

Before the Electrical Workers Registration Board

CE No. 22441

Electrical Worker: Daniel Louis (the Respondent)

Registration Number: E 253462

Electrical Worker Number: EW 114389

Registration Class: Electrician

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

Hearing Location: Auckland

Hearing Type: In Person

Hearing and Decision Date: 19 June 2022

Board Members Present:

Mel Orange (Presiding)
Monica Kershaw, Registered Electrician
Jane Davel, Lay Member
Russell Keys, Registered Inspector
Ashley Yan, Registered Electrical Engineer
Martin Perry, Registered Electrician

Appearances: Linda Lim for the Investigator

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(f) of the Act.

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Summary of the Board’s Decision

- [1] The Respondent failed to provide a Certificate of Compliance and an Electrical Safety Certificate as required under the Safety Regulations. He is fined \$500 and ordered to pay costs of \$750. A record of the disciplinary offending will be recorded on the Public Register for a period of three years.

Introduction

- [2] 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.
- [3] The Respondent was served with a Notice of Hearing setting out the alleged disciplinary offences the Investigator reported should be considered by the Board. They were:

First Alleged Disciplinary Offence

1. On or around 1 September 2020 at [OMITTED], Mr Daniel Louis has failed to provide a return being an offence under section 143(f) of the Act, IN THAT, Mr Louis failed to provide a Certificate of Compliance within 20 days of the completion of Prescribed Electrical Work he carried out as required under Regulation 74 E of the Electrical Safety Regulations 2010 (Regulations).

Second Alleged Disciplinary Offence

2. On or around 1 September 2020 at [OMITTED], Mr Daniel Louis has failed to provide a return being an offence under section 143(f) of the Act, IN THAT, Mr Louis failed to provide an Electrical Safety Certificate within 20 days of the completion of Prescribed Electrical Work he carried out as required under Regulation 74 C of the Electrical Safety Regulations 2010 (Regulations).

- [4] Prior to the hearing, the Respondent and the Board were provided with all of the documents the Investigator had in his/her power or possession.
- [5] No Board Members declared any conflicts of interest in relation to the matters under consideration.

Function of Disciplinary Action

- [6] 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 recently reiterated by the Supreme Court of the United Kingdom in *R v Institute of Chartered Accountants in England and Wales*¹ and in New Zealand in *Dentice v Valuers Registration Board*².
- [7] Disciplinary action under the Act is not designed to redress issues or disputes between a complainant and a respondent. In *McLanahan and Tan v The New Zealand Registered Architects Board*³ Collins J. noted that:

“... the disciplinary process does not exist to appease those who are dissatisfied The disciplinary process ... exists to ensure professional standards are maintained in order to protect clients, the profession and the broader community.”

- [8] 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. It does not have any jurisdiction over contractual matters.

Evidence

- [9] The Board must be satisfied on the balance of probabilities that the disciplinary offences alleged have been committed⁴. The Board notes that 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.

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

² [1992] 1 NZLR 720 at p 724

³ [2016] HZHC 2276 at para 164

⁴ *Z v Dental Complaints Assessment Committee* [2009] 1 NZLR 1

- [10] The Board received briefs of evidence from the Complainant, [OMITTED], and Mr Mark Carter, an Electrical inspector who was engaged by the Investigator to provide an expert opinion. The Board received further evidence from the Complainant at the hearing and evidence from the Respondent.
- [11] The briefs and the evidence received set out that the Respondent was engaged to carry out prescribed electrical work on the Complainant's home and garage. The work commenced in or around March 2020 and came to an end in September 2020. A commercial dispute ensued, including a dispute about payment.
- [12] In May 2021, the Complainant made a complaint about the Respondent's failure to provide a certificate of compliance which was required for a building code compliance certificate. The Complainant gave evidence that he did not want the Respondent to return to carry out any further work.
- [13] The Respondent gave evidence that there was some incomplete work and that this was why he had not certified the prescribed electrical work. He accepted, however, that the power to the installation and the prescribed electrical work that he had carried out had been connected to a power supply and that the installation remained connected to a power supply.
- [14] The Respondent submitted that, as his prescribed electrical work had not been completed, there was no obligation to provide any electrical certification. Evidence was given that there were minor outstanding tidy up items.
- [15] Counsel for the Investigator submitted that as power had been connected, there was an obligation under the Safety Regulations to provide a Certificate of Compliance and an Electrical Safety Certificate.
- [16] The provisions of regulation 73A(1)(c) of the Safety Regulations were put to the Respondent. He stated that he was not previously aware of the requirements in the regulation for a certificate of compliance to be provided prior to a power supply being connected to prescribed electrical work.

