

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

Decision of the Board in Respect of the Conduct of a Licensed Building Practitioner Under section 315 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
Decision Date:	2 March 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 \$2,500 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.

Contents

Summary	2
The Charges	2
Evidence	3
Negligence or Incompetence	6
Has the Respondent departed from an acceptable standard of conduct	7
Was the conduct serious enough	7
Has the Respondent been negligent or incompetent.....	8
Contrary to a Building Consent	8
Was there building work that differed from the building consent.....	8
Was the conduct serious enough	8
Has the Respondent breached section 317(1)(d) of the Act	8
Board Decisions	9
Penalty, Costs and Publication	9
Penalty	9
Costs.....	10
Publication	10
Section 318 Order	11
Submissions on Penalty, Costs and Publication	11
Right of Appeal	12

Summary

- [1] The Respondent carried out and supervised building work in a negligent manner and in a manner that was contrary to the building consent issued. The Board fined the respondent \$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] The prescribed investigation and hearing procedure is inquisitorial, not adversarial. There is no requirement for a complainant to prove the allegations. The Board sets the charges and decides what evidence is required.¹

¹ Under section 322 of the Act, the Board has relaxed rules of evidence which allow it to receive evidence that may not be admissible in a court of law. The evidentiary standard is the balance of probabilities, *Z v Dental Complaints Assessment Committee* [2009] 1 NZLR 1.

- [3] In this matter, the disciplinary charges the Board resolved to further investigate² were that the Respondent may, in relation to building work at [OMITTED], have:
- (a) carried out or supervised building work in a negligent or incompetent manner contrary to section 317(1)(b) of the Act; and/or
 - (b) carried out or supervised building work that does not comply with a building consent contrary to section 317(1)(d) of the Act.
- [4] The Board gave notice that, in further investigating the Respondent's conduct under sections 317(1)(b) and 317(1)(d) of the Act, the Board would be inquiring into the issues noted in final inspection report dated 29 April 2025 (pages 129 to 133) and in an addendum to a final inspection report dated 13 May 2025 (pages 135 to 151 of the Board's files) and whether appropriate building consent change processes were used during the build.

Evidence

- [5] The Board must be satisfied on the balance of probabilities that the alleged disciplinary offences have been committed³. Under section 322 of the Act, the Board has relaxed rules of evidence, which allow it to receive evidence that may not be admissible in a court of law.
- [6] The issues under investigation were those in an inspection sheet and an addendum report dated 29 April 2025 issued by [OMITTED], a [OMITTED] with the [OMITTED], the Building Consent Authority (BCA) for the building work being undertaken. The inspection, noted to be a final inspection, was called by the Complainant due to concerns about the lack of progress on the building work. The Respondent was not present at the inspection.
- [7] The Respondent, who lives in Greymouth, stated that he both carried out and supervised the building work and that he was on site about 50% of the time. The Complainant, who was living on-site in a caravan with his partner, disputed the amount of time the Respondent stated he was on-site carrying out the work, putting it nearer 25%. The Respondent had several other jobs on the go at the same time. They were spread between the West Coast, Ashburton and South of Canterbury. He was the only Licensed Building Practitioner (LBP) within his business. He was assisted during the build by a subcontractor who was a suspended LBP at the time and mainly worked on framing, in relation to which there were no issues under investigation by the Board, and by one employee, who was his son. His son was said to have been a labourer with 3 to 4 years' experience at the time. The Respondent stated that when he was not on-site, he would supervise by phone and review photos, and that he would check any completed work when he returned to the site.

² The resolution was made following the Board's consideration of a report prepared by the Registrar in accordance with regulation 10 of the Complaints Regulations.

