



**EMPLOYMENT COURT AND EMPLOYMENT TRIBUNAL (FEES)
REGULATIONS 1997**

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 30th day of June 1997

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 146 of the Employment Contracts Act 1991, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Employment Court and Employment Tribunal (Fees) Regulations 1997.

(2) These regulations come into force on 4 August 1997.

2. Employment Court fees—(1) The fees specified in Schedule 1 of these regulations are payable to the Registrar of the Court for the matters set out in that schedule.

(2) In subclause (1) and Schedule 1,—

(a) Terms defined in subclause (1) of regulation 2 of the Employment Court Regulations 1991* have the meanings given to them by that subclause; and

(b) Terms defined in section 2 of the Employment Contracts Act 1991 have the meanings given to them by that section.

3. Employment Tribunal fees—(1) The fees specified in Schedule 2 of these regulations are payable to the Secretary of the Tribunal for the matters set out in that schedule.

(2) In subclause (1) and Schedule 2,—

- (a) Terms defined in subclause (1) of regulation 2 of the Employment Tribunal Regulations 1991* have the meanings given to them by that subclause; and
- (b) Terms defined in section 2 of the Employment Contracts Act 1991 have the meanings given to them by that section.

4. Fees payable by person commencing proceedings—Every fee prescribed by these regulations is payable by the person commencing the proceedings in respect which the fee is payable.

5. Fees inclusive of GST—The fees prescribed by these regulations are inclusive of goods and services tax payable under the Goods and Services Tax Act 1985.

6. Consequential amendments—(1) The Employment Court Regulations 1991 are amended by revoking regulation 60 and the Third Schedule.

(2) The Employment Tribunal Regulations 1991 are amended by revoking regulation 53 and the Third Schedule.

7. Transitional—In proceedings commenced before the commencement of these regulations, the appropriate fee prescribed by these regulations must be paid in respect of any step taken after that commencement.

*S.R. 1991/227

SCHEDULES

SCHEDULE 1

Reg. 2 (1)

EMPLOYMENT COURT FEES

	\$
1. Filing notice of appeal to Employment Court	200
2. Filing notice of application for leave to introduce new issues, explanations, or facts	250
3. Filing notice of commencement of action for recovery of penalty	300
4. Filing notice of application for compliance order	300
5. Filing notice of commencement of action founded on tort	300
6. Filing notice of application for injunction to stop (or prevent) strike (or lockout or threatened strike or threatened lockout)	300
7. Filing notice of application for special leave to remove proceedings to Employment Court	200
8. Filing notice of application for rehearing	300
9. Filing notice of application for relief from harsh and oppressive employment contract	70
10. Filing notice of application for review	300
11. Filing, under regulation 23 (1) (a) of the Employment Court Regulations 1991, notice to the opposing party ...	300
12. Filing notice of challenge to objection to disclosure ...	100
13. Filing notice of application for verification order	100
14. Preparing a transcript of the record of proceedings before the Employment Tribunal, for each half day of hearing to which the transcript relates	100
<p style="padding-left: 40px;">Provided that the fee payable in respect of a transcript of the record of any such proceedings shall not exceed \$1,000.</p>	
15. Hearing fee, for each half day or part thereof after the first day	245

Reg. 3 (1)

SCHEDULE 2

EMPLOYMENT TRIBUNAL FEES

	\$
1. Filing application for mediation assistance	70
2. Filing notice of referral of personal grievance to Employment Tribunal	70
3. Filing notice of referral of dispute to Employment Tribunal	70
4. Filing notice of referral of parental leave complaint to Employment Tribunal	70
5. Filing notice of appeal against decision of Apprenticeship Committee	70
6. Filing notice of commencement of action for recovery of wages (or money payable by an employer to an employee or penalty)	70
7. Filing notice of application for compliance order	70
8. Filing, under regulation 25 (1) (a) of the Employment Tribunal Regulations 1991, notice to the opposing party	90
9. Filing notice of application for rehearing	150
10. Filing notice of application for transfer of proceedings to Employment Court	150
11. Filing application for direction that respondent be required to file statement of defence	100
12. Filing notice of appeal under section 66 (3) of the Employment Contracts Act 1991	70
13. Adjudication hearing fee, for each half day or part thereof after the first day	150

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 4 August 1997, increase the fees payable in respect of proceedings in the Employment Court and Employment Tribunal.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 3 July 1997.
These regulations are administered in the Department of Labour.