Board's Conclusion and Reasoning

- [17] The Board has decided that the Respondent failed to provide returns, being an offence under section 143(f) of the Act, in that he failed to provide:
- (a) a certificate of compliance within 20 days of the completion of prescribed electrical work he carried out as required under Regulation 74E of the Electrical Safety Regulations 2010 (Regulations); and
 - (b) an electrical safety certificate within 20 days of the completion of prescribed electrical work he carried out as required under Regulation 74C of the Electrical Safety Regulations 2010 (Regulations).

[18] The Respondent's position was that the work was not complete and that, as such, there was no obligation to provide any certification. The charges the Investigator was pursuing referred to completion. The question for the Board was whether the work was complete. The Board decided that as a power supply had been connected to the installation, the prescribed electrical work was complete, and certification was required.

[19] Under regulation 74C of the Safety Regulations, an electrical safety certificate must be provided on connection, or no later than 20 working days thereafter:

74C Time when electrical safety certificate to be issued

A person who issues an electrical safety certificate for an installation or part installation on which prescribed electrical work has been done (other than referred to in regulation 74B) must do so as soon as practicable after the installation or part installation is connected to a power supply, but in any case no later than 20 working days after connection.

[20] The evidence was that the Respondent had connected the installation to a power supply. It follows that an electrical safety certificate was required within 20 working days of that connection.

[21] The charge the Investigator was pursuing also referred to completion. The charge did, however, specifically refer to regulation 74C. A more appropriate reference in the charge would have been to "connection" rather than "completion". Notwithstanding, the Board considers adequate notice was given of the matter to be determined.

[22] The matter is not quite so straightforward in relation to the certificate of compliance charge. It made reference to regulation 74E of the Complaints Regulations. Regulation 74E(2) provides:

The responsible person must, within 20 days after completing the work, provide a copy of the certificate of compliance for prescribed electrical work to the person who contracted for the work or, if that person is not readily available, to the occupier or owner of the place or thing in which the installation or part installation is located.

[23] Again, there is a reference to completion. Regulation 65(3) of the Safety Regulations states:

No general prescribed electrical work may be treated as complete until a certificate of compliance is issued for it.

[24] On a literal interpretation, it could be argued that the work was not complete as a certificate of compliance had not been issued. Regulation 65(3) of the Safety Regulations provision must, however, be interpreted in light of the statutory purpose of the legislative provisions for certification.

[25] In this respect, regulation 73A of the Safety Regulations contains a mandatory requirement that an electrical worker must issue or sight a certificate of compliance before prescribed electrical work that they have carried out or supervised is connected to a power supply. It states:

73A Before connecting installations to power supply

- (1) *Before connecting to a power supply a low or extra-low voltage installation or part installation on which prescribed electrical work has been done, the person doing the connection must—*
 - (a) *be satisfied that the installation or part installation is safe to connect; and*
 - (b) *be satisfied that the testing required by these regulations has been done; and*
 - (c) *if a certificate of compliance is required for the work, either issue or sight a certificate of compliance issued no earlier than 6 months before the installation or part installation is connected; and*
 - (d) *if the work is required to be inspected, either inspect the work and complete a record of inspection or sight a record of inspection given by another person no earlier than 6 months before the installation or part installation is connected; and*
 - (da) *if the work is required to be inspected and a certificate of compliance is required for the work, attach the certificate of compliance or a copy of the certificate of compliance to the record of inspection; and*
 - (e) *in the case of a low voltage installation or part installation, do all of the following:*
 - (i) *ensure that the polarity and phase rotation of the supply are correct:*
 - (ii) *ensure that the protection of the supply is correctly rated:*
 - (iii) *ensure that the installation or part installation to be connected is compatible with the supply system:*
 - (iv) *if the supply is from a MEN system, verify that there is a main earthing system.*
- (2) *Before a person connects a high voltage installation or part installation to a power supply, the person must comply with the*

requirements of regulation 38(2) as if references in that regulation to works were references to the installation or part installation.

- (3) *If the person who connects an installation or part installation has not done the testing required by these regulations personally, the person must sight documentation, signed by the person who did the tests, that sets out what tests were carried out and what the results were.*
- (4) *A person who undertakes the connection of an installation or part installation is entitled (if acting in good faith) to rely on the veracity of any certificates of compliance relating to prescribed electrical work done on the installation or part installation, and on the veracity of any equivalent certificate issued under these regulations before 1 July 2013.*
- (5) *To avoid doubt, in this regulation connection refers to the prescribed electrical work that is the final step that will allow electricity to flow in the installation or part installation on which other prescribed electrical work has been done.*

[26] The critical provision is that in regulation 73A(1)(c) of the Safety Regulations. Under it, prior to a power supply being connected to a low voltage installation, a Certificate of Compliance must either be issued or sighted. In this respect, the Respondent had not sighted or issued a Certificate of Compliance. As such, he contravened regulation 73A and, in doing so, breached regulation 73B of the Safety Regulations:

73B Offence relating to connection

A person who connects an installation or part installation to a power supply in breach of any requirement of regulation 73A commits an offence and is liable on conviction to a level 2 penalty.