³ *Z v Dental Complaints Assessment Committee* [2009] 1 NZLR 1

- [8] The design work for the building consent was carried out by [OMITTED]. [OMITTED], a Design LBP, was the LBP responsible for the design work, much of which was done under his supervision. [OMITTED] was contracted by the Respondent. The Complainant stated that the final design was not reviewed before a building consent was sought. [OMITTED] was responsible for dealing with building consent changes. [OMITTED] noted that there were a number of changes during the build and that, rather than dealing with them individually, the intention was to do a retrospective amendment that captured all the changes.
- [9] [OMITTED], the BCO who completed the final inspection, which was noted as a “fail”, gave evidence at the hearing, and the issues related to the Respondent’s building work were reviewed with those present. Those issues, as outlined in the addendum report, were:

Noted Issue	Discussion
Clause B1 of the Building Code: Floor joist under shower has been cut so there is only 1/3 the thickness left. This falls outside the scope of NZS3604.2011 which the building has been designed to.	The joist was cut by the Respondent. His intent was to work with the designer and the BCA to obtain a stiffening solution. It was noted that in a photograph provided, insulation had been installed around the joist, which would have made it more difficult to then install stiffening. Sequencing-wise, it would have been prudent to install a stiffening before the installation. The Respondent’s response was that he did not want to delay the project, so he did not deal with the issue at the time. It was also noted that a minor variation to the building consent would have been required for the change.
Clause E2: Metal craft T roofing is missing row of screws 1645 mm between centres at present which is outside the scope of the manufacturers installation instructions.	The Respondent stated that he ran out of fixings and had left the final row of screws for another date. He submitted that the roof was fully secured, notwithstanding the missing screws. The roof was in a high wind zone, and when the final inspection was done, scaffolding had been removed. The final row of screws has now been installed. The Respondent used a ladder for access. The Complainant noted that the final row was added 18 months after the roof was first installed.

Noted Issue	Discussion
Clause E2: Shadow clad and battens not fitted as per details shown on sheet A4.01 & A4.02	The Respondent accepted that it was a mistake. The work was done by his son under his supervision. He set out that the original intent was to have no fascia, but that the consented detail was different. He accepted that he had not consulted the building consent before doing the work. He noted he had used the detail noted by the inspector previously and that it had been found to be compliant. [OMITTED] commented that there was a risk that Clause B2 Durability of the Building Code would be compromised with the way the work had been completed. [OMITTED] stated that he provided a change of detail after the work was completed, and that it was a minor issue.
Clause E2: No cladding under doors as per consent, obvious points where vermin can gain access to dwelling.	The Respondent accepted that the consented detail had been missed. The issue was consistent across three door entries.
Clause E2: Barge flashings not as per consented drawings as packer has not been installed and flashings not as per consented drawings. Clause E2: Spouting not as per consented drawings referred to sheet A4.02.	The Respondent accepted that he had not constructed the building work in accordance with the building consent. Again, the Respondent stated he had built what he thought had been consented rather than what had actually been consented. He noted he should have pushed back during the design process to ensure the design matched what he had in mind for the build.
Clause E2: No Stop ends to head flashings as per manufacturers details	The Respondent stated that they had been installed, and photographs in the BCA file showed blocking where the stop ends, closing off the area where the stop ends would have been.
Clause E2: Flashings between widow/door heads and horizontal flashings are not weather tight and do not comply with E2, holes either side. Z	The Respondent stated that he built what was drawn and that he questioned the compliance of the butted flashings with the draughtsperson at Design Line, who was dealing with the project.

Noted Issue	Discussion
flashing should have been inter-storey flashing. Both sides of every opening are the same. Hole into building these are letting water into the cavity which is meant to be a secondary defence not a primary defence against moisture egress.	A photograph of the completed work showed a visible gap through which water could penetrate behind the window and the cladding. The completed work was clearly not compliant with clause E2 of the Building Code. [OMITTED] accepted that if advice had been given to the Respondent that the flashings should be butted, not overlapped, then the advice was incorrect.
Clause E2: Interior window no air seals as per sheet A403 02	The issue related to one window that the Respondent had removed to straighten. In doing so, he had dug out the air seal. It has been reinstated.
Clause D1: General step construction, not as per sheet A406 01 and risers uneven on all. B2 requirement as timber is only H3.2 cannot be in contact with ground.	The first riser was uneven. The steps were built by the Respondent. They were constructed because a deck that was to be built had been removed from the scope.

