

## **Before the Electrical Workers Registration Board**

CE No. 22947

### **In the matter of:**

A disciplinary hearing before the Electrical Workers Registration Board

### **Between:**

The Ministry of Business Innovation and Employment

### **And**

Gang Liu, a registered and licensed electrical inspector (EW 101316, I 256069, Electrical Inspector) (the Respondent)

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

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Hearing Location:

Wellington

Hearing Type:

In person and by Audio Visual Link

Hearing Date:

19 June 2025

Decision Date:

19 June 2025

### **Board Members Present:**

Mr R Keys, Registered Inspector (Presiding)

Mr T Wiseman, Registered Inspector

Mr J Hutton, Registered Inspector

Ms S Cameron, Registered Electrician

Ms L Wright, Barrister

Mr T Tran, Barrister

Appearances: Ms A Nicholas, counsel for the Investigator and Mr R Gouverneur, Investigator

Mr G Liu, self-represented

### **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 committed disciplinary offences under section 143(b)(ii) and 143(f) of the Act.

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## Summary of the Board's Decision

- [1] The Board determined that the Respondent committed the following disciplinary offences:
- a. Under section 143(b)(ii) of the Act, negligently created a risk of serious harm through having carried out prescribed electrical work (PEW).
  - b. Under section 143(f) of the Act, provided a false or misleading return by issuing a Certificate of Verification certifying compliance when the installation did not meet the required standards.
- [2] Key points that led to this finding:
- a. The Respondent failed to carry out an adequate verification inspection of the electrical installation at "[Omitted]".
  - b. The Respondent failed to identify that approximately 2-3 metres of mains cable had been severed and removed from the underfloor area, leaving exposed conductors;
  - c. The lack of proper inspection created a significant risk of fatal electric shock to persons entering the underfloor cavity;
  - d. The Respondent issued a Certificate of Verification falsely certifying that the installation was safe and compliant with AS/NZS 3019:2007 when it was not;

- e. The Respondent failed to conduct required electrical testing including polarity and earth fault loop testing.

[3] The Board ordered:

- a. A fine of \$3,000 (reduced from \$6,000 starting point);
- b. Costs of \$250;
- c. There will be publication in the Electron newsletter (named in the newsletter), a record of the disciplinary finding on the Public Register for 3 years and the decision to be published on the Board website.

### **Introduction**

- [4] 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.
- [5] The Respondent was served with a Notice of Proceeding dated 15 April 2025 setting out the alleged disciplinary offences the Investigator reported should be considered by the Board.
- [6] The following disciplinary charges were alleged in the Notice of Proceeding:

#### **First Alleged Disciplinary Offence**

*On or around 27 October 2024 at "[Omitted]" Mr Gang Liu has negligently created a risk of serious harm to any person, or significant property damage, through having carried out prescribed electrical work, being an offence under section 143(b)(ii) of the Electricity Act 1992, IN THAT, he failed to carry out an adequate verification inspection, prior to issuing a Certificate of Verification resulting in the failure to identify exposed mains conductors in breach of Regulation 13(1) of the Electricity (Safety) Regulations 2010.*

#### **Or in the Alternative**

*On or around 28 October 2024 at "[Omitted]" Mr Gang Liu has carried out or caused to be carried out prescribed electrical work in a negligent or incompetent manner being an offence under section 143(a)(i) of the Act, IN THAT, he has failed to carry out an adequate verification inspection, prior to the issuing a Certificate of Verification resulting in the failure to identify exposed mains conductors in breach of Regulation 13(1) of the Electricity (Safety) Regulations 2010.*

#### **Second Alleged Disciplinary Office**

*On or around 28 October 2024 at Auckland Mr Gang Liu provided a false or misleading return being an offence under section 143(f) of the Act, IN THAT, he issued a Certificate of Verification (COV) certifying he carried out a verification of an installation in accordance with standard AS/NZS 3019:2007 at "[Omitted]" the installation met the requirements detailed in sections 3 and 4 and 5 of the standard for the issue of a Certificate of Verification when it did not.*

- [7] Prior to the hearing, the Respondent and the Board were provided with all of the documents the Investigator had in his power or possession.

