

**IN THE DISTRICT COURT  
AT TAURANGA**

**I TE KŌTI-Ā-ROHE  
KI TAURANGA MOANA**

**CIV-2020-070-000210  
[2021] NZDC 13203**

BETWEEN	BRUCE JOHN CAMERON Appellant
AND	ENGINEERING NEW ZEALAND Respondent
AND	TAURANGA CITY COUNCIL Intervener

Hearing: 1 July 2021

Appearances: N King for the Appellant  
H Wilson for the Respondent  
D Fraundorfer for the Intervener

Judgment: 1 July 2021

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**ORAL JUDGMENT OF JUDGE C S BLACKIE**

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[1] This is an appeal against a decision of the Chartered Professional Engineers Council (known as CPEC) dated 20 February 2020. That decision upheld an earlier decision of the Disciplinary Committee of the Institute of Professional Engineers of New Zealand Incorporated dated 25 June 2019.

[2] The grounds of the appeal were that the appellant had:

- (a) Been denied legal representation before the Disciplinary Committee;  
and
- (b) That new information not available beforehand was provided at the original hearing before the Disciplinary Committee; and

- (c) That the matter be re-heard so that Mr Cameron be permitted legal representation and all evidence be provided to him prior to the re-hearing.

[3] The essential element of the appeal that was advanced at the hearing today was whether or not the Chartered Professional Engineers Council constituted under s 37 of the Chartered Professional Engineers of New Zealand Act 2002 were correct in finding that they did not have jurisdiction under the provisions of Appeal Regulations, to deal with issues of natural justice such as the denial of representation, and the provision of new evidence. In other words, procedural issues as distinct from factual issues.

[4] Counsel for the appellant was tailoring his submission along the lines, that is, was it within this court's jurisdiction to consider on this appeal issues relating to natural justice and procedure rather than apply initially, at least, to the High Court by way of an Application for Review.

[5] That said, shortly after the appeal hearing commenced, there was discussion between counsel, as a result of which the appellant decided to abandon the appeal on the basis that there be no application for costs.

[6] Accordingly, the appeal is now treated as abandoned and it is dismissed. This means that the orders made by the Disciplinary Committee will stand.



C S Blackie  
District Court Judge