- [10] The inspection addendum report also contained a note that a change of product for the ceiling lining. The Respondent stated it was dealt with by way of an on-site minor variation. There is no evidence to support that. [OMITTED] said it was included in the building consent amendment submitted.
- [11] In general, the Respondent stated he had learnt a lot from the project and accepted that he had made mistakes. He submitted that he should have raised the design issues early to ensure that what was detailed on the approved building consent matched what he had in mind to be built.

Negligence or Incompetence

- [12] To find that the Respondent was negligent, the Board needs to determine, on the balance of probabilities,⁴ that the Respondent departed from an accepted standard of conduct when carrying out or supervising building work as judged against those of the same class of licence. This is described as the *Bolam*⁵ test of negligence.⁶ To make a finding of incompetence, the Board has to determine that the Respondent

⁴ *Z v Dental Complaints Assessment Committee* [2009] 1 NZLR 1. Under section 322 of the Act, the Board has relaxed rules of evidence which allow it to receive evidence that may not be admissible in a court of law.

⁵ *Bolam v Friern Hospital Management Committee* [1957] 1 WLR 582

⁶ Adopted in New Zealand in various matters including: *Martin v Director of Proceedings* [2010] NZAR 333 (HC), *F v Medical Practitioners Disciplinary Tribunal* [2005] 3 NZLR 774 (CA)

has demonstrated a lack of ability, skill, or knowledge to carry out or supervise building work to an acceptable standard.⁷ A threshold test applies to both. Even if the Respondent has been negligent or incompetent, the Board must also decide if the conduct fell seriously short of expected standards.⁸ If it does not, then a disciplinary finding cannot be made.

Has the Respondent departed from an acceptable standard of conduct

- [13] When considering what an acceptable standard is, the Board must consider the purpose of the Building Actⁱ as well as the requirement that all building work must comply with the Building Code⁹ and any building consent issued.¹⁰ The test is an objective one.¹¹
- [14] There was clear evidence of building work that did not meet compliance standards. It was also clear that the Respondent did not, at times, build what had been consented. Rather, he built what he thought had been consented. The Board considers that a competent LBP would always thoroughly review a building consent prior to commencing construction and that building work would be checked against that consent as it progresses to ensure compliance. That did not always occur. Because it did not, and because there was non-compliant building work, as noted in the table above, the Board decided that the Respondent had conducted himself in a negligent manner.
- [15] The Board also cautions the Respondent regarding changes to the building consent during a build. Whilst an LBP Designer was dealing with consent matters, the change process outlined in the Building Act requires that changes be approved before the work is carried out, not after.

Was the conduct serious enough

- [16] The conduct was at the lower end of the seriousness scale, but the Board's view was that, given the number of departures from acceptable standards and the consistent theme of building what the Respondent thought had been consented rather than what had actually been consented, the conduct reached the threshold for a disciplinary finding.

⁷ In *Beattie v Far North Council* Judge McElrea, DC Whangarei, CIV-2011-088-313 it was described as “a demonstrated lack of the reasonably expected ability or skill level”. In *Ali v Kumar and Others*, [2017] NZDC 23582 at [30] as “an inability to do the job”

⁸ *Collie v Nursing Council of New Zealand* [2001] NZAR 74 - [21] “Negligence or malpractice may or may not be sufficient to constitute professional misconduct and the guide must be standards applicable by competent, ethical and responsible practitioners and there must be behaviour which falls seriously short of that which is to be considered acceptable and not mere inadvertent error, oversight or for that matter carelessness”.

⁹ Section 17 of the Building Act 2004

¹⁰ Section 40(1) of the Building Act 2004

¹¹ *McKenzie v Medical Practitioners Disciplinary Tribunal* [2004] NZAR 47 at p.71 noted that the tribunal does not have to take into account the Respondent's subjective considerations.

Has the Respondent been negligent or incompetent

- [17] The Respondent has carried out and supervised building work in a negligent manner.

