

## Before the Building Practitioners Board

	BPB Complaint No. 26507
Licensed Building Practitioner:	Zane Samuel Dykman (the Respondent)
Licence Number:	BP 133755
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 Type:	In Person
Hearing	28 January 2025
Decision Date:	14 February 2025

#### Board Members Present:

Mrs F Pearson-Green, Deputy Chair, LBP, Design AoP 2 (Presiding)  
Ms S Chetwin CNZM, Barrister and Solicitor, Professional Director  
Mr G Anderson, LBP, Carpentry and Site AoP 2  
Mr T Tran, Barrister - Legal Member

#### 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 a disciplinary offence under section 317(1)(da)(ii) of the Act.

The Respondent is fined \$1,000 and ordered to pay costs of \$2,100. A record of the disciplinary offending will be recorded on the Public Register for a period of three years.

## Contents

<b>Summary of the Board’s Decision</b> .....	2
<b>The Charge</b> .....	2
<b>Procedural History</b> .....	3
<b>Evidence</b> .....	4
<b>Project Background</b> .....	4
<b>Board’s Discussion</b> .....	4
<b>Failure to Provide a Record of Work</b> .....	4
Did the Respondent carry out or supervise restricted building work.....	5
Was the restricted building work complete.....	5
Has the Respondent provided a record of work.....	6
Was there a good reason.....	6
<b>Board’s Decision</b> .....	8
<b>Penalty, Costs and Publication</b> .....	8
Penalty.....	8
Costs.....	9
Publication.....	9
<b>Section 318 Order</b> .....	10
<b>Submissions on Penalty, Costs and Publication</b> .....	10
<b>Right of Appeal</b> .....	11

## Summary of the Board’s Decision

[1] The Respondent failed to provide a Record of Work (ROW) on completion of restricted building work. He is fined \$1,000 and ordered to pay costs of \$2,100. The disciplinary finding will be recorded on the Public Register for a period of three years.

## The Charge

[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 charge(s) and decides what evidence is required.<sup>1</sup>

[3] In this matter, the disciplinary charge the Board resolved to further investigate<sup>2</sup> was that the Respondent may, in relation to building work at [OMITTED], Auckland, have failed, without good reason, in respect of a building consent that relates to restricted

---

<sup>1</sup> 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.

<sup>2</sup> 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.

building work that he or she is to carry out or supervise, or has carried out or supervised, (as the case may be), to provide the persons specified in section 88(2) with a record of work, on completion of the restricted building work, in accordance with section 88(1) of the Act contrary to section 317(1)(da)(ii) of the Act.

### Procedural History

- [4] The Board's jurisdiction is that of an inquiry. Complaints are not prosecuted before the Board. Rather, it is for the Board to carry out any further investigation that it considers necessary prior to it making a decision.
- [5] The Board originally made a draft decision on the matter on 29 July 2024. The Respondent was invited to make submissions on both the substantive findings and on penalty, costs, and publication. On 19 August 2024, the Respondent made a submission stating:
- "Hey guys, Is there someone I can talk to about this? I didn't deny supplying my ROW. they had other people in there working after I finished? I requested access to the site to check and document what I was signing off? That's a right as a LBP?"*
- [6] On the basis of this submission, the Board set aside its draft decision and decided to hold an in-person hearing. A Notice of Proceeding was issued on 22 October 2024, and a pre-hearing teleconference was held on 25 November 2024. An in-person hearing was subsequently held on 28 January 2025.
- [7] At the hearing, the Board determined that it required additional information regarding Sean McKenzie, who the Respondent had stated was a Licensed Building Practitioner (LBP) working on the project. The hearing was adjourned part-heard with the Respondent required to provide information by the close of business on 31 January 2025.
- [8] On 31 January 2025, the Respondent provided the requested information, including confirmation that Sean McKenzie was not an LBP at the time of working on the project, evidence of requests for site access, documentation of the ongoing dispute with Borges Design, and a timeline of events related to the final inspections.
- [9] After consideration of the additional information provided, the Board has now reached a decision. This decision sets out our findings and reasons in relation to the disciplinary charge.
- [10] The Board has also set out an indicative decision on penalty, costs and publication.
- [11] The Board will give the Respondent an opportunity to provide submissions on penalty, costs and publication within **15 working days** from the date of this decision before a final decision is made.

## **Evidence**

- [12] In considering this matter, the Board must be satisfied on the balance of probabilities that the disciplinary offence alleged has been committed.<sup>3</sup> 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.
- [13] The complaint centred on the Respondent's failure to provide a ROW to the Territorial Authority (Auckland Council) and the homeowner for restricted building work carried out at [OMITTED], Orewa, Auckland.
- [14] The evidence showed that although the Respondent eventually provided a ROW to the investigator on 8 July 2024, this was after the complaint was lodged in April 2024, and there was no evidence that it was ever provided to the Council or homeowner as required by section 88(2) of the Act.

