

**In the matter of the Chartered Professional
Engineers of New Zealand Act 2002**

Appeal 12/24

AND

**In the matter of an appeal to the Chartered
Professional Engineers Council pursuant to
Section 35**

Between

Mr A
Appellant

And

Mr B
Complainant

Against a decision of

The Registration Authority under the
Chartered Professional Engineers of New
Zealand Act 2002

Decision of the Chartered Professional Engineers Council
Dated 27 August 2025

Introduction

1. Mr A (“the Appellant”) has appealed a decision made by an Investigating Committee (“the IC”) of the Registration Authority (“the RA”) to refer a complaint against him by Mr B (“the Complainant”), a Chartered Professional Engineer, to a Disciplinary Committee (“a DC”) under Rule 60(a) of the Chartered Professional Engineers Rules (No. 2) 2002 (“the Rules”).
2. The panel of the Chartered Professional Engineers Council appointed to hear the appeal (“the Appeal Panel”) has been provided with a Bundle of Documents held by the RA in relation to the case. References to specific pages within this bundle are annotated “[BOD nn]”.
3. The RA was granted leave by the Appeal Panel to be heard and provided submissions in this matter.
4. The Panel suggested the Appeal was suitable for determination on the papers and the Parties agreed. Therefore, with the agreement of the Appellant, the Respondent, and the RA, the Panel conducted the hearing on the papers.
5. Key correspondence and submissions relating to this appeal are listed in Schedule 1.

The Legislation

6. Summarised below is legislation and authority on the conduct of the Appeal, and legislation and authority considered by the Panel in deciding the Appeal.
7. The right of appeal in respect of decisions of the RA is established by s35 of the Chartered Professional Engineers of New Zealand Act 2002 (“the Act”).
8. Appeals to CPEC are by way of rehearing (s 37(2) of the Act).
9. The requirements for the appeal process are contained in the Chartered Professional Engineers of New Zealand (Appeals) Regulations 2002 (“the Regulations”).
10. The Panel is entitled to confirm, vary or reverse a decision (or part of decision) under appeal (s 37(5)(a)), refer the matter back to the RA for it to reconsider (either generally or in relation to specific matters) the whole or any part of the decision (s 37(5)(b)), and may make any decision that could have been made by the decision authority (s 37(5)(c)).
11. Following *Austin, Nichols & Co Inc. v Stichting Lodestar* [2008] 2 NZLR 141, the Appeal Panel is entitled to take a different view from the decision authority, but the Appellant carries the burden of satisfying the Appeal Panel that it should do so.

12. The District Court in *Deo v Chartered Professional Engineers Council* [2024] NZDC 22169 in applying the Court of Appeal's judgment in *Green v Green*, stated that the application of Austin, Nichols means that while it is an appellant decision-maker's obligation to "*form its own independent judgment on the merits of an appeal by way of rehearing*"..."it is still axiomatic that the appellant bears the onus of persuading the appellate court to reach a different conclusion. Of necessity, in discharging that onus the appellant must identify the respect in which the judgment under appeal is said to be in error."
13. The CIC is appointed by the RA under rule 83 of the Chartered Professional Engineers of New Zealand Rules (No 2) 2002 ("the Rules") and has delegated authority to decide under rule 56 of the Rules as to whether or not to refer a complaint to an investigating committee.

Background

14. The Appellant is a chartered professional engineer and Chartered Member of Engineering New Zealand. He is one of two directors of a land development business, Company C, the developer of the Property D in which the subject property is located. The Appellant is also the sole director and majority shareholder of Company E, the engineering consultancy engaged to design and observe the construction of the civil works associated with the subdivision.
15. The Complainant (and Respondent in this appeal) is a Chartered Professional Engineer and Chartered Member of Engineering New Zealand. He is employed by Company F, the structural engineering consultancy that was engaged by Mr and Mrs G, "the Purchaser" of Property D ("the Property"), following concerns that a timber pole retaining wall on the section was failing.
16. Specifically, following an expression of concern by a landscaper about the stability of the wall, Company F, on behalf of the Purchaser, prepared a report on 27 May 2020 that concluded the timber pole-and-wailing wall was unsound. Following consideration of the report, The City Council ("CC") issued the Purchaser with a 'notice to fix'.
17. On 4 October 2021 the Complainant raised concerns to the RA regarding a timber pole-and-wailing wall within the Property and an adjoining watercourse, noting that the Appellant had, on 11 September 2015, issued a Producer Statement 1 (PS1), calculations and drawings for the water course and associated culvert.