### **Function of Disciplinary Action**

- [8] The common understanding of the purpose of professional discipline is to uphold the integrity of the profession. The focus is not punishment but the protection of the public, the maintenance of public confidence and the enforcement of high standards of propriety and professional conduct. Those purposes were reiterated by the Supreme Court of the United Kingdom in *R v Institute of Chartered Accountants in England and Wales*<sup>1</sup> and in New Zealand in *Dentice v Valuers Registration Board*.<sup>2</sup>
- [9] The Board can only inquire into “the conduct of an electrical worker” with respect to the grounds for discipline set out in section 143 of the Act. Those grounds relate to carrying out or supervising PEW.

### **Evidence**

- [10] The Board must be satisfied on the balance of probabilities that the disciplinary offences alleged have been committed.<sup>3</sup> The Board notes, as regards evidence in proceedings before it, that the provisions of section 147W of the Act apply. This section states:

*In all proceedings under this Part, the Board may, subject to section 156, receive as evidence any statement, document, information, or matter that may in its opinion assist it to deal effectively with the matter before it, whether or not it would be admissible as evidence in a court of law.*

### **Procedure**

- [11] The matter proceeded on the basis of an Agreed Statement of Facts dated 29 May 2025 (ASOF)
- [12] In summary, the ASOF established that:
- a. Mr Gang Liu faces two disciplinary offences under the Electricity Act 1992, the first being laid in the alternative, as set out in the Notice of Proceeding issued by the Board on 15 April 2025.
  - b. The disciplinary offences relate to prescribed electrical work carried out by Mr Liu on or around 27 and 28 October 2024 at "[Omitted]" .
  - c. Mr Liu accepts that he carried out PEW at the Property and accepts the disciplinary offences as outlined in the Notice of Proceeding.

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<sup>1</sup> *R v Institute of Chartered Accountants in England and Wales* [2011] UKSC 1, 19 January 2011.

<sup>2</sup> [1992] 1 NZLR 720 at p 724.

<sup>3</sup> *Z v Dental Complaints Assessment Committee* [2009] 1 NZLR 1.

- d. Mr Liu is a registered electrical inspector (EW101316 / I256069). He has held a practising licence as an Inspector since 21 November 2010 and this was current at the time.
- e. On or about 27 October 2024 Mr Liu was engaged by the occupant of the Property to carry out a verification inspection in order for power to the Property to be reconnected.
- f. The verification was required by Delta Utility Services Limited (Delta) and the power retailer because the electrical connection had been disconnected for over 6 months and, pursuant to Regulation 74, they were required to sight a Certificate of Verification (COV) issued in accordance with AS/NZS 3019 before they could reconnect the power to the Property.
- g. At the time of inspection it was not known by the occupier, Delta or Mr Liu that when the Property was previously vacant and the power disconnected, unknown persons had entered the underfloor area of the Property and removed a section of consumers mains conductors which, when active, provided power from the point of supply to the main distribution board.
- h. On or about 27 October 2024 Mr Liu inspected the installation during the hours of darkness and failed to identify the severed consumers mains conductors.
- i. On or about 28 October 2024 Mr Liu completed, signed and dated a COV which he provided to the occupier, certifying that he had carried out a verification in accordance with AS/NZS 3019:2007 and that the installation met the requirements detailed in sections 3, 4 and 5 of the standard when it did not.
- j. When Delta attempted to reconnect power, they discovered there was no power at the house and subsequently found the severed mains cable underneath the property.
- k. The Technical Advisor found that the periodic verification was deficient in that the basic visual inspection and electrical testing performed was inadequate and had failed to identify the severed consumers mains conductors within the accessible underfloor cavity, resulting in the exposed conductor ends that if energised, would have posed a significant safety risk to persons entering the underfloor cavity.
- l. Mr Liu accepts he did not visually inspect the conductors located under the house sufficiently to identify the severed mains conductors; he did not complete testing for polarity or earth fault loop despite these being requirements under these sections of the standard; and the Certificate of Verification incorrectly certified he had completed the testing required under AS/NZS 3019 including Sections 3, 4 and 5.
- m. Mr Liu cooperated with the investigation and he has not previously appeared before the Board.

