Disciplinary Processes
for Licensed Cadastral Surveyors
in New Zealand

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The players:

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

- 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 and 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