

Before the Building Practitioners Board

	BPB Complaint No. 26762
Licensed Building Practitioner:	Gary Andrew Doig (the Respondent)
Licence Number:	BP 106410
Licence(s) Held:	Carpentry

Penalty Decision of the Board under section 318 of the Building Act 2004

Complaint or Board Inquiry	Complaint
Hearing Location	by audio-visual link
Hearing Type:	In Person
Hearing Date:	25 February 2026
Substantive Decision Date:	2 March 2026
Penalty Decision Date:	20 April 2026

Board Members Present

Mr M Orange, Chair, Barrister (Presiding)
Mrs F Pearson-Green, Deputy Chair, LBP, Design AoP 2
Mr G Anderson, LBP, Carpentry and Site AoP 2

Procedure:

The matter was considered by the Building Practitioners Board (the Board) under the provisions of Part 4 of the Building Act 2004 (the Act), the Building Practitioners (Complaints and Disciplinary Procedures) Regulations 2008 (the Complaints Regulations) and the Board's Complaints and Inquiry Procedures.

Disciplinary Finding:

The Respondent **has** committed disciplinary offences under sections 317(1)(b) and (d) of the Act.

The Respondent is fined \$2,000 and ordered to pay costs of \$2,150. A record of the disciplinary offending will be recorded on the Public Register for a period of three years.

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Summary of the Board’s Penalty Decision

- [1] The Respondent carried out and supervised building work negligently and contrary to the building consent issued. The Board fined the Respondent \$2,000, reduced from \$2,500, and ordered that he pay costs of \$2,150. A record of the disciplinary offending will be recorded on the Public Register for a period of three years.

The Charges

- [2] This penalty decision arises out of the Board’s substantive decision in which it found that the Respondent had breached sections 3171(b) and (d) of the Act.
- [3] Having found that one or more of the grounds in section 317 applies, the Board must, under section 318 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.
- [4] In its substantive decision, the Board set out its indicative position regarding penalty, costs, and publication and invited the Respondent to make written submissions on those matters.
- [5] On 27 March 2026, the Board received the Respondent’s submissions. It has considered them and made the following decisions.

Penalty

- [6] The Board’s initial view was that a fine of \$2,500 was the appropriate penalty for the disciplinary offence.
- [7] The Respondent discussed the project's timeline and addressed issues related to delays. Whilst those may have been issues raised by the Complainant, they were not investigated by the Board and no findings were made about them.
- [8] The Respondent acknowledged his errors in not following the consented documentation when completing the building work. He submitted:

I have admitted to making mistakes, I have learned, a lot, I have stood up and corrected them, personally suffered wellness wise, and feel this penalty and in particular the publishing of this on the LBP register could well have a detrimental effect on future work. I feel this is too excessive a penalty. I am

proud to be a builder, proud to be an LBP since 2011, and would ask for some support from the LBP board. I feel i have, and my small business has, been penalised enough in continuing to help this new homeowner.

- [9] The Board acknowledges the Respondent's contrition, and whilst it notes the impact the events may have had on him, it also notes the impact of his conduct on the Complainant.
- [10] Having considered the submissions received, the Board has decided to reduce the fine by \$500 to one of \$2,000.

Costs

- [11] The Board's initial view was that 2,150 in costs was appropriate. No submissions on costs were made, other than those noted above. The Board considers the costs order to be reasonable, and it is affirmed.

Publication of Name

- [12] The Board's initial view was that there were no good reasons to further publish the matter. No submissions on publication were made, and the initial version is affirmed.

Section 318 Order

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

Penalty: Pursuant to section 318(1)(f) of the Building Act 2004, the Respondent is ordered to pay a fine of \$2,000.

Costs: Pursuant to section 318(4) of the Act, the Respondent is ordered to pay costs of \$2,150 (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 Licensed Building Practitioners in accordance with section 301(I)(iii) of the Act.

In terms of section 318(5) of the Act, the Respondent will be named in this decision, which will be published on the Board's website.

- [14] The Respondent should note that the Board may, under section 319 of the Act, suspend or cancel a licensed building practitioner's licence if fines or costs imposed as a result of disciplinary action are not paid.

Right of Appeal

[15] The right to appeal Board decisions is provided for in s 330(2) of the Actⁱⁱ.

Signed and dated this 29th day of April 2026.



Mr M Orange
Presiding Member

ⁱ Section 318 of the Act

- (1) *In any case to which section 317 applies, the Board may*
 - (a) *do both of the following things:*
 - (i) *cancel the person's licensing, and direct the Registrar to remove the person's name from the register; and*
 - (ii) *order that the person may not apply to be relicensed before the expiry of a specified period:*
 - (b) *suspend the person's licensing for a period of no more than 12 months or until the person meets specified conditions relating to the licensing (but, in any case, not for a period of more than 12 months) and direct the Registrar to record the suspension in the register:*
 - (c) *restrict the type of building work or building inspection work that the person may carry out or supervise under the person's licensing class or classes and direct the Registrar to record the restriction in the register:*
 - (d) *order that the person be censured:*
 - (e) *order that the person undertake training specified in the order:*
 - (f) *order that the person pay a fine not exceeding \$10,000.*
- (2) *The Board may take only one type of action in subsection 1(a) to (d) 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) or (d).*
- (3) *No fine may be imposed under subsection (1)(f) in relation to an act or omission that constitutes an offence for which the person has been convicted by a court.*
- (4) *In any case to which section 317 applies, the Board may order that the person must pay the costs and expenses of, and incidental to, the inquiry by the Board.*
- (5) *In addition to requiring the Registrar to notify in the register an action taken by the Board under this section, the Board may publicly notify the action in any other way it thinks fit."*

ⁱⁱ Section 330 Right of appeal

- (2) *A person may appeal to a District Court against any decision of the Board—*
 - (b) *to take any action referred to in section 318.*

Section 331 Time in which appeal must be brought

An appeal must be lodged—

- (a) *within 20 working days after notice of the decision or action is communicated to the appellant;*
or
- (b) *within any further time that the appeal authority allows on application made before or after the period expires.*