

**BEFORE THE NEW ZEALAND TEACHERS DISCIPLINARY TRIBUNAL**

**UNDER** the Education Act 1989

**BETWEEN** **THE COMPLAINTS ASSESSMENT  
COMMITTEE**

**AND** **VIA LAM-SAM-TAI of [REDACTED] teacher  
(registration number 259983)**

**Respondent**

---

**COSTS DECISION  
6 December 2017**

---

Tribunal: John Hannan (Deputy Chairperson)

- [1] In a decision dated 24 October 2017, the Tribunal found that a charge of serious misconduct against the respondent was made out and orders were made as to penalty and costs. The respondent was ordered to pay 40% of the costs of conducting the hearing under section 404 (1) (h) and (i), that is 40% of the Tribunal's costs and 40% of the CAC's actual and reasonable costs.
- [2] The Tribunal delegated to the Deputy Chairperson authority to determine the quantum of those costs.
- [3] The CAC submitted and served a schedule of costs totalling \$6243.94 (excluding GST) of which 40% is \$2497.58.
- [4] For the Tribunal, the secretary submitted a schedule of estimated costs of \$1145 of which 40% is \$458.
- [5] I am informed that the respondent has not submitted anything in response to these schedules.
- [6] I consider the schedules of costs submitted actual and reasonable.
- [7] Accordingly I direct that the respondent pay costs of \$2497.58 under section 404(1)(h) and \$458.00 under section 404(1)(i) of the Education Act 1989

**Date:** 6 December 2017

.....  
**JGH Hannan**  
Deputy Chairperson

## **NOTICE**

- 1        A person who is dissatisfied with all or any part of a decision of the Disciplinary Tribunal under sections 402(2) or 404 of the Education Act 1989 may appeal to a District Court.
  
- 2        An appeal must be made within 28 days of receipt of written notice of the decision, or within such further time as the District Court allows.
  
- 3        Subsections (3) – (6) of section 356 apply to every appeal as if it were an appeal under subsection (1) of section 356.