Contrary to a Building Consent

- [18] Building consents provide detailed plans and specifications for building work. They are issued by Territorial or Building Consent Authorities on the basis that the building work will meet the provisions of the Building Code.¹² Once issued, the building work must be carried out in accordance with the building consent.¹³ Building consents also stipulate the number and type of inspections the issuing authority will carry out during the build.¹⁴ Inspections ensure independent verification that the building consent is being complied with.
- [19] If building work departs from the building consent issued, the Board can find that a disciplinary offence under section 317(1)(d) of the Act has been committed. The Board does not have to find that the departure was deliberate or a result of negligent conduct.¹⁵ The Board, however, considers that the seriousness of the conduct under investigation must be taken into account. As such, even if the Respondent's building work departed from the building consent, the Board must also decide if the conduct fell seriously short of expected standards.¹⁶ If it does not, then a disciplinary finding cannot be made.

Was there building work that differed from the building consent

- [20] The work that the Respondent negligently carried out and supervised was also building work that was contrary to the building consent. The failed inspection and addendum report identified departures from what had been consented.

Was the conduct serious enough

- [21] For the same reasons set out above in relation to negligence, the Board finds that the Respondent's conduct regarding building contrary to a building consent reached the threshold for a disciplinary finding.

Has the Respondent breached section 317(1)(d) of the Act

- [22] The respondent has carried out and supervised building work that was contrary to a building consent.
- [23] Board's notes the commonality between this finding and that of negligence. The Board will treat the matters as a single contravention when considering a penalty.

¹² Section 49 of the Act

¹³ Section 40 of the Act

¹⁴ Section 222 of the Act

¹⁵ *Blewman v Wilkinson* [1979] 2 NZLR 208

¹⁶ *Collie v Nursing Council of New Zealand* [2001] NZAR 74 - [21] "Negligence or malpractice may or may not be sufficient to constitute professional misconduct and the guide must be standards applicable by competent, ethical and responsible practitioners and there must be behaviour which falls seriously short of that which is to be considered acceptable and not mere inadvertent error, oversight or for that matter carelessness".

Board Decisions

[24] The Respondent has breached sections 317(1(b) and (d) of the Act.

Penalty, Costs and Publication

[25] Having found that one or more of the grounds in section 317 applies, the Board must, under section 318 of the Actⁱⁱ, consider the appropriate disciplinary penalty, whether the Respondent should be ordered to pay any costs and whether the decision should be published.

[26] The Board heard evidence relevant to penalty, costs, and publication during the hearing and has decided to make indicative orders and give the Respondent an opportunity to provide further evidence or submissions relevant to the indicative orders.

Penalty

[27] The Board has the discretion to impose a range of penalties.ⁱⁱⁱ 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.¹⁷ It is not a formulaic exercise, but there are established underlying principles that the Board should take into consideration. They include:¹⁸

- (a) protection of the public and consideration of the purposes of the Act;¹⁹
- (b) deterring the Respondent and other Licensed Building Practitioners from similar offending;²⁰
- (c) setting and enforcing a high standard of conduct for the industry;²¹
- (d) penalising wrongdoing;²² and
- (e) rehabilitation (where appropriate).²³

[28] Overall, the Board should assess the conduct against the range of penalty options available in section 318 of the Act, reserving the maximum penalty for the worst cases²⁴ and applying the least restrictive penalty available for the particular offending.²⁵ In all, the Board should be looking to impose a fair, reasonable, and

¹⁷ *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]

¹⁸ Cited with approval in *Robinson v Complaints Assessment Committee of Teaching Council of Aotearoa New Zealand* [2022] NZCA 350 at [28] and [29]

¹⁹ Section 3 Building Act

²⁰ *Roberts v A Professional Conduct Committee of the Nursing Council of New Zealand* [2012] NZHC 3354

²¹ *Dentice v Valuers Registration Board* [1992] 1 NZLR 720 (HC) at 724

²² *Patel v Complaints Assessment Committee* HC Auckland CIV-2007-404-1818, 13 August 2007 at p 27

²³ *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

²⁴ *Roberts v A Professional Conduct Committee of the Nursing Council of New Zealand* [2012] NZHC 3354

²⁵ *Patel v Complaints Assessment Committee* HC Auckland CIV-2007-404-1818

proportionate penalty²⁶ that is consistent with other penalties imposed by the Board for comparable offending.²⁷

[29] 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.²⁸

[30] As noted, the Board considered that the conduct was at the lower end of seriousness. Given that, the Board adopted a starting point of a modest fine. It has set it at \$2,500, an amount that reflects the conduct found and which is consistent with other penalties imposed by the Board for similar offending.