## **Project Background**

- [15] At the hearing, the Board heard evidence regarding the Respondent's background and experience in the building industry. The Respondent stated he had been building for approximately 17 years and had been an LBP for about 8 years. He runs a building company, Ze Build Limited, which he started in May 2018. At the time of the project in question, Ze Build had approximately 135 staff.
- [16] The project at [OMITTED] involved interior renovations, including the conversion of a downstairs study and games room into a bedroom with ensuite, relocating a laundry, and reconfiguring upstairs bathrooms. The Respondent's company was engaged by an interior designer, Luciana Borges of Borges Design, not directly by the property owner.
- [17] The Respondent's role on the project was described as supervisory, dealing with variations and discussions with the client. The project was managed by [OMITTED], who was not an LBP. The Respondent stated that [OMITTED] worked as a contractor (not an employee) and functioned as a foreman on site, working with an apprentice named Josh. The Respondent indicated he visited the site approximately once a month.
- [18] A signed contract was in place, with work beginning around October/November 2022 and ceasing around 16 May 2023. There was evidence that Ze Build's project manager, [OMITTED], called for and attended a final Council inspection on 1 August 2023.

## **Board's Discussion**

### **Failure to Provide a Record of Work**

- [19] An LBP must provide a record of work for any restricted building work that they have carried out or supervised to the owner and the Territorial Authority on completion of their restricted building work.<sup>4</sup>

---

<sup>3</sup> *Z v Dental Complaints Assessment Committee* [2009] 1 NZLR 1.

<sup>4</sup> Section 88(1) of the Building Act 2004.

- [20] There is a statutory requirement under section 88(1) of the Building Act 2004 for an LBP to provide a ROW to the owner and the Territorial Authority on completion of restricted building work<sup>5</sup> unless there is a good reason for it not to be provided.<sup>6</sup>
- [21] Accordingly, the Board must consider:
- (a) Whether the Respondent carried out or supervised restricted building work; and
  - (b) Whether the restricted building work was complete; and
  - (c) Whether the Respondent provided a record of work on completion; and
  - (d) Whether there was good reason for not providing a Record of Work.

Did the Respondent carry out or supervise restricted building work

- [22] The Respondent was engaged to carry out and/or supervise building work at [OMITTED], Auckland under a building consent. This work included alterations to the building's primary structure, which is restricted building work as defined in the Building (Definition of Restricted Building Work) Order 2011.
- [23] Initially, there was a question about whether [OMITTED], who worked on the project as a contractor, was an LBP who might have been responsible for providing his own ROW. Following the hearing, in his submission dated 31 January 2025, the Respondent confirmed: *"Since our hearing, we have confirmed with [OMITTED] that he was not a Licensed Building Practitioner at the time of working on this project. Therefore, it was appropriate that Zane signs off supervising the work."*
- [24] The Board has also made enquiries with the Registrar, who has confirmed the same.
- [25] Given this confirmation, the Board is satisfied that the Respondent was responsible for supervising restricted building work on this project.

Was the restricted building work complete

- [26] "Completion" in relation to restricted building work refers to when the LBP has completed their restricted building work, not necessarily when the entire building project is complete.
- [27] In this case, the evidence shows that the Respondent's restricted building work was completed, at the earliest, by 1 August 2023, when [OMITTED], the Respondent's project manager, called for and attended a final Council inspection.
- [28] The Board notes that, at the latest, the work must have been completed by 2 November 2023, when the Auckland Council issued a letter requesting a ROW from the Respondent as part of the Code Compliance Certificate application process. This

---

<sup>5</sup> Restricted Building Work is defined by the Building (Definition of Restricted Building Work) Order 2011.

<sup>6</sup> Section 317(1)(da)(ii) of the Building Act 2004.

formal request for a ROW indicates that the Council considered the restricted building work to be complete by this date.

- [29] The Board also observes that the Respondent dated his ROW 1 August 2023, further confirming that he himself considered the work complete on that date. During the hearing, the Respondent had acknowledged that he had signed a ROW when the project was nearing completion. This admission further supports the finding that the Respondent recognised the work was complete, or nearly complete, and was in a position to provide the required documentation to the homeowner and Territorial Authority, yet failed to do so until after the complaint was lodged.
- [30] While there was some dispute about when the work was actually completed, with various dates mentioned including 16 May 2023, 1 August 2023, and 2 November 2023, even taking the latest possible date of 2 November 2023, the ROW was still not provided until 8 July 2024, more than eight months later.

