

**IN THE EMPLOYMENT RELATIONS AUTHORITY
CHRISTCHURCH**

**I TE RATONGA AHUMANA TAIMAHI
ŌTAUTAHI ROHE**

[2026] NZERA 359
3441384

BETWEEN	SYI Applicant
AND	CANDOO FRANCHISING LIMITED Respondent

Member of Authority: Philip Cheyne

Representatives: Allan Halse, advocate for the Applicant
No appearance for the Respondent

Submissions received: 5 May 2026 from the Applicant

Date of Determination: 8 June 2026

COSTS DETERMINATION OF THE AUTHORITY

Non-publication order

[1] In the Authority's earlier determination an order was made prohibiting the publication of the applicant's name or their identifying details.¹ That order continues.

The issue

[2] SYI was successful with their earlier application for a compliance order.

[3] Costs were reserved, with SYI to lodge a submission within 14 days and Candoo Franchising Limited (Candoo) to lodge its reply within a further 7 days. I have received SYI's submissions but nothing from Candoo.

¹ *SYI v Candoo Franchising Limited* [2026] NZERA 250.

[4] This determination resolves the issue of costs.

Assessing costs

[5] SYI as the successful party incurred costs of representation.

[6] As a matter of principle, they are entitled to an award of costs.

[7] It is not necessary to refer to the authorities cited by Mr Halse but I accept they should guide the Authority in assessing costs in this case.

[8] Unfortunately, I have not been provided with details of the costs incurred by and charged to SYI. It is not clear whether the claim is for indemnity costs.

[9] It would not be appropriate to order costs that exceed those faced by SYI. I will be cautious about the amounts mentioned to avoid doing so.

[10] The claim is for \$1,500.00 but I will fix costs at \$1,000.00 for the foregoing reason.

[11] There is a claim for \$150.00 in disbursements but no details about those disbursements. Accordingly, it is not allowed. However, a sum of \$71.55 is claimed for a lodgement fee which I accept was incurred. \$71.55 will be added to the amount.

Order

[12] Candoo Franchising Limited must now pay costs and expenses of \$1,071.55 to SYI.

Philip Cheyne
Member of the Employment Relations Authority