18. The Complainant's concern, in summary, is that the wall, as constructed, was inadequate, and that the watercourse was not formed as specified in the related consent documents. In the Complainant's opinion, this resulted in consequences for the purchasers of the Property.
19. An initial investigation of the complaint was undertaken, and on 30 June 2022 a Chair of Investigating Committees ("the CIC") referred the complaint to an IC for investigation.
20. The Appellant appealed that decision on 1 August 2022 citing four grounds of appeal. On 22 September 2022, Mr A sought leave to add one additional ground. A panel of the Council ("First Appeal Panel") was convened and, after considering submissions from all parties, granted leave to amend the appeal. An amended notice of appeal was submitted by the Appellant on 18 October 2022. The First Appeal Panel reached a decision on 10 February 2023 and stated:¹

Having found only ground 2 of the appeal proven, the decision of the Panel is to exercise its power in s 37(5)(a) of the Act to vary the decision of the CIC to refer Mr B's complaint to an investigating committee in accordance with rule 59(b) by removing reference in that decision to rule 42F(a)(iii) as an applicable ground of discipline.

The remainder of the appeal is dismissed, there being no grounds for dismissal under rules 57(a) to (e) of the Rules proven, nor ongoing prejudice to Mr A which might justify another outcome...

21. Following the First Appeal Panel's decision, the RA convened an IC which conducted an investigation, including obtaining information from the Appellant and The City Council between 12 February 2024 and 30 April 2024². The IC issued its provisional decision on 31 July 2024³ and its final decision, following a response from the Appellant⁴, on 25 September 2024⁵.
22. The IC decided to refer the complaint to a Disciplinary Committee citing the following four issues arising from the complaint:⁶

- *the design of the channel and whether it can carry the design stormwater flow;*

¹ BOD 114

² BOD 121 to 322

³ BOD 323 to 344

⁴ BOD 345 to 368

⁵ BOD 369 to 393

⁶ BOD 371

- *the design of the pole wall on the left bank of the channel adjacent to the property;*
- *the advice given to the purchaser of the property or the Council regarding constraints relating to the wall; and*
- *the wall's compliance with the Building Act and Building Code*

23. The Appellant filed a notice of appeal against the decision of the IC on 23 October 2024⁷.

Evidence received

24. Under clause 15 of the Regulations, the Council may receive any evidence that the RA would have been entitled to receive on the decision being appealed.

25. The evidence considered by this Appeal Panel in arriving at its decision included:

(a) Notice of appeal dated, and received on, 23 October 2024 (“Notice of Appeal”)

(b) The paginated Bundle of Documents [BOD 1 to 395], provided by the RA on 5 November 2024

(c) Appellant Submissions dated 17 March 2025

(d) Complainant Submissions dated 25 March 2025

(e) RA Submissions dated 28 March 2025

(f) Appellant Reply Submissions dated 11 April 2025.

(g) Additional information provided by the Appellant on 16 April 2025

26. In its letter of 16 May 2025, the Appeal Panel sought submissions from the parties and the RA on whether or not, or to what extent, there is a threshold or measure of evidence to be applied by the IC when deciding whether to refer a matter to the Disciplinary Committee.

27. The Appeal Panel received submissions from the RA on 26 May 2025 and the Appellant on 30 May 2025 in response to this request. These submissions have also been considered by the Appeal Panel in arriving at its decision.

