

Disciplinary Processes

for Licensed Cadastral Surveyors
in New Zealand

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Chair

**Cadastral Surveyors Licensing Board
of New Zealand**

The players:

- **Cadastral Surveyors Licensing Board (CSLB)**
- **Land Information New Zealand (LINZ)**
- **New Zealand Institute of Surveyors (NZIS)**

CSLB

- Protection of the cadastre
- Setting of standards for surveyors
- Issue of licences to competent surveyors
- Disciplining of professional misconduct

LINZ

- Protecting and maintaining of the cadastre
- Setting of standards for surveys
 - issuing of “significant failure” notices
 - these are warning that are given to surveyors submitting plans with errors, the CSLB is notified and seeks an explanation, and licences are “flagged”

NZIS

- Examine candidates for admission to NZIS
 - Includes examination for licences
 - cadastral law and practice
 - some planning and some engineering
- Promotion of professional conduct
 - Disciplining of unprofessional conduct
- Provision of continuing professional development

Disciplinary process

- Receipt of complaint
- Investigation
 - including response from surveyor
- Acceptance of complaint
- Hearing
- Reserved decision
- Notification
- Publication of effect of Order

CSLB Procedure

- Introductions
- statement by complainant
- questions by hearings panel
- statement by respondent
- questions by hearings panel
- may permit cross questioning
- final statement by complainant
- reservation and adjournment of hearing.

Principles

- Natural justice
 - to meet ones accusers
 - to have the opportunity to defend oneself
 - to be judged by ones peers
- Confined to matters of competency in cadastral surveying

Disciplinary powers

- Removal of licence
- Suspension of licence
- Requirement to work under supervision

Penalties

- There is no ability to impose fines, but costs are usually recovered (normally \$NZ 2,500)
- In a small professional community, publishing an Order is a significant penalty
- and, surveyors found guilty of professional misconduct have their licences reviewed annually for the next three years.

Conclusions

- Legal representation of respondents has, generally, not been helpful
- Surveyors can be too honest in the admissions they make to clients and the Surveyor General
- There is little evidence of true incompetence (that is not knowing what is right)
- There is abundant evidence of stress
 - causing ill health
 - causing tardiness

In terms of accelerated development . . .

- There are added stresses to –
 - complete work on time
 - ensure proper standards are maintained
 - by qualified staff
 - by employees
 - that adequate supervision is maintained (QA)
 - price work properly in the first instance.

The End
