

Before the Electrical Workers Registration Board

CE No. 22888

In the matter of:

A disciplinary hearing before the Electrical Workers Registration Board

Between:

The Ministry of Business Innovation and Employment

And

Max Middleton a registered and licensed electrical worker (EW112755 / E251099, Electrician) (the Respondent)

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:

Audio Visual Link

Hearing Date:

22 November 2024

Decision Date:

22 November 2024

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 K Sagaga Counsel for the Investigator

Max Middleton, 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.

Contents

Summary of the Board's Decision	2
Introduction	3
Function of Disciplinary Action	4
Evidence	4
Procedure	5
Board's Decision	5
Negligence.....	6
Risk of Serious Harm or Significant Property Damage.....	7
Penalty, Costs and Publication	8
Penalty	8
Costs.....	9
Publication	10
Penalty, Costs and Publication Orders	11
Right of Appeal	11

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;
 - b. Under section 143(f) of the Act, failed to provide a return by not issuing an Electrical Safety Certificate within the required timeframe;
 - c. Under section 143(f) of the Act, provided a false or misleading return by backdating a Certificate of Compliance.
- [2] Key points that led to this finding:
- a. The Respondent failed to earth installed luminaires prior to energizing them;
 - b. The lack of earthing created a significant risk of electric shock;
 - c. A builder, received an electric shock requiring medical attention and resulting in electrical concussion;
 - d. The Respondent failed to issue an Electrical Safety Certificate within the required timeframe;
 - e. The Respondent backdated a Certificate of Compliance.
- [3] The Board ordered:
- a. A fine of \$3,500 (reduced from \$7,000 starting point);

- b. Costs of \$250;
- c. There will be publication in the Electron newsletter (but not 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 18 November 2024 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

- a. Between 18 April and 22 April 2024 at **[Omitted]**, the Respondent has carried out or caused to be carried out prescribed electrical work in a manner contrary to any enactment relating to prescribed electrical work that was in force at the time the work was done being an offence under section 143(a)(ii) of the Act, IN THAT, he:
 - i. Failed to earth installed luminaires prior to energising them, and/or,
 - ii. Failed to install the luminaires in accordance with manufacturer's requirements with respect to the earthing of exposed conductive parts, and/or,
 - iii. Failed to ensure that fittings, appliances, and the electrical installation worked upon by him, as a whole was electrically safe, and/or,
 - iv. Failed to minimise, so far as reasonably practical, the risk of injury to persons from dangers arising from direct or indirect contact between any live exposed conductive parts of the installations, fittings or appliances and any person.

In breach of regulations 13 and 38 of the Electricity (Safety) Regulations 2010.

Or in the alternative

- b. Between 18 April and 22 April 2024 at **[Omitted]**, Mr Max Middleton 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 with the same particulars as above.

Or in the alternative

- c. Between 18 April and 22 April 2024 at **[Omitted]**, Mr Max Middleton has 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 with the same particulars as above.

Second Alleged Disciplinary Office

- d. On or around 16 May 2024 at **[Omitted]**, Mr Max Middleton has failed to provide a return being an offence under section 143(f) of the Act, IN THAT, he:
 - i. Failed to issue an Electrical Safety Certificate within 20 working days following connection of pole top luminaires to the electricity supply.

Third Alleged Disciplinary Offence

- e. On or around 27 July 2024 at **[Omitted]**, Mr Max Middleton has provided a false or misleading return being an offence under section 143(f) of the Act, IN THAT, he:
 - i. Issued a Certificate of Compliance containing incorrect information. The date of the COC was incorrect.

- [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*¹ and in New Zealand in *Dentice v Valuers Registration Board*.²
- [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 prescribed electrical work (PEW).