⁷ BOD 394 to 395

Grounds of appeal and outcome sought

28. The Appellant has laid out the grounds of appeal as:⁸

Ground 1

The investigating committee erred by failing to dismiss the complaint pursuant to Rule 57(g) [sic] of the Chartered Professional Engineers of NZ rules (No. 2) 2002, in the following respects:

- (1) The Investigating Committee misdirected itself by confining its consideration of Rule 57(g) [sic] to whether there was “adequate evidence available for the matter to be referred to a Disciplinary Committee”.*
- (2) The Investigating Committee erred in concluding that there was adequate evidence available for the matter to be referred to a Disciplinary Committee.*
- (3) The Investigating Committee failed to take into account that the conduct complained of was more than six years ago, there was significant delay in making the complaint, and there have been significant delays (in breach of legal requirements) and processing the complaint to this stage.*
- (4) In all circumstances, including the fact that physical inspection of the work is no longer possible, Disciplinary Committee charges are not practicable or desirable, given the time that has elapsed since the matters giving rise to the complaint.*

Ground 2:

The Investigating Committee erred by failing to dismiss the complaint pursuant to Rule 57(e) of the Chartered Professional Engineers of NZ Rules (No.2) 2002, in the following respects:

- (1) The Investigating Committee did not properly consider the matter and confined itself in recording that CPEC on an earlier occasion found that the Complainant did have a sufficient personal interest in the matter*
- (2) The Investigating Committee failed to state its own reasons for this conclusion.*
- (3) The earlier decision of CPEC on this point was wrong in fact and in law.*

⁸ *Ibid.*

29. The Appellant is seeking a reversal of the decision to refer the complaint to a Disciplinary Committee.

Clarifications

30. The Appeal Panel acknowledges that the Appellant's reference in Ground 1 to rule 57(g) should be to rule 57(f)⁹.
31. The Appeal Panel also notes that the order of the grounds of appeal has been reversed and retitled in the Appellant's submissions. Specifically, the submissions refer to the first and second appeal grounds as "Appeal Ground 1 – Sufficient Personal Interest"¹⁰ and "Appeal Ground 2 – No Longer Practicable or Desirable to Investigate"¹¹. There is no explanation for the change and this revision has been reflected in all subsequent submissions.
32. For the avoidance of doubt, the Appeal Panel has laid out this decision in line with the ordering of the grounds in the Notice of Appeal.

Discussion – Consideration of grounds of appeal

33. This Appeal relates to the decision by the IC to refer the complaint to a DC. The investigation of a complaint by an IC is governed by rules 60 to 65, with the decision of the IC under rule 60 being to either:
- (a) refer the matter to a disciplinary committee; or
 - (b) dismiss the matter on a ground in paragraphs (a) to (f) of rule 57.

Ground 1: The IC erred by failing to dismiss the complaint pursuant to Rule 57(f)

34. Ground 1 of the Notice of Appeal contends that the IC erred by failing to dismiss the complaint under rule 57(f).
35. Rule 57(f) provides a potential ground of dismissal of a complaint (as opposed to referral to a DC) where:
- (f) *an investigation of the complaint is no longer practicable or desirable given the time elapsed since the matter giving rise to the complaint.*

⁹ Appellant Submission footnote 1 page 1

¹⁰ Appellant Submissions para 4

¹¹ Appellant Submissions para 5

36. In summary, the Appellant claims the IC misdirected itself by narrowly interpreting the rule as requiring only “adequate evidence” for referral, without considering broader factors such as:
- (a) the age of the alleged conduct.
 - (b) significant delays in lodging and processing the complaint.
 - (c) the impracticality of inspecting the physical works.
37. The Appellant also disputes that there is, in fact, ‘adequate evidence’ for referral, and asserts that, given the elapsed time and lack of access to evidence, pursuing disciplinary charges is neither practicable nor desirable. Specifically, he notes that the issues arise from events up to 10 years ago.¹²
38. The issue of practicality of the investigation was specifically addressed by the IC in their final decision, reflecting a submission from the Appellant in response to the Provisional Investigating Committee Decision:¹³

Counsel for [the Appellant] submits it is no longer practicable to further investigate the complaint given the time elapsed since the matters giving rise to the complaint. He says ‘the delay has irrevocably prejudiced a full investigation of the complaint’ noting it is around six years since any action or inaction complained of. We disagree. It is accepted that the works are no longer accessible for inspection. However, in our view there is adequate evidence available for the matter to be referred to a disciplinary committee.