## Board's Decision

### Amendment to first charge -- date correction

- [13] At the commencement of the hearing, the Investigator sought leave to amend the alternative first charge under section 143(a)(i) to correctly reference the date as “on or around 27 October 2024” rather than “on or around 28 October 2024” as originally charged in the Notice of Proceeding, to reflect when the inspection was actually carried out. The Respondent did not object to this amendment, and the Board granted leave to amend the charge accordingly.
- [14] The Board is satisfied that this amendment accurately reflects when the work was performed and does not affect the validity of the proceedings nor has it caused any prejudice to the Respondent.

### First Disciplinary Offence

- [15] Based on the ASOF and having considered all the evidence, the Board finds that the Respondent negligently created a risk of serious harm to any person, or a risk of significant property damage through having carried out or caused to be carried out prescribed electrical work being an offence under section 143(b)(ii) of the Act.
- [16] While the charges were laid in the alternative, with section 143(b)(ii) being the primary charge and section 143(a)(i) being the alternative charge, the Board finds that the conduct is most appropriately dealt with under section 143(b)(ii). This is because the evidence establishes not only that the Respondent's conduct was negligent, but that this negligence created a serious risk of harm.

### Negligence

- [17] Negligence, in a disciplinary context, is the departure by an electrical worker whilst carrying out or supervising prescribed electrical work from an accepted standard of conduct. It is judged against those of the same class of licence as the person whose conduct is being inquired into. This is described as the *Bolam*<sup>4</sup> test of negligence which has been adopted by the New Zealand Courts.<sup>5</sup>
- [18] The New Zealand Courts have stated that an assessment of negligence in a disciplinary context is a two-stage test.<sup>6</sup> The first is for the Board to consider whether the practitioner has departed from the acceptable standard of conduct. The second is to consider whether the departure is significant enough to warrant a disciplinary sanction.
- [19] When considering what an acceptable standard is, the Board must have reference to the conduct of other competent and responsible practitioners and the Board's own assessment of what is appropriate conduct, bearing in mind the purpose of the Act,<sup>7</sup>

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<sup>4</sup> *Bolam v Friern Hospital Management Committee* [1957] 1 WLR 582

<sup>5</sup> *Martin v Director of Proceedings* [2010] NZAR 333 (HC), *F v Medical Practitioners Disciplinary Tribunal* [2005] 3 NZLR 774 (CA)

<sup>6</sup> *Martin v Director of Proceedings* [2010] NZAR 333 (HC), *F v Medical Practitioners Disciplinary Tribunal* [2005] 3 NZLR 774 (CA)

<sup>7</sup> *Martin v Director of Proceedings* [2010] NZAR 333 at p.33

which includes protecting the health and safety of members of the public in connection with the supply and use of electricity, and promoting the prevention of damage to property in connection with the supply and use of electricity. The test is an objective one and, in this respect, it has been noted that the purpose of discipline is the protection of the public by the maintenance of professional standards and that this could not be met if, in every case, the Board was required to take into account subjective considerations relating to the practitioner.<sup>8</sup>

- [20] In this case, the Respondent was engaged to carry out a verification inspection of an electrical installation. The evidence clearly establishes that the Respondent:
- a. Failed to carry out an adequate visual inspection of the underfloor cavity;
  - b. Failed to identify severed mains conductors that left exposed live ends in an accessible area;
  - c. Failed to conduct required electrical testing including polarity and earth fault loop testing as required by AS/NZS 3019:2007;
  - d. Failed to ensure that the electrical installation was electrically safe before issuing certification.
- [21] The Respondent has acknowledged that he acted negligently in respect of the above, accepting it was his fault and that he “did not go far enough” in his inspection and that he has “learned the lesson” about conducting all required tests.