[27] A level 2 offence carries a penalty of a fine not exceeding \$10,000.⁵

[28] As with the electrical safety certificate charge, a more appropriate disciplinary charge would have been that the Respondent failed to provide a certificate of compliance when connecting an installation to a power supply in breach of regulation 73A of the Safety Regulations. The Board was satisfied, however, that the charge before it adequately covered the conduct that was complained about.

[29] As noted above, on a literal interpretation of regulation 65(3) of the Safety Regulations, it could be argued that the work was not complete as a certificate of compliance had not been issued. The board considers that would be contrary to the regulatory framework in the Safety Regulations for certification. If the Board was to accept the literal interpretation, then it could be argued that, if no certification is provided, prescribed electrical work might never be complete, and, in this instance,

⁵ Regulation 10(2)(a) of the Safety Regulations

the Complainant would not be able to obtain a code compliance certificate, and the issue of one requires the provision of an energy certificate which is the phrase used in the Building Act for a certificate of compliance. The Board considers that this would not promote the legislative intent behind the certification regime in the Safety Regulations. Rather, the Board finds that the purpose of the certification regime is to ensure correct and appropriate certification is provided prior to any prescribed electrical work being connected to a power supply so as to ensure that the purposes of the Electricity Act are promoted, which includes protecting the health and safety of members of the public and the prevention of damage to property in connection with the supply and use of electricity.⁶

[30] When interpreting legislative provisions, the Legislation Act 2019 states:

10 How to ascertain meaning of legislation

- (1) The meaning of legislation must be ascertained from its text and in the light of its purpose and its context.*
- (2) Subsection (1) applies whether or not the legislation's purpose is stated in the legislation.*
- (3) The text of legislation includes the indications provided in the legislation.*
- (4) Examples of those indications are preambles, a table of contents, headings, diagrams, graphics, examples and explanatory material, and the organisation and format of the legislation. 10 Ascertaining meaning of legislation.*

[31] This provision was discussed by the Supreme Court in *Commerce Commission v Fonterra Cooperative Group Limited*⁷ within the context of the repealed provision in section 5 of the Interpretation Act 1999:

[22] It is necessary to bear in mind that s 5 of the Interpretation Act 1999 makes text and purpose the key drivers of statutory interpretation. The meaning of an enactment must be ascertained from its text and in the light of its purpose. Even if the meaning of the text may appear plain in isolation of purpose, that meaning should always be cross checked against purpose in order to observe the dual requirements of s 5. In determining purpose the court must obviously have regard to both the immediate and the general legislative context. Of relevance too may be the social, commercial or other objective of the enactment. [Footnotes omitted]

⁶ Sections 1A(c) and (d) of the Electricity Act

⁷ [2007] NZSC 36 at [22]

- [32] The principles extrapolated from this case and applied to the interpretation of the certification regime are:
- (a) Text and purpose are the key drivers of statutory interpretation
 - (b) Even if the meaning appears plain (in isolation of the purpose), the meaning(s) of the text must then be cross-checked against the purpose of the legislation.
 - (c) In determining the purpose, regard must be had to both the immediate and general legislative context; it may also be relevant to consider the social, commercial, or other objective of the legislation.
- [33] In the matter before the Board, there is, in essence, a conflict between regulations 65(3) and 73A(1)(c) of the Safety Regulations. One says prescribed electrical work is not complete until a certificate of compliance is issued, the other that a certificate of compliance must be issued prior to work being connected. The Board considers that regulation 73A(1)(c) takes priority and that prescribed electrical work is deemed to have been completed if the installation is connected to a power supply, irrespective of whether a certificate of compliance has been issued and that, as a certificate of compliance is required for connection, that it must be provided within 20 working days of connection as per the requirements of regulation 74E(2) of the Safety Regulations. The Board considers that this is consistent with the overall purpose of the legislative provisions when read as a whole.
- [34] Given that neither a certificate of compliance nor an electrical safety certificate had been provided within 20 working days of connection to a power supply the board finds that the Respondent had committed the disciplinary offences.

Penalty, Costs and Publication

- [35] Having found that one or more of the grounds in section 143 applies the Board must, under section 147M of the Actⁱ, consider the appropriate disciplinary penalty, whether the Respondent should be ordered to pay any costs and whether the decision should be published.
- [36] The Respondent made submissions at the hearing as regards penalty, costs, and publication.