39. The Appellant states:¹⁴

...the Appellant must show some error by the IC. It is clear from the IC Provisional Decision that up until July 2024, it simply did not turn its mind to the practicable or desirable test. Its final decision gives this issues [sic] cursory attention. It accepts that the works are no longer accessible. It simply asserts that there was adequate evidence available with reference to a disciplinary committee without any explanation. Further, even if it were accepted that there was “adequate evidence”, at best that deals with “practicable”. It gives no consideration to the fairness or desirability of now attempting to resolve from, at best, slight evidence, detailed engineering issues from 8–10 years ago when, through no fault of the Appellant, can the works be inspected. It is submitted that the only reasonable conclusion that you can come to is that it is no longer

¹² Appellant Submissions para 5.51

¹³ BOD 387

¹⁴ Appellant Submissions para 5.56

practicable or desirable to investigate and hold a disciplinary hearing on the four issues identified by the IC.

40. The Complainant argues that the investigation remains entirely practicable and that it is not only desirable but essential to proceed. He contends that the Appellant's unethical conduct began during the construction of the wall in May 2018 and has continued through to the present, including through the appeal process. He asserts that the Appellant and their legal team have deliberately delayed proceedings and obfuscated the issues, thereby contributing significantly to the length of the process.¹⁵

41. The RA submits that:¹⁶

The Appellant submits that the only way a disciplinary committee could resolve this conflict would be to have an independent person carry out a detailed investigation of the site, which can no longer occur as the Appellant's work has since been buried. The RA submit this is incorrect. The investigation has already been completed by the IC and it is now up to a disciplinary committee to decide whether there are sufficient grounds to uphold the complaint on the established information.

42. The RA further submits that the IC based its decision on clear and comprehensive evidence, including photographs, documentation, calculations, and designs, without needing a site visit and that such an approach is standard practice. It notes that the Appellant has not explained why a site investigation is necessary or why the existing evidence was inadequate. Regarding Issue 3, the RA argues that the Appellant's concern about investigating oral communications from over six years ago was addressed in the IC decision, which focused on the failure to provide written advice and to consider the impact of construction on the wall design. In the RA's opinion, the Appellant failed to demonstrate that the investigation was impracticable or that the IC's decision was incorrect.¹⁷

43. The Appellant's reply to the RA Submissions is that the four issues identified by the IC¹⁸ cannot be fairly resolved due to the limitations of the evidence and the burial of the physical works. They maintain that there is no reliable evidence that shows that there are problems with the stormwater channel design, pole wall construction, or compliance with the Building Code. They argue that assertions to the contrary rely on hearsay or photographs that lack

¹⁵ Respondent Submissions page 1 to 2

¹⁶ RA Submissions para 6.11

¹⁷ RA Submissions para 6.12 to 6.14

¹⁸ Refer to para. 23.

sufficient detail, and no independent verification is possible without a site inspection, which is now impossible.¹⁹

44. The Appeal Panel does not accept the Appellant's submission that the complaint should be dismissed under Rule 57(f) on the basis that the investigation is no longer practicable or desirable. While it is acknowledged that the complaint arises from activities up to 10 years ago and that the physical works are no longer accessible, this does not render the investigation or any subsequent disciplinary process inherently unfair or unworkable.
45. The Appellant has not provided any evidence as to why the passage of time has specifically disadvantaged them. They have multiple opportunities to present detailed submissions and supporting material, and we have considered all the material put before us.
46. The Appeal Panel rejects the submission that the passage of time alone renders the process undesirable. While delay is regrettable, it is not, in and of itself, determinative of whether a matter ought to be dismissed under rule 57(f). The Appeal Panel has considered the chronology of events and is satisfied that the delay has not materially prejudiced the Appellant's ability to respond to the issues nor the IC's ability to investigate.
47. The Appeal Panel rejects the submission that physical works no longer being visible renders the process undesirable. The IC's decision was based on a substantial body of documentary evidence, including photographs, engineering drawings, calculations, correspondence, and statements from both the Appellant and other parties. The IC was entitled to conclude that, regardless of the passage of time since the matters giving rise to the issues in the complaint, there was sufficient evidence of anomalies to refer the matter to a DC.
48. The Appeal Panel notes that it is not uncommon for disciplinary proceedings to proceed without access to physical works, particularly where the events in question occurred several years prior. The Rules do not require that all evidence be contemporaneous or physical in nature. Rather, the test under Rule 57(f) is whether the investigation is "*no longer practicable or desirable given the time elapsed since the matter given rise to the complaint*", and the Panel is satisfied that this threshold has not been met in the circumstances of this matter.
49. The Appellant's argument that the DC would be unable to resolve factual disputes without a site inspection is speculative. The DC will have the benefit of submissions and the opportunity to test the credibility of the evidence presented. If the DC ultimately concludes that the evidence is insufficient to support a finding, it may dismiss the complaint. That possibility does not, however, justify pre-emptively dismissing the complaint at this stage.