[31] The Board does not consider that there were any mitigating or aggravating factors that should be taken into account. The fine is set at \$2500.

Costs

[32] Under section 318(4) of the Act, the Board may require the Respondent to pay the costs and expenses of, and incidental to, the inquiry by the Board. The rationale is that other Licensed Building Practitioners should not be left to carry the financial burden of an investigation and hearing.²⁹

[33] The courts have indicated that 50% of the total reasonable costs should be taken as a starting point in disciplinary proceedings³⁰. The starting point can then be adjusted up or down, having regard to the particular circumstances of each case³¹.

[34] 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. Adjustments are then made. The current matter was moderately complex and was heard by use of an audio-visual link.

[35] Based on the above, the Board's costs order is that the Respondent is to pay the sum of \$2,150 toward the costs of and incidental to the Board's inquiry. That is the Board's scale amount for an investigation and hearing of this type. It is significantly less than 50% of the actual costs.

Publication

[36] As a consequence of its decision, the Respondent's name and the disciplinary outcomes will be recorded in the public Register maintained as part of the Licensed Building Practitioners' scheme as is required by the Act,³² and he will be named in

²⁶ *Roberts v A Professional Conduct Committee of the Nursing Council of New Zealand* [2012] NZHC 3354

²⁷ *Roberts v A Professional Conduct Committee of the Nursing Council of New Zealand* [2012] NZHC 3354

²⁸ 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.

²⁹ *Collie v Nursing Council of New Zealand* [2001] NZAR 74

³⁰ *Kenneth Michael Daniels v Complaints Committee 2 of the Wellington District Law Society* CIV-2011-485-000227 8 August 2011

³¹ *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.

³² Refer sections 298, 299 and 301 of the Act

this decision, which will be available on the Board's website. The Board is also able, under section 318(5) of the Act, to order further publication.

- [37] Within New Zealand, there is a principle of open justice and open reporting, which is enshrined in the Bill of Rights Act 1990.³³ Further, as a general principle, publication 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, and the courts have stated that an adverse finding in a disciplinary case usually requires that the name of the practitioner be published.³⁴
- [38] Based on the above, the Board will not order any publication over and above the record on the Register, the Respondent being named in this decision, and the publication of the decision on the Board's website. The Respondent should note, however, that as the Board has not made any form of suppression order, other entities, such as the media or the Ministry of Business Innovation and Employment, may publish under the principles of open justice reporting.

Section 318 Order

- [39] 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 \$2,500.

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(l)(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.

- [40] 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.

Submissions on Penalty, Costs and Publication

- [41] The Board invites the Respondent to make written submissions on the matters of disciplinary penalty, costs and publication up until the close of business on **Thursday, 9 April 2026**. The submissions should focus on mitigating matters as they relate to the penalty, costs and publication orders. If no submissions are received, then this decision will become final. If submissions are received, then the Board will meet and

³³ Section 14 of the Act

³⁴ Kewene v Professional Conduct Committee of the Dental Council [2013] NZAR 1055

consider those submissions prior to coming to a final decision on penalty, costs and publication.

Right of Appeal

[42] The right to appeal Board decisions is provided for in section 330(2) of the Act^{iv}.

Signed and dated this 17th day of March 2026.



Mr M Orange
Presiding Member

ⁱ Section 3 of the Act

This Act has the following purposes:

- (a) *to provide for the regulation of building work, the establishment of a licensing regime for building practitioners, and the setting of performance standards for buildings to ensure that—*
 - (i) *people who use buildings can do so safely and without endangering their health; and*
 - (ii) *buildings have attributes that contribute appropriately to the health, physical independence, and well-being of the people who use them; and*
 - (iii) *people who use a building can escape from the building if it is on fire; and*
 - (iv) *buildings are designed, constructed, and able to be used in ways that promote sustainable development:*
- (b) *to promote the accountability of owners, designers, builders, and building consent authorities who have responsibilities for ensuring that building work complies with the building code.*

ⁱⁱ 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."

iii Section 318 Disciplinary Penalties

- (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 1 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.

iv 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.*