#### Has the Respondent provided a record of work

- [31] During the hearing and in subsequent submissions, the Respondent acknowledged that he had not provided a ROW to the Council or homeowner as required. The Registrar's Report documented that the Respondent eventually provided a ROW to the investigator on 8 July 2024, approximately three months after the complaint was filed in April 2024. The ROW was dated 1 August 2023 - the same date as the final inspection.
- [32] The Complainant, Malcolm Greenwood of Auckland Council, stated that repeated requests had been made for the ROW over a period of approximately five months, by the property owner, their legal representatives, and the Council.
- [33] Based on the above evidence, the Board finds that the Respondent did not provide a ROW to the Territorial Authority or the homeowner on completion of the restricted building work as required by section 88(1) and (2) of the Act.

#### Was there a good reason

- [34] The Respondent's primary explanation for not providing a ROW was that he wanted to inspect the site before providing the document, as he was concerned about other contractors working on the property after Ze Build left the site. He claimed he had been denied access to the site for this inspection.
- [35] After the hearing, the Respondent provided evidence of email correspondence regarding requests for site access. This documentation showed ongoing disputes between the parties, with the Respondent consistently maintaining that he needed access to the site before providing documentation.
- [36] In an email dated 14 February 2024, the Respondent wrote to Borges Design: "*We will be providing no such thing until we have done a final site inspection. We look forward to booking in this in.*" Borges Design responded the same day: "*If you don't recall, you*

*have had your final inspection and we have had all your work signed off by [OMITTED] and [OMITTED]. There is noting [sic] else for you to be doing on site."*

- [37] The legal correspondence provided after the hearing also revealed that site access was part of settlement negotiations. In correspondence dated 7 December 2023, from Catherine Pendleton (Ze Build's lawyer) to Vita Hansen (Borges Design's lawyer), one of the proposed settlement terms was: *"Borges will need to give Ze Build ability to go back into the building to check off the subcontractor's work e.g. tiling and waterproofing, before documentation can be provided."*
- [38] The Board has carefully considered whether these circumstances constitute "good reason" for not providing a ROW. In doing so, the Board notes:
- (a) A ROW is not a statement that work complies with building consent or that it is compliant with the building code. It is simply a record of who carried out or supervised restricted building work and when that work was completed.
  - (b) There is no requirement in the Act for an LBP to conduct an inspection before providing a ROW. The requirement is simply to provide the record "on completion" of restricted building work.
  - (c) The Respondent's project manager, [OMITTED], was able to call for and attend a final inspection on 1 August 2023, demonstrating that Ze Build had access to the site at that time.
  - (d) The Respondent had dated his ROW 1 August 2023, indicating he considered the work complete on that date and was in a position to sign off on the restricted building work performed. Furthermore, the Respondent confirmed in email correspondence that his ROW was ready and had been completed at the time of practical completion.
  - (e) The Respondent's representative submitted the Respondent's ROW to the investigator on 8 July 2024, following instructions from the Respondent, without conducting the additional site inspection he claimed was necessary, demonstrating that site access was not ultimately required to complete this documentation.
  - (f) The Respondent, even after being provided with guidance from the investigator regarding whom he is required under the Act to provide his ROW to, has not provided the ROW to the Council or homeowner as required by section 88(2) of the Act.
- [39] The Board acknowledges the Respondent's consistent position that he wanted to inspect the site and his concerns about liability for subsequent work. However, these concerns reflect a misunderstanding about the nature and purpose of a ROW and appear to conflate contractual obligations regarding site inspections and payment disputes with his separate statutory duty under section 88 of the Act. An LBP can

protect themselves by clearly documenting in the ROW what restricted building work they carried out or supervised and the date of completion.

[40] While commercial disputes may create tension between parties, they do not constitute “good reason” for failing to provide a ROW. The obligation to provide a ROW exists independently of any contractual or commercial disputes.

[41] Based on all the evidence, the Board finds that there was no good reason for the Respondent’s failure to provide a ROW on completion of the restricted building work.

### **Board’s Decision**

[42] For the reasons set out above, the Respondent **has** failed to provide a ROW on completion of restricted building work.

### **Penalty, Costs and Publication**

[43] Having found that one of the grounds in section 317 applies, the Board must, under section 318 of the Act<sup>i</sup>, consider the appropriate disciplinary penalty, whether the Respondent should be ordered to pay any costs and whether the decision should be published.

#### Penalty

[44] The Board has the discretion to impose a range of penalties.<sup>ii</sup> 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.<sup>7</sup> It is not a formulaic exercise, but there are established underlying principles that the Board should take into consideration. They include:<sup>8</sup>

- (a) protection of the public and consideration of the purposes of the Act;<sup>9</sup>
- (b) deterring other Licensed Building Practitioners from similar offending;<sup>10</sup>
- (c) setting and enforcing a high standard of conduct for the industry;<sup>11</sup>
- (d) penalising wrongdoing;<sup>12</sup> and
- (e) rehabilitation (where appropriate).<sup>13</sup>

[45] 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

---

<sup>7</sup> *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].