¹⁹ Appellant Submissions in Reply para 33 to 37

50. Furthermore, the public interest in maintaining professional standards weighs heavily against dismissal. The issues raised in the complaint relating to engineering design, compliance with consent conditions, and professional communication, are serious and go to the heart of the responsibilities of a Chartered Professional Engineer. It is in the public interest that such matters be properly examined, even if some time has passed since the events in question.
51. The Panel is therefore not persuaded that the IC erred in deciding that the complaint should be referred to a DC. The investigation remains practicable, and it is desirable that the issues be considered by a DC. The Appeal Panel does not find Ground 1 proven.

Ground 2: The IC erred by failing to dismiss the complaint pursuant to Rule 57(e)

52. Ground 2 of the Notice of Appeal contends that the IC erred by not dismissing the complaint under rule 57(e). Rule 57(e) provides a potential ground of dismissal of a complaint (as opposed to referral to a DC) where:

(e) the complainant does not have a sufficient personal interest in the subject matter of the complaint;

53. In summary, the Appellant asserts that the IC improperly relied on a prior decision by CPEC (“CPEC 2023 Decision”), which it says was ‘wrong in fact and law’ when it found the Complainant had sufficient personal interest. The Appellant says that the IC should not have relied on this decision without conducting its own assessment or providing independent reasoning.
54. Challenging the correctness of the CPEC 2023 Decision ought to have been the subject of an appeal of that decision to the District Court. However, the Appeal Panel acknowledges that the task before this Appeal Panel is to consider whether or not it is persuaded that the decision of the IC, an aspect of which appears to be adopting the reasoning of the CPEC 2023 Decision on this matter, is wrong. Further, while consistency is important, it is not bound to follow its own previous decisions.
55. On the question of the application of rule 57(e) the IC’s final decision contains the following:²⁰

Does the complainant have sufficient personal interest in the matter?

95. In its decision in relation to Ground 3 of [the Appellant’s] appeal CPEC found that [the Complainant] did have sufficient personal interest in the matter. We concur with this finding.

²⁰ BOD 387

56. With respect to the IC's approach to what constitutes sufficient personal interest under rule 57(e), the Appellant submits:²¹

...the IC made errors of approach as follows.

- (a) It relied solely on the previous decision of the Council, which was not binding in law.*
- (b) Having refined matters to four issues, and therefore four potential charges, it failed to consider the question of "sufficient personal interest" in relation to each of those issues.*
- (c) Plainly, the IC gave cursory at best consideration to Rule 57(f) [sic]. The provisional decision did not refer to it. It then received very brief, it is submitted "pro forma", reference in the final decision.*
- (d) No reasons were given for the IC conclusion on the application of Rule 57(f) [sic] on this point, except a reference to this Council's previous decision at a different stage of the process. It is submitted that as a matter of law, the Council's previous decision did not bind it, and that in any event the question needed to be reconsidered in the light of the four defined issues. At best, the Council's previous decision could only be one factor in the IC's consideration of Rule 57(f) [sic].*

57. We consider each of these in turn noting the references to rule 57(f) should be 57(e).

58. As to whether the IC relied solely on the prior decision, the Appeal Panel's view is the use of 'concur' by the IC can reasonably be assumed to equate to 'agree' rather than 'relied solely on'. The brevity of the IC's reasoning, including its reference to the finding by CPEC does not necessarily mean it did not give the matter due consideration and come to its own conclusion on this matter which concurred with the reasoning and finding by CPEC.