Risk of Serious Harm or Significant Property Damage

- [22] Turning to risk of serious harm, the term is defined in section 2 of the Act. It means:
- death; or*
- injury that consists of or includes loss of consciousness; or*
- a notifiable injury or illness as defined in section 23 of the Health and Safety at Work Act 2015.*
- [23] It is noted that actual serious harm need not occur for the Board to make a finding. It is the *risk* of serious harm.
- [24] In this case, as established in the ASOF, the Technical Advisor confirmed that the exposed ends of consumers mains conductors (when energised) would have presented an unacceptable risk to the safety of persons gaining access to the underfloor cavity. It is typical and commonplace that the mains electrical supply conductors for residential properties are protected via 63A HRC fuses, and owing to their slower activation time and the magnitude of potential fault current, a greater risk is present that electric shock received from mains conductors are fatal.
- [25] The ASOF establish that the damp nature of earth in an underfloor cavity and the direct contact of persons entering the underfloor cavity with bare earth would have exacerbated the risk of a fatal electric shock received from persons coming into

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<sup>8</sup> *McKenzie v Medical Practitioners Disciplinary Tribunal* [2004] NZAR 47 at p.71

contact with live parts in this scenario. Had plumbers or other persons entered the underfloor cavity and inadvertently come into contact with the exposed (energised) conductors, there would have been an elevated risk of fatal electric shock.

- [26] The Board notes that, as set out in the ASOF, a plumber was indeed working at the property around the time of reconnection installing a new hot water cylinder and piping, some of which was located in the underfloor cavity. Fortunately, the plumber had not entered the underfloor cavity when the power was livened, demonstrating the real and present danger that existed.

### Second Disciplinary Offence

- [27] The Board finds that the Respondent has committed a disciplinary offence under section 143(f) of the Act by providing a false or misleading return. The evidence shows that the Respondent issued a Certificate of Verification certifying that he had carried out a verification of the installation in accordance with AS/NZS 3019:2007 and that the installation met the requirements detailed in sections 3, 4 and 5 of the standard when it did not.
- [28] The accuracy of certification documentation is crucial to maintaining the integrity of electrical safety systems. The Certificate of Verification was relied upon by Delta Utility Services Limited to reconnect power to the property. By certifying compliance when the installation was demonstrably unsafe due to severed mains conductors, the Respondent provided misleading information about the state of the installation.

### **Penalty, Costs and Publication**

- [29] Having found that one or more of the grounds in section 143 applies, the Board must, under section 147M of the Act,<sup>9</sup> consider the appropriate disciplinary penalty, whether the Respondent should be ordered to pay a fine, any costs and whether the decision should be published.
- [30] The Board received submissions at the hearing regarding penalty, costs, and publication.

### Penalty

- [31] The Board has the discretion to impose a range of penalties, which are set out in section 147M of the Act. Exercising that discretion and determining the appropriate penalty requires that the Board balance various factors, including the seriousness of the conduct and any mitigating or aggravating factors present.<sup>9</sup> It is not a formulaic exercise, but there are established underlying principles that the Board should take into consideration. They include:<sup>10</sup>
- (a) protection of the public and consideration of the purposes of the Act;
  - (b) deterring Respondent and other Electrical Workers from similar offending;<sup>11</sup>

<sup>9</sup> *Ellis v Auckland Standards Committee 5* [2019] NZHC 1384 at [21]; cited with approval in *National Standards Committee (No1) of the New Zealand Law Society v Gardiner-Hopkins* [2022] NZHC 1709 at [48]

<sup>10</sup> Cited with approval in *Robinson v Complaints Assessment Committee of Teaching Council of Aotearoa New Zealand* [2022] NZCA 350 at [28] and [29]

<sup>11</sup> *Roberts v A Professional Conduct Committee of the Nursing Council of New Zealand* [2012] NZHC 3354



