

Before the Electrical Workers Registration Board

CE No. 22602

In the matter of:

A disciplinary hearing before the Electrical Workers Registration Board

Between:

The Ministry of Business Innovation and Employment

And

Deonarian Mahabir a registered and licensed electrical worker (E 243756, EW 102466, Electrician) (the Respondent)

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

Hearing Location:

Auckland

Hearing Type:

On the Papers

Hearing and Decision Date:

16 March 2023

Board Members Present:

Mr R Keys, Registered Inspector (Presiding)

Ms J Davel, Lay Member

Mr M Macklin, Registered Inspector

Ms M Kershaw, Registered Electrician

Ms A Yan, Registered Electrical Engineer

Appearances:

Joshua Barlow 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 not** committed a disciplinary offence.

Introduction

- [1] The hearing resulted from a complaint about the conduct of the Respondent and a report under section 147G(1) of the Act from the Investigator that the complaint should be considered by the Board.
- [2] The Respondent was served with a Notice of Hearing setting out the alleged disciplinary offences the Investigator reported should be considered by the Board.
- [3] The matter was set down to be heard on 16 March 2023.

Procedure

- [4] Section 147T of the Act provides:

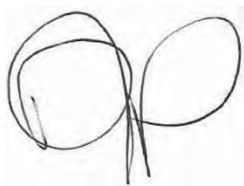
147T Investigator to prosecute matter

- (1) *If the investigator reports that in the investigator's opinion a complaint should be considered by the Board, the matter must be prosecuted by the investigator at the hearing held by the Board under this Part (unless the Board orders otherwise).*
- [5] On 15 March 2023, Counsel for the Investigator wrote to the Board stating, "upon further review of the evidence, and further enquiries with the witnesses, the Investigator has instructed counsel that the Investigator will no longer offer evidence in support of the disciplinary offences the Board is set to determine".

Board's Conclusion and Reasoning

- [6] Based on the Investigator offering no evidence, the Board finds that the Respondent has not committed a disciplinary offence.

Signed and dated this 28th day of March 2023

A handwritten signature in black ink, consisting of a large, stylized 'R' followed by a series of loops and a vertical line extending downwards.

R Keys
Presiding Member