59. As to whether the ground in rule 57(e) should be applied to the four issues independently, rule 60 states:²²

An investigating committee must, as soon as practicable after receiving a complaint or inquiry, investigate the matter and—

(a) refer the matter to a disciplinary committee; or

(b) dismiss the matter on a ground in paragraphs (a) to (f) of rule 57.

²¹ Appellant Submission para 4.13

²² Rule 60

60. Although the use of matter rather than complaint in rule 60 adds confusion, the Appeal Panel's view is that the use of 'matter' in the rule relates to the complaint as a whole and did not require the IC to consider whether the complainant has 'sufficient personal interest' in relation to each of the individual issues identified by the IC within the complaint.²³
61. The Appellant's claim that the IC gave only cursory consideration to rule 57(e) citing the use of standard text. The Appeal Panel is of the view that the use of standard text, of itself, is not sufficient grounds to question the decision-making process. Therefore, the Appeal Panel has no reason to question whether the IC followed due process.
62. Lastly, the Appellant has argued that the CPEC 2023 Decision could only be one factor in the IC's consideration and the IC was required to give reasons for its own conclusion given it was not bound by the CPEC 2023 Decision.
63. In the Appeal Panel's view, the use of the word 'concur' by the IC is an indication that the IC did not consider itself bound by the CPEC 2023 Decision, rather, that it had considered the reasoning in that decision and decided to adopt it.
64. The Appellant has submitted that the IC made four errors in their approach to considering if the Complainant had sufficient personal interest in the subject matter of the complaint as per rule 57(e). Setting aside how the IC reached the decision, the Appeal Panel has considered the information provided to the IC and agrees with the conclusion reached by the IC, i.e., that there was sufficient personal interest in the subject matter of the complaint.
65. The Appeal Panel does not find Ground 2 proven and there is no basis to vary or reverse or return the RA's decision.

Findings

66. The Appeal Panel has considered the grounds of appeal cited by the Appellant, the Appellant's Submissions, the RA Submissions and the Appellant's Submissions in response, and the contents of the BOD.
67. The Appeal Panel finds that none of the grounds for appeal were proven.
68. The appeal is dismissed and the RA's decision to refer the complaint against the Appellant to a Disciplinary Committee is upheld.

Costs

69. CPEC is empowered to award costs on determining an appeal.²⁴

²³ BOD 371 and 340 to 344

²⁴ Section 37(5)(d) of the Act.

70. If the Respondent and/or RA consider they are entitled to and wish to seek an order for costs, submissions must be made to the Appeal Panel within 5 Working Days of this decision. The Appellant may make submissions in reply within a further 5 Working Days.
71. Submissions are to be no longer than 5 pages including any schedules or appended information.
72. If sought, the Appeal Panel will decide costs on the papers.

Right of appeal

73. In accordance with s 35 of the Act either party may appeal this decision to the District Court within 28 days.

Dated 27 August 2025

Signed by the Appeal Panel



Simonne Eldridge
Principal



Megan Neill



Dr Carron Blom

Schedule 1 - Key correspondence and submissions

- (a) Notice of Appeal by email (23 October 2024)
- (b) Email from the CPEC Executive Officer to the Appellant, acknowledging receipt of Notice of Appeal and outlining the appeal process (29 October 2024).
- (c) Email from RA containing link to BOD (5 November 2024).
- (d) Email from the CPEC Executive Officer naming Panel members, identifying RA contact, and addressing and communications. (27 January 2025).
- (e) Email from RA acknowledging email from CPEC Executive Officer (27 January 2025).
- (f) Email from Appellant's Counsel acknowledging email from CPEC Executive Officer (27 January 2025).
- (g) Letter from Appeal Panel confirming the appeal process, grounds of appeal, relief sought, establishing submissions schedule, the hearing process and communications (24 February 2025).
- (h) Email from RA acknowledging receipt of the letter from the Panel dated 24 February 2025, confirming the RA wishes to make submissions and the RA contact details (24 February 2025).
- (i) Email from Appellant's Counsel acknowledging receipt of the letter from the Appeal Panel dated 24 February 2025 (24 February 2025).
- (j) Email from Complainant acknowledging receipt of the letter from the Appeal Panel dated 24 February 2025 (24 February 2025).
- (k) Email from Appellant acknowledging receipt of the letter from the Appeal Panel dated 24 February 2025 (24 February 2025).
- (l) Email from Appellant's Counsel requesting an extension of time for submissions (14 March 2025).
- (m) Email from RA confirming they have not objection to the extension of time for submissions and requesting a corresponding extension to their submission deadline (14 March 2025).
- (n) Email from Appeal Panel acknowledging response from RA and asking other parties to respond to the RA's request to the extension of time for submissions (14 March 2025).