- (c) setting and enforcing a high standard of conduct for the industry;<sup>12</sup>
- (d) penalising wrongdoing;<sup>13</sup> and
- (e) rehabilitation (where appropriate).<sup>14</sup>

- [32] Overall, the Board should assess the conduct against the range of penalty options available in section 147M of the Act, reserving the maximum penalty for the worst cases<sup>15</sup> and applying the least restrictive penalty available for the particular offending.<sup>16</sup> In all, the Board should be looking to impose a fair, reasonable, and proportionate penalty<sup>17</sup> that is consistent with other penalties imposed by the Board for comparable offending.<sup>18</sup>
- [33] In general, when determining the appropriate penalty, the Board adopts a starting point based on the principles outlined above prior to it considering any aggravating and/or mitigating factors present.<sup>19</sup>
- [34] In terms of penalty, the Board considered a fine is warranted in the circumstances. The failure to properly inspect an electrical installation and the issuance of false certification creates serious risks to public safety and undermines confidence in the electrical industry.
- [35] The Board adopted a starting point of \$6,000 for the fine. This was reduced by 50% to \$3,000 taking into account:
- a. The Respondent's acceptance of responsibility;
  - b. His cooperation with the investigation;
  - c. His expression of remorse and acknowledgment of his actions;
  - d. This was his first appearance before the Board.
- [36] The fine imposed reflects the seriousness of the breaches while recognising the Respondent's cooperation and acceptance of responsibility as set out above.
- [37] Accordingly, a fine of \$3,000 is imposed.

#### Costs

- [38] Under section 147N of the Act, the Board may require the Respondent to pay the Board any sum that it considers just and reasonable towards the costs and expenses of and incidental to the investigation, the prosecution and the hearing.
- [39] The Respondent should note that the High Court has held that 50% of total reasonable costs should be taken as a starting point in disciplinary proceedings and that the

<sup>12</sup> *Dentice v Valuers Registration Board* [1992] 1 NZLR 720 (HC) at 724

<sup>13</sup> *Patel v Complaints Assessment Committee* HC Auckland CIV-2007-404-1818, 13 August 2007 at p 27

<sup>14</sup> *Roberts v A Professional Conduct Committee of the Nursing Council of New Zealand* [2012] NZHC 3354; *Shousha v A Professional Conduct Committee* [2022] NZHC 1457

<sup>15</sup> *Roberts v A Professional Conduct Committee of the Nursing Council of New Zealand* [2012] NZHC 3354

<sup>16</sup> *Patel v Complaints Assessment Committee* HC Auckland CIV-2007-404-1818

<sup>17</sup> *Roberts v A Professional Conduct Committee of the Nursing Council of New Zealand* [2012] NZHC 3354

<sup>18</sup> *Roberts v A Professional Conduct Committee of the Nursing Council of New Zealand* [2012] NZHC 3354

<sup>19</sup> In *Lochhead v Ministry of Business Innovation and Employment* 3 November [2016] NZDC 21288 the District Court recommended that the Board adopt the approach set out in the Sentencing Act 2002.

percentage can then be adjusted up or down having regard to the particular circumstances of each case.<sup>20</sup>

- [40] In *Collie v Nursing Council of New Zealand*,<sup>21</sup> where the order for costs in the tribunal was 50% of actual costs and expenses, the High Court noted that:

*But for an order for costs made against a practitioner, the profession is left to carry the financial burden of the disciplinary proceedings, and as a matter of policy that is not appropriate.*

- [41] In *Kenneth Michael Daniels v Complaints Committee 2 of the Wellington District Law Society*,<sup>22</sup> the High Court noted:

[46] *All cases referred to in Cooray were medical cases and the Judge was careful to note that the 50 per cent was the general approach that the Medical Council took. We do not accept that if there was any such approach, it is necessarily to be taken in proceedings involving other disciplinary bodies. Much will depend upon the time involved, actual expenses incurred, attitude of the practitioner bearing in mind that whilst the cost of a disciplinary action by a professional body must be something of a burden imposed upon its members, those members should not be expected to bear too large a measure where a practitioner is shown to be guilty of serious misconduct.*

[47] *Costs orders made in proceedings involving law practitioners are not to be determined by any mathematical approach. In some cases 50 per cent will be too high, in others insufficient.*

- [42] The Board has adopted an approach to costs that uses a scale based on 50% of the average costs of different categories of hearings: simple, moderate and complex. The current matter was simple. Adjustments based on the High Court decisions above are then made.

