Plumbers, Gasfitters and Drainlayers Board

RADOVICH v SEN

Plumbers, Gasfitters & Drainlayers Board Disciplinary Decision (2025/10)

Summary

Jai Sen, Certifying Plumber, Certifying Gasfitter, Certifying Drainlayer, was charged with improper conduct in carrying out gasfitting rendering him unfit to be registered or licensed in relation to the installation of a gas oven and hot water heater at a property in Pukekohe, Auckland | Tamaki Makaurau in 2022.

The matter proceeded by way of formal proof.

The investigator's case was that the gasfitting work had been carried out by Vinit Prakash who did not hold any authorisation to carry out gasfitting work. Without attending the property or inspecting the gasfitting work, Mr Sen provided Mr Prakash with a pre-signed blank gas certificate and told him to fill in the details.

When a subsequent gasfitter attended the property to carry out other gasfitting work, he identified a number of defects with the gasfitting carried out by Mr Prakash and made a complaint to the Board. During the investigation of the complaint, Mr Sen lied to the investigator saying that he had carried out the work with Mr Prakash's assistance and persuaded Mr Prakash and another registered practitioner to lie about his involvement.

Charges were laid against Mr Sen for negligent or incompetent work and allowing an unauthorised person to carry out gasfitting. Prior to the hearing, Mr Sen admitted that he had not been involved in the gasfitting work and had provided a blank, pre-signed gas certificate to Mr Prakash.

The charges against Mr Sen were withdrawn and during a further investigation, Mr Prakash and the other practitioner admitted Mr Sen was now telling the truth and that they had lied to the investigator saying Mr Sen had carried out the work. A charge of improper conduct was then laid against Mr Sen as a result of the second investigation.

The Board was satisfied from the investigator's evidence that, without visiting the property or inspecting the work, Mr Sen had provided Mr Prakash with a pre-signed blank gas certificate and told him to complete it. Mr Sen had then lied to the investigator about his involvement in the work and had persuaded Mr Prakash and the other practitioner to also

lie about his involvement. The Board was satisfied that this amounted to improper conduct on Mr Sen's part.

The Board considered Mr Sen's offending was highly serious and rendered him unfit to be registered and licensed. Mr Sen's extensive previous disciplinary offending was considered to be an aggravating factor involving, as it did, previous negligent or incompetent gasfitting, supervision failings, and issuing a false or misleading gas certificate. The Board considered there were no mitigating factors in the case.

The Board ordered Mr Sen's certifying gasfitter registration and licence be cancelled from 9 February 2026 and he is ordered not to apply to be re-registered and re-licensed for a period of five years from this date. Mr Sen was also ordered to pay $21,987.92 towards costs.

IN THE MATTER OF a disciplinary hearing pursuant to section 101 of the Plumbers, Gasfitters, and Drainlayers Act 2006

BETWEEN **WAYNE RADOVICH**

Investigator

AND **JAI SEN**
Certifying Plumber, Certifying Gasfitter, Certifying Drainlayer, of Auckland | Tamaki Makaurau

Registered Person

DECISION OF THE BOARD ON LIABILITY
26 JANUARY 2026

Hearing:	Held in Wellington | Te Whanganui-a-Tara on 3 September 2025
Members sitting:	Martin de Gouw (Chair), James Smith, Selwyn Hikuroa, Beth Healey, Tofa Suafole Gush
Counsel:	Elena Mok for the investigator
Legal advisor:	Juliet Philpott

Disciplinary hearing

1. On 8 October 2025, the Plumbers, Gasfitters and Drainlayers Board (**Board**) held a disciplinary hearing to consider a complaint by Bryce Tribe against Jai Sen, Certifying Plumber, Certifying Gasfitter, Certifying Drainlayer.

Charge

2. By Notice of Disciplinary Charges dated 24 March 2025, Mr Sen was charged with improper conduct in performing gasfitting work, which is a disciplinary offence under section 89(i) of the Plumbers, Gasfitters, and Drainlayers Act 2006 (**Act**).

Formal proof hearing

3. On behalf of the investigator, Ms Mok sought to have the hearing proceed by way of formal proof. The Board confirmed that Mr Sen had been provided with all the documentation relating to the hearing, including the time and date of the hearing and how to attend.

4. Being satisfied that Mr Sen was aware of the hearing but was not in attendance, the Board determined that the hearing could proceed by way of formal proof.

Statement of agreed and disputed facts

5. Ms Mok advised that Mr Sen had initially engaged in the disciplinary hearing process but had ceased engaging after a short period. Before disengaging, the investigator and Mr Sen agreed and filed a statement of agreed and disputed facts.

6. The agreed facts were as follows:

    a. Mr Sen is a registered and licensed certifying plumber, certifying gasfitter, and certifying drainlayer. Mr Sen held current practising licences at the material times.

    b. Amit Kumar is a registered and licensed certifying plumber.

    c. In February 2022, Mr Kumar was the lead contractor on works at a residential property in Pukekohe, Auckland | Tamaki Makaurau. On 12 February 2022, Mr Kumar arranged for Vinit Prakash to carry out gasfitting work at the property involving the installation of a LPG oven and gas hot water heater.

    d. Mr Prakash did not hold a licence to do gasfitting and was not otherwise authorised to do this work under the Act.

    e. Mr Prakash completed a Gas Safety Certificate (**certificate**) for the work. The certificate had Mr Sen's signature on it.

f. Mr Sen did not assist with the gasfitting work Mr Prakash carried out and did not attend the property or inspect the work at any time.

g. On the certificate, Mr Prakash recorded that the gasfitting was low risk and the work was safe and compliant. It was none of these things. Parts of the certificate were also incomplete.

h. The certificate was provided to the property owner when the work was completed.

i. In June 2022, the property owners engaged Mr Tribe to carry out other gasfitting work at the property. While carrying out this work, Mr Tribe identified several issues with the work carried out by Mr Prakash. He subsequently made a complaint to the Board and a technical advisor to the Board identified the following issues with the work:

   i. there was no restraint on the oven for the gas line, contrary to clauses 2.6.2 and 6.2.14 of the mandatory gas standard AS/NZS 5601.1 (**Standard**)

   ii. there was no tilt restraint on the oven, contrary to clause 6.10.1.11 of the Standard

   iii. the oven was installed lower than the wooden benchtop, contrary to clauses 2.6.2 and 6.10.1.1(c) of the Standard

   iv. the gas hose was twisted, subjecting it to additional stress risking it failing prematurely

   v. gas seal tape has been applied to flare connections risking them not sealing properly which could lead to a gas leak, contrary to regulation 9 of the Gas (Safety and Measurement) Regulations 2010 (**Regulations**) and clause 11.2 of the Building Code (**Code**).

j. The technical advisor considered the work presented a high risk of harm to persons or property because of the risk of a gas leak.

k. Wayne Radovich was appointed to investigate Mr Tribe's complaint in September 2022.

l. During the investigation, Mr Kumar, Mr Prakash, and Mr Sen made various false statements to the investigator about their involvement in the work, including:

   i. Mr Kumar and Mr Prakash told the investigator that Mr Sen had done the work, and Mr Prakash had assisted him.

   ii. Mr Kumar told the investigator he engaged Mr Prakash, who worked with Mr Sen, to do the work.

iii. Mr Kumar told the investigator he was on the job and focused on his job only while they did their job and that he did not have any knowledge of gasfitting work so could not assist them.

iv. Mr Kumar told the investigator both Mr Prakash and Mr Sen were on site when the work was done. He stated he had known Mr Prakash before and he had put him in touch with Mr Sen.

v. Mr Prakash told the investigator he had helped Mr Sen on the property on 12 February 2022 and that he was just helping with the gasfitting work. He said Mr Sen had contacted him about doing the work.

vi. Mr Sen told the investigator he had completed the work with Mr Prakash's assistance, making specific claims of having spoken to the homeowner about the height of the bench and being told the kitchen would soon be renovated, and how they had checked that everything was safe and in working condition before they left the property. Mr Sen also provided the investigator with false notes from a diary purporting to be from the job.

vii. Mr Sen provided the investigator with Mr Prakash's licence number (which related to an authorisation to do plumbing only) and details of the work Mr Prakash had done to assist him.

viii. Mr Sen reiterated on a further occasion that Mr Prakash had been at the property to assist him with doing gasfitting work.

m. On 21 February 2023, at the conclusion of the investigation disciplinary charges were laid against Mr Sen in respect of the issues with the gasfitting work and Mr Prakash's lack of an authorisation to do gasfitting.

n. In March 2023, at a pre-hearing teleconference, Mr Sen advised that he intended to defend the charges and stated that he had carried out the gasfitting work at the property and Mr Prakash had only assisted him.

o. Later, in June 2023 after the investigator's witness statements had been submitted confirming the account set out above, Mr Sen advised the Board's Hearings Manager that:

i. he wished to plead guilty to the charges

ii. he had not done the gasfitting work at the property and had not gone to the property

iii. the gasfitting was done by Mr Prakash

iv. he had claimed to have done the work to save Mr Prakash and his own licence

v. only Mr Sen's signature was on the certificate.

p. Mr Kumar and Mr Prakash subsequently confirmed they had made false statements about the job at Mr Sen's request.

7. The facts that were in dispute between the parties were as follows:

a. Mr Sen disputed that he gave Mr Prakash a blank certificate with his signature on it. His position was that he did not know how Mr Prakash got his signature. The investigator's position was that Mr Sen provided a signed blank certificate to Mr Prakash and let him fill in the remainder.

b. Mr Sen disputed that he told Mr Prakash to fill in the remainder of the certificate after he completed the work. The investigator's position was that Mr Sen did do so.

c. Mr Sen disputed that he permitted Mr Prakash to carry out gasfitting work without him and denied being aware of the job beforehand. He claimed neither Mr Prakash, nor Mr Kumar contacted him about the work or asked him to inspect it. The investigator's position was that Mr Sen became aware of the job at some point, at which time he provided the signed certificate, and that he should taken further steps at that time. Further, the investigator's position was that Mr Prakash did ask Mr Sen to come to the property.

d. Mr Sen disputed that he told Mr Kumar and Mr Prakash to lie to the investigator and say he did the work and that he would take care of things and provide false information otherwise he would lose his licence. The investigator's position was that he did tell Mr Kumar and Mr Prakash these things.

Summary of investigator's submissions

8. Ms Mok submitted that the Board had to be satisfied on the balance of probabilities that Mr Sen was guilty of a disciplinary offence before it could exercise its disciplinary powers.

9. Ms Mok submitted that the evidence would establish that Mr Sen's conduct in this case had been improper rendering him unfit to be registered or licenced. She submitted Mr Sen had provided a pre-signed gas certificate to Mr Prakash, an unauthorised person, in respect of work Mr Prakash had done at the property. Mr Sen had allowed the gasfitting work to be certified in circumstances where he had not carried out the work and had not visited the property to inspect the work. And Mr Sen had made false statements to the investigator about his involvement with the work and had Mr Kumar and Mr Prakash also make false statements about who had done the work. Ms Mok submitted that any or all of the above amounted to misconduct on Mr Sen's part.

10. Ms Mok submitted that Mr