- (o) Email from Appellant's Counsel confirming the Appellant has no objection to the RA's request for an extension of time for submissions (14 March 2025).
- (p) Email from the RA querying the use of significant in the Appeal Panels email of 14 March 2025 (14 March 2025).
- (q) Email from the Appeal Panel clarifying the use of significant (14 March 2025).
- (r) Email from Complainant in response to various emails of 14 March 2025 (14 March 2025)
- (s) Submissions from the Appellant (17 March 2025).
- (t) Email from Appeal Panel acknowledging receipt of the Appellant submissions (17 March 2025).
- (u) Submissions from the Complainant (25 March 2025).
- (v) Email from Appeal Panel acknowledging receipt of the Complainant submissions (25 March 2025).
- (w) Email from the Appellant's Counsel acknowledging receipt of the Complainant submissions (26 March 2025).
- (x) Submissions from the RA (28 March 2025).
- (y) Email from Appeal Panel acknowledging receipt of the RA submissions (28 March 2025).
- (z) Email from Appellant's Counsel acknowledging receipt of the RA submissions (28 March 2025).
- (aa) Email from Complainant acknowledging receipt of the RA submissions (28 March 2025).
- (bb) Submissions from the Appellant in response to the RA and Complainant Submissions (11 April 2025).
- (cc) Email from Appeal Panel acknowledging receipt of the Appellant reply submissions (11 April 2025).
- (dd) Email from RA acknowledging receipt of the Appellant reply submissions (11 April 2025).
- (ee) Email from Complainant acknowledging receipt of the Appellant reply submissions (11 April 2025).

- (ff) Letter from Appellant's Counsel attaching documents referred to in the Appellant's submission of 17 March 2025 that were not included in the Bundle (16 April 2025).
- (gg) Letter from the Appeal Panel Principal proposing to decide the appeal on papers and requesting further submissions from the parties (16 May 2025).
- (hh) Email from RA acknowledging receipt of the letter from the Panel dated 16 May 2025 (19 May 2025).
- (ii) Email from Appellant's Counsel acknowledging receipt of the letter from the Panel dated 16 May 2025 (19 May 2025).
- (jj) Email from Complainant acknowledging receipt of the letter from the Panel dated 16 May 2025 (19 May 2025).
- (kk) Submissions from RA in response to Appeal Panel request of 16 May 2025 and confirming that they agree to the appeal being decided on papers (26 May 2025).
- (ll) Email from the Complainant confirming that they agree to the appeal being decided on papers (26 May 2025).
- (mm) Email from the Appellant's Counsel confirming that they agree to the appeal being decided on papers and that submissions will be provided as per the Appeal Panel request of 16 May 2025 and in response to the RA submissions of 26 May 2025 (29 May 2025).
- (nn) Submissions from RA in response to Appeal Panel request of 16 May 2025 and in response to the RA submissions of 26 May 2025 (30 May 2025)
- (oo) Letter from the Appeal Panel confirming that the appeal will convene to hear the Appeal on the papers in the week commencing 7 July 2025 (23 June 2025).
- (pp) Email from the Complainant acknowledging receipt of the letter from the Appeal Panel dated 23 June 2025 (23 June 2025).
- (qq) Email from the RA acknowledging receipt of the letter from the Appeal Panel dated 23 June 2025 (23 June 2025).
- (rr) Email from the Appellant's Counsel acknowledging receipt of the letter from the Appeal Panel dated 23 June 2025 (23 June 2025).