- [43] Based on the above, the Respondent is to pay costs of \$250, which is significantly less than actual costs in recognition of his co-operation through the ASOF process.

#### Publication

- [44] As a consequence of its decision, the Respondent's name and the disciplinary outcomes will be recorded in the Public Register as required by the Act.<sup>23</sup> The Board can, pursuant to section 147Z of the Act, also order publication over and above the public register notation. Under section 147Z the Board may, if no appeal is brought within 20 working days of its decision, direct the Registrar to cause a notice stating the effect of the decision or order, the reasons for the decision or order, and (unless the Board directs otherwise) the name of the person in respect of whom the decision or

<sup>20</sup> *Cooray v The Preliminary Proceedings Committee* HC, Wellington, AP23/94, 14 September 1995, *Macdonald v Professional Conduct Committee*, HC, Auckland, CIV 2009-404-1516, 10 July 2009, *Owen v Wynyard* HC, Auckland, CIV-2009-404-005245, 25 February 2010.

<sup>21</sup> [2001] NZAR 74

<sup>22</sup> CIV-2011-485-000227 8 August 2011

<sup>23</sup> Refer sections 128 of the Act

order was made, to be published in the Gazette and any other publications as may be directed by the Board.

- [45] As a general principle, such further public notification may be required where the Board perceives a need for the public and/or the profession to know of the findings of a disciplinary hearing. This is in addition to the Respondent being named in this decision.
- [46] Within New Zealand, there is a principle of open justice and open reporting, which is enshrined in the Bill of Rights Act 1990.<sup>24</sup> The Criminal Procedure Act 2011 sets out grounds for suppression within the criminal jurisdiction.<sup>25</sup> Within the disciplinary hearing jurisdiction, the courts have stated that the provisions in the Criminal Procedure Act do not apply but can be instructive.<sup>26</sup> The High Court provided guidance as to the types of factors to be taken into consideration in *N v Professional Conduct Committee of Medical Council*.<sup>27</sup>
- [47] The courts have also stated that an adverse finding in a disciplinary case usually requires that the name of the practitioner be published in the public interest.<sup>28</sup> It is, however, common practice in disciplinary proceedings to protect the names of other persons involved as naming them does not assist the public interest.
- [48] Given the serious nature of the safety breaches in this case and the importance of ensuring the electrical industry maintains proper inspection standards, the Board considers it appropriate that this matter be published to educate the profession about the importance of thorough verification inspections.
- [49] Based on the above, the Board will publish an article in the Electron summarising the matter where the Respondent will be identified in the Electron. A copy of the decision will be available on the EWRB website and the Respondent will also be named.

### **Penalty, Costs and Publication Orders**

- [50] For the reasons set out above, the Board directs that:

**Penalty:** Pursuant to section 147M(1)(f) of the Act, the Respondent is ordered to pay a fine of \$3,000.

**Costs:** Pursuant to section 147N of the Act, the Respondent is ordered to pay costs of \$250 (GST included) towards the costs of, and incidental to, the inquiry of the Board.

**Publication:** The Registrar shall record the Board's action in the Register of Electrical Workers in accordance with section 128(1)(c)(viii) of the Act.