<sup>8</sup> Cited with approval in *Robinson v Complaints Assessment Committee of Teaching Council of Aotearoa New Zealand* [2022] NZCA 350 at [28] and [29].

<sup>9</sup> Section 3 of the Building Act 2004.

<sup>10</sup> *Roberts v A Professional Conduct Committee of the Nursing Council of New Zealand* [2012] NZHC 3354.

<sup>11</sup> *Dentice v Valuers Registration Board* [1992] 1 NZLR 720 (HC) at 724.

<sup>12</sup> *Patel v Complaints Assessment Committee* HC Auckland CIV-2007-404-1818, 13 August 2007 at p 27.

<sup>13</sup> *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.

cases<sup>14</sup> and applying the least restrictive penalty available for the particular offending.<sup>15</sup> In all, the Board should be looking to impose a fair, reasonable, and proportionate penalty<sup>16</sup> that is consistent with other penalties imposed by the Board for comparable offending.<sup>17</sup>

- [46] In general, when determining the appropriate penalty, the Board adopts a starting point based on the principles outlined above prior to considering any aggravating and/or mitigating factors present.<sup>18</sup>
- [47] Record of Work matters are at the lower end of the disciplinary scale. The Board's normal starting point for a failure to provide a ROW is a fine of \$1,500, an amount which it considers will deter others from such behaviour. The Respondent has, however, provided a late ROW. That is a mitigating factor. The penalty will be reduced by \$500 to a fine of \$1,000.

### Costs

- [48] 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.<sup>19</sup>
- [49] The courts have indicated that 50% of the total reasonable costs should be taken as a starting point in disciplinary proceedings<sup>20</sup>. The starting point can then be adjusted up or down, depending on the particular circumstances of each case<sup>21</sup>.
- [50] 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 are then made.
- [51] Based on the above, the Board's costs order is that the Respondent is to pay the sum of \$2,100 toward the costs of and incidental to the Board's inquiry. This is the Board's scale amount for a simple matter that has been dealt with by way of an in-person hearing. It is significantly less than 50% of actual costs.

### Publication

- [52] 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 LBPs

---

<sup>14</sup> *Roberts v A Professional Conduct Committee of the Nursing Council of New Zealand* [2012] NZHC 3354.

<sup>15</sup> *Patel v Complaints Assessment Committee* HC Auckland CIV-2007-404-1818.

<sup>16</sup> *Roberts v A Professional Conduct Committee of the Nursing Council of New Zealand* [2012] NZHC 3354.

<sup>17</sup> *Roberts v A Professional Conduct Committee of the Nursing Council of New Zealand* [2012] NZHC 3354.

<sup>18</sup> 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.

<sup>19</sup> *Collie v Nursing Council of New Zealand* [2001] NZAR 74.

<sup>20</sup> *Kenneth Michael Daniels v Complaints Committee 2 of the Wellington District Law Society* CIV-2011-485-000227 8 August 2011.

<sup>21</sup> *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.

scheme as is required by the Act,<sup>22</sup> and he will be named in 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.

- [53] Within New Zealand, there is a principle of open justice and open reporting, which is enshrined in the Bill of Rights Act 1990.<sup>23</sup> 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.<sup>24</sup>
- [54] 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

- [55] 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 \$1,000.

**Costs:** Pursuant to section 318(4) of the Act, the Respondent is ordered to pay costs of \$2,100 (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(1)(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.**

- [56] 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

- [57] The Board invites the Respondent to:

---

<sup>22</sup> Refer sections 298, 299 and 301 of the Building Act 2004.

<sup>23</sup> Section 14 of the Building Act 2004.

<sup>24</sup> *Kewene v Professional Conduct Committee of the Dental Council* [2013] NZAR 1055.

- (a) Make written submissions on the Board's findings on penalty, costs and publication.
- (b) Submissions must be filed with the Board **15 working days** from the date of this decision.
- (c) If submissions are received, then the Board will meet and consider those submissions.
- (d) The Board may, on receipt of any of the material received, give notice that an in-person hearing is required prior to it making a final decision. Alternatively, the Board may proceed to make a final decision on penalty, costs and publication.

[58] If no submissions are received within the time frame specified, then this decision will become final.

### Right of Appeal

[59] The right to appeal Board decisions is provided for in section 330(2) of the Act<sup>iii</sup>.

Signed and dated this 29<sup>th</sup> day of July 2025



**F Pearson-Green**  
Presiding Member

---

#### <sup>i</sup> **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 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.*

**iii 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.*