

IN THE SUPREME COURT OF NEW ZEALAND

**SC 64/2009
[2009] NZSC 105**

BETWEEN	SLAWOMIR RYSZARD BUJAK Applicant
AND	THE DISTRICT COURT AT CHRISTCHURCH First Respondent
AND	THE REPUBLIC OF POLAND Second Respondent

Court: Blanchard and Tipping JJ

Counsel: F C Deliu for Applicant
A Mobberley for Second Respondent

Judgment: 15 October 2009

JUDGMENT OF THE COURT (COSTS)

A The applicant must pay the second respondent costs of \$2,000.

REASONS

[1] In its judgment of 15 September 2009 this Court dismissed the application to appeal and afforded the second respondent, represented by counsel from the Crown Law Office, the opportunity of applying for costs. An application was made and our order for costs in the sum of \$2,000 is now made.

[2] The opposition to it was on the basis that the Government of Poland has not incurred any costs. However, as Ms Mobberley points out, cl 17 of the Treaty between New Zealand and Poland requires New Zealand to defray the expenses in

the case, so they have been incurred by the Crown. It is therefore proper that an award be made as sought, in order that the Crown can be reimbursed to that extent.

Solicitors:

Alastair McClymont, Auckland for Applicant
Crown Law, Wellington