**The Respondent will be named in this decision, which will be publicly available on the Board's website.**

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<sup>24</sup> Section 14 of the Act

<sup>25</sup> Refer sections 200 and 202 of the Criminal Procedure Act

<sup>26</sup> *N v Professional Conduct Committee of Medical Council* [2014] NZAR 350

<sup>27</sup> *ibid*

<sup>28</sup> *Kewene v Professional Conduct Committee of the Dental Council* [2013] NZAR 1055

**A summary of the matter will be published by way of an article in the Electron which will focus on the lessons to be learnt from the case. The Respondent will be named in the publication.**

### **Right of Appeal**

- [51] The right to appeal Board decisions is provided for in sections 147ZA and 147ZB of the Act<sup>ii</sup>.

Signed and dated this 21<sup>st</sup> day of July 2025



R Keys  
Presiding Member

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#### **<sup>i</sup> Section 147M of the Act**

- (1) *If the Board, after conducting a hearing, is satisfied that a person to whom this Part applies is guilty of a disciplinary offence, the Board may—*
- (a) *do 1 or more of the following things:*
    - (i) *order that the person's registration or practising licence (or both) be cancelled:*
    - (ii) *order that the person's provisional licence be cancelled:*
    - (iii) *order that the person may not apply to be reregistered or re-licensed before the expiry of a specified period:*
  - (b) *order that the person's registration or practising licence (or both), or the person's provisional licence, be suspended—*
    - (i) *for any period that the Board thinks fit; or*
    - (ii) *until that person does 1 or more of the things specified in subsection (2):*
  - (c) *order that the person's registration or practising licence (or both), or the person's provisional licence, be restricted for any period that the Board thinks fit, in either or both of the following ways:*
    - (i) *by limiting the person to the work that the Board may specify:*
    - (ii) *by limiting the person to doing, or assisting in doing, work in certain circumstances (for example, by limiting the person to work only on approved premises or only in the employ of an approved employer):*
  - (d) *order that the person be disqualified from doing or assisting in doing prescribed electrical work that the person would otherwise be authorised to do in that person's capacity as a person to whom this Part applies—*
    - (i) *permanently, or for any period that the Board thinks fit; or*
    - (ii) *until that person does 1 or more of the things specified in subsection (2):*
  - (e) *order the person to do 1 or more of the things specified in subsection (2) within the period specified in the order:*
  - (f) *order the person to pay a fine not exceeding \$10,000:*
  - (g) *order that the person be censured:*
  - (h) *make no order under this subsection.*
- (2) *The things that the person can be required to do for the purposes of subsection (1)(b), (d), and (e) are to—*

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- (a) *pass any specified examination:*
  - (b) *complete any competence programme or specified period of training:*
  - (c) *attend any specified course of instruction.*
  - (3) *The Board may take only 1 type of action in subsection (1) in relation to a case, except that it may impose a fine under subsection (1)(f) in addition to taking the action under subsection (1)(b), (c), (e) or (g).*
  - (4) *No fine may be imposed under subsection (1)(f) in relation to an act or omission that constitutes an—*
    - (a) *offence for which the person has been convicted by a court; or*
    - (b) *infringement offence for which the person has been issued with an infringement notice and has paid an infringement fee.*
  - (5) *The Board must not exercise any authority conferred by this section in respect of any offence committed by any person before the date of that person's registration or, as the case may be, the date on which that person's provisional licence was issued if at that date the Board was aware of that person's conviction for that offence.*
  - (6) *If a person is registered under Part 10 in respect of more than 1 class of registration, the Board may exercise its powers under subsection (1)(a) to (e) in respect of each of those classes or 1 or more of those classes as the Board thinks fit.]*

***ii Section 147ZA Appeals***

- (1) *A person who is dissatisfied with the whole or any part of any of the following decisions, directions, or orders may appeal to the District Court against the decision, direction, or order:*
  - (e) *any decision, direction, or order under any of sections 108, 109, 120, 133, 137, and 153 or Part 11 (except section 147C).*

***Section 147ZB Time for lodging appeal***

*An appeal under section 147ZA must be brought within—*

- (a) *20 working days after notice of the decision, direction, or order was given to, or served on, the appellant; or*
- (b) *any further time that the District Court may allow on application made before or after the expiration of that period.*