Penalty

- [37] The purpose of professional discipline is to uphold the integrity of the profession; the focus is not punishment but the enforcement of a high standard of propriety and professional conduct. The Board does note, however, that the High Court in *Patel v Complaints Assessment Committee*⁸ commented on the role of “punishment” in giving penalty orders stating that punitive orders are, at times, necessary to provide a deterrent and to uphold professional standards. The court noted:

⁸ HC Auckland CIV-2007-404-1818, 13 August 2007 at p 27

[28] I therefore propose to proceed on the basis that, although the protection of the public is a very important consideration, nevertheless the issues of punishment and deterrence must also be taken into account in selecting the appropriate penalty to be imposed.

- [38] The Board also notes that in *Lochhead v Ministry of Business Innovation and Employment*,⁹ the court noted that whilst the statutory principles of sentencing set out in the Sentencing Act 2002 do not apply to the Electricity Act, they have the advantage of simplicity and transparency. The court recommended adopting a starting point for a penalty based on the seriousness of the disciplinary offending prior to considering any aggravating and/or mitigating factors. The same applies to disciplinary proceedings under the Electricity Act.
- [39] The Respondent noted the commercial dispute and payment issues and that there were no compliance issues with the work that he had completed. He was operating under a misunderstanding that he could connect prescribed electrical work without first completing a certificate of compliance and electrical safety certificate.
- [40] The Board adopted a starting point of a fine of \$500. It considered that there were no mitigating or aggravating factors. As such, the fine was set at \$500. The amount was consistent with other fines imposed by the Board for similar offences and is set at an amount that will deter other electrical workers.
- [41] The Respondent is reminded that certification under the Safety Regulations cannot be used as leverage in commercial disputes. The Respondent was also referred to Board resources in its online Toolbox with regard to certification.

Costs

- [42] 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, prosecution, and the hearing.
- [43] 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 percentage can then be adjusted up or down having regard to the particular circumstances of each case¹⁰.
- [44] In *Collie v Nursing Council of New Zealand*,¹¹ 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.

⁹ 3 November 2016, CIV-2016-070-000492, [2016] NZDC 21288

¹⁰ *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.

¹¹ [2001] NZAR 74

[45] In *Kenneth Michael Daniels v Complaints Committee 2 of the Wellington District Law Society*,¹² 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.

[46] 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.

[47] The matter was defended. Based on the above, the Board's costs scale for a defended half-day hearing is \$1,125. As the investigation and hearing were reasonably straightforward, the Board decided to reduce the costs to \$750, which is the amount the Respondent is to pay toward the costs of and incidental to the matter.

Publication

[48] 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 Act¹³. The Board can, pursuant to section 147Z of the Act, also order publication over and above the public register notation. Under section 147Z of the Act, 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 order was made, to be published in the Gazette and any other publications as may be directed by the Board.

[49] 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.

¹² CIV-2011-485-000227 8 August 2011

¹³ Refer sections 128 of the Act

- [50] Within New Zealand, there is a principle of open justice and open reporting which is enshrined in the Bill of Rights Act 1990¹⁴. The Criminal Procedure Act 2011 sets out grounds for suppression within the criminal jurisdiction¹⁵. Within the disciplinary hearing jurisdiction, the courts have stated that the provisions in the Criminal Procedure Act do not apply but can be instructive¹⁶. 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*¹⁷.
- [51] 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 interest¹⁸. 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.
- [52] Based on the above, the Board will publish the matter in the Electron but will not name or identify the Respondent in that publication.
- [53] The Respondent should also note that the Board has not made any form of order under section 153(3) of the Act, which allows for the prohibition of publication.

Penalty, Costs and Publication Orders

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

Penalty: Pursuant to section 147M(1)(f) of the Electricity Act 1992, the Respondent is ordered to pay a fine of \$500.

Costs: Pursuant to section 147N of the Act, the Respondent is ordered to pay costs of \$750 (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.

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 not be named in the publication.

- [55] The Respondent should note that the Board may refuse to relicense an electrical worker who has not paid any fine or costs imposed on them.

¹⁴ Section 14 of the Act

¹⁵ Refer sections 200 and 202 of the Criminal Procedure Act

¹⁶ *N v Professional Conduct Committee of Medical Council* [2014] NZAR 350

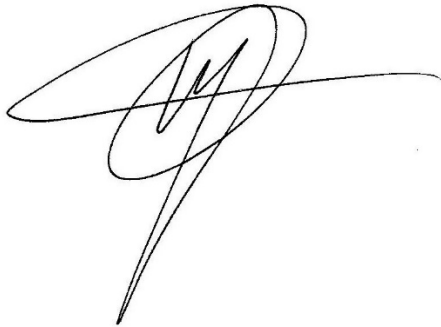
¹⁷ *ibid*

¹⁸ *Kewene v Professional Conduct Committee of the Dental Council* [2013] NZAR 1055

Right of Appeal

- [56] The right to appeal Board decisions is provided for in sections 147ZA and 147ZB of the Actⁱⁱ.

Signed and dated this eighth day of June 2022.



Mr M Orange
Presiding Member

ⁱ **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*

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- (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—
 - (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.