Evidence

- [10] The Board must be satisfied on the balance of probabilities that the disciplinary offences alleged have been committed.³ 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

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

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 18/19 November 2024 (ASOF)

[12] The ASOF provided that:

- a. The Respondent was registered at all material times and therefore is subject to the disciplinary provisions under the Act.
- b. The Respondent was engaged to carry out prescribed electrical work associated with the installation of new floodlights at **[Omitted]**.
- c. The prescribed electrical work was carried out between 12 March and 22 April 2024.
- d. The Respondent failed to earth installed luminaires prior to energizing them, failed to install the luminaires in accordance with manufacturer's requirements with respect to the earthing of exposed conductive parts, and failed to ensure the installation was electrically safe.
- e. A builder responsible for the pole installations, received an electric shock while adjusting one of the floodlights. He sustained electrical concussion requiring medical attention.
- f. The Respondent failed to issue an Electrical Safety Certificate within 20 working days following connection of the pole top luminaires to electricity supply.
- g. The Respondent issued a Certificate of Compliance that contained incorrect information. The date of the Certificate of Compliance was incorrect. It was signed on 27 July 2024 but dated of 22 April 2024.
- h. The Respondent has cooperated with the investigation.

[13] The Technical Advisor, **[Omitted]**, provided evidence that if moisture was present inside the pole (which it was due to heavy rainfall), the combination of the metal pole, moisture, and lack of earthing would form a circuit and path for current to travel. He noted that had the builder contacted the poles while standing on the ground rather than in a cherry picker with rubber wheels, the impact could have been potentially fatal.

Board's Decision

First Disciplinary Offence

[14] Based on the ASOF and having considered all the evidence, particularly the Technical Advisor's comprehensive analysis, 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.

- [15] While the charges were laid in the alternative, with section 143(a)(ii) being the primary charge and section 143(a)(i) being another 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

- [16] 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*⁴ test of negligence which has been adopted by the New Zealand Courts.⁵
- [17] The New Zealand Courts have stated that an assessment of negligence in a disciplinary context is a two-stage test.⁶ 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.
- [18] 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,⁷ 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.⁸
- [19] In this case, the Respondent was engaged to carry out prescribed electrical work associated with the installation of new floodlights. The evidence clearly establishes that the Respondent:
- a. Failed to earth installed luminaires prior to energizing them;
 - b. Failed to install the luminaires in accordance with manufacturer's requirements with respect to the earthing of exposed conductive parts;
 - c. Failed to ensure that fittings, appliances, and the electrical installation worked upon him as a whole was electrically safe;

⁴ *Bolam v Friern Hospital Management Committee* [1957] 1 WLR 582

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

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

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

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

- d. Failed to ensure that fittings, appliances, and the electrical installation worked upon him as a whole was electrically safe.

[20] The Respondent has acknowledged that that he acted negligently in respect of the above.

Risk of Serious Harm or Significant Property Damage

[21] 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.

[22] It is noted that actual serious harm need not occur for the Board to make a finding. It is the *risk* of serious harm.

[23] In this case, a person did suffer serious harm. A builder received an electric shock while on a cherry picker adjusting one of the floodlights. He sustained electrical concussion and was unable to work for more than 10 weeks. The victim impact statements provided to the Board detail significant ongoing physical and mental health impacts on the builder and his family, including headaches, inability to drive, intolerance to noise, and impacts on his ability to participate in family activities.

[24] The Technical Advisor, **[Omitted]**, confirmed that if there was moisture inside the pole (which was present due to heavy rainfall), all of these factors - the metal pole, the moisture, and the lack of earthing - would form a circuit and path for current to travel. When the builder came into contact with the luminaire, he became the circuit. The Technical Advisor noted that the fact the builder was on a cherry picker with rubber wheels may have lessened the impact of the electric shock and that had he contacted the poles while standing on the ground, the impact could have been far greater and potentially fatal.

Second Disciplinary Offence

[25] The Board finds that the Respondent has committed a disciplinary offence under section 143(f) of the Act by failing to provide a return, specifically by failing to issue an Electrical Safety Certificate within 20 working days following connection of pole top luminaires to the electricity supply.

[26] The requirement to provide an Electrical Safety Certificate is a fundamental safety obligation that ensures electrical installations are properly documented and verified as safe. The Respondent's failure to provide this certificate within the required timeframe constitutes a breach of his obligations.

Third 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 on or around 27 July 2024, the Respondent issued a Certificate of Compliance

with an inspection date of 22 April 2024. The Certificate of Compliance was dated the day before the builder received an electric shock from the non-compliant installation, which demonstrated the installation was not safe or compliant on the date certified.

- [28] The accuracy of certification documentation is crucial to maintaining the integrity of electrical safety systems. By dating the Certificate of Compliance to 22 April 2024 when the installation was not compliant at that time, the Respondent provided misleading information about the state of the installation on that date.

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,ⁱ 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.⁹ It is not a formulaic exercise, but there are established underlying principles that the Board should take into consideration. They include:¹⁰
- (a) protection of the public and consideration of the purposes of the Act;
 - (b) deterring Respondent and other Electrical Workers from similar offending;¹¹
 - (c) setting and enforcing a high standard of conduct for the industry;¹²
 - (d) penalising wrongdoing;¹³ and
 - (e) rehabilitation (where appropriate).¹⁴
- [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 cases¹⁵ and applying the least restrictive penalty available for the particular offending.¹⁶ In all, the Board should be looking to impose a fair, reasonable, and

⁹ *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]

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

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

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

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

¹⁴ *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

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

¹⁶ *Patel v Complaints Assessment Committee* HC Auckland CIV-2007-404-1818

proportionate penalty¹⁷ that is consistent with other penalties imposed by the Board for comparable offending.¹⁸

- [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.¹⁹
- [34] In terms of penalty, the Board considered a fine is warranted in the circumstances.
- [35] The Board adopted a starting point of \$7,000 for the fine. This was reduced by 50% to \$3,500 taking into account:
- a. The Respondent's early guilty plea;
 - b. His cooperation with the investigation;
 - c. His expression of remorse and acknowledgment of his actions;
 - d. His completion of remedial training including electrical safety refresher training;
 - e. The fact he has already served a 10-week interim suspension resulting in loss income between \$15,000-\$20,000.
 - f. This was his first appearance before the Board.
- [36] Accordingly, a fine of \$3,500 is imposed.

Costs

- [37] 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.
- [38] 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 case.²⁰
- [39] In *Collie v Nursing Council of New Zealand*,²¹ 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.*
- [40] In *Kenneth Michael Daniels v Complaints Committee 2 of the Wellington District Law Society*,²² the High Court noted:

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

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

¹⁹ 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.

²⁰ *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.

²¹ [2001] NZAR 74

²² CIV-2011-485-000227 8 August 2011

[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.

- [41] 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.
- [42] 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

- [43] 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.²³ 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 order was made, to be published in the Gazette and any other publications as may be directed by the Board.
- [44] 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.
- [45] Within New Zealand, there is a principle of open justice and open reporting, which is enshrined in the Bill of Rights Act 1990²⁴. The Criminal Procedure Act 2011 sets out grounds for suppression within the criminal jurisdiction.²⁵ Within the disciplinary hearing jurisdiction, the courts have stated that the provisions in the Criminal Procedure Act do not apply but can be instructive.²⁶ The High Court provided guidance

²³ Refer sections 128 of the Act

²⁴ Section 14 of the Act

²⁵ Refer sections 200 and 202 of the Criminal Procedure Act

²⁶ *N v Professional Conduct Committee of Medical Council* [2014] NZAR 350

as to the types of factors to be taken into consideration in *N v Professional Conduct Committee of Medical Council*²⁷.

- [46] 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.²⁸ 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.
- [47] Based on the above, the Board will publish a general article in the Electron summarising the matter where the Respondent **will not** be identified in the Electron. However, a copy of the decision will be available on the EWRB website, and the Respondent will be named.

Penalty, Costs and Publication Orders

- [48] 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 \$3,500.
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. 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.

Right of Appeal

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

Signed and dated this 19th day of March 2025



R Keys
Presiding Member

²⁷ *ibid*

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

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
 - (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.*