest Calculator on the Ministry of Justice website, on any amount Ms Banuna has been awarded in this determination that remains outstanding from 1 April 2026 until she has been fully paid everything she is owed, including all interest and disbursements.

Rachel Larmer
Member of the Employment Relations Authority

¹¹ *Banuna*, above n2.