

Before the Electrical Workers Registration Board

CE No. 22866

In the matter of:
Workers Registration Board

A disciplinary hearing before the Electrical

Between:

The Ministry of Business Innovation and
Employment

And

Warren Bourke a registered and licensed
electrical worker (EW 056664) (the
Respondent)

Decision of the Board in Respect of the Conduct of an Electrical Worker Under section 147(G) and 147 (M) of the Electricity Act 1992

Hearing Location: March
Hearing Type: In Person
Hearing Date: 19 March 2025
Decision Date: 19 March 2025

Board Members Present:

Mr R Keys, Registered Inspector (Presiding)
Mr T Tran, Barrister
Ms S Cameron, Registered Electrician
Mr T Wiseman, Registered Inspector
Mr J Hutton, Registered Inspector
Ms L Wright, Barrister

Appearances: Attendances excused.

Procedure:

The matter was considered by the Electrical Workers Registration Board (the Board) under the provisions of Part 11 of the Electricity Act 1992 (the Act), the Electricity (Safety) Regulations 2010 (the Regulations) and the Board's Disciplinary Hearing Rules.

Board Decision:

The Respondent **has not** committed a disciplinary offence.

Introduction

- [1] The hearing resulted from a complaint about the conduct of the Respondent and a report under section 147G(1) of the Act from the Investigator that the complaint should be considered by the Board.
- [2] The Respondent was served with a Notice of Proceeding (the Notice), dated 30 May 2024, setting out the alleged disciplinary offence the Investigator reported should be considered by the Board, The alleged offence related to s 143(f) of the Act.

Board's Conclusion and Reasoning

- [3] Section 147G of the Act states:

147G Board must hold hearing if investigator reports that complaint should be considered by Board

- (1) *If the investigator reports that a complaint should be considered by the Board, the Board must hold a hearing to determine whether it should exercise its disciplinary powers under section 147M.*
- (2) *If the investigator reports that a complaint should not be considered by the Board, the Registrar must inform the complainant and the person complained against of that determination.*

- [4] The Act also provides in section 147T:

147T Investigator to prosecute matter

- (1) *If the investigator reports that in the investigator's opinion a complaint should be considered by the Board, the matter must be prosecuted by the investigator at the hearing held by the Board under this Part (unless the Board orders otherwise).*

- [5] By memorandum dated 4th March 2025, Counsel for the Investigator advised the Board that, following consideration of further information obtained since the Notice was issued, the Investigator would not be offering any evidence. Based on the Investigator offering no evidence, the Board finds that the Respondent has not committed a disciplinary offence.

Signed and dated this 16th day of April 2025



R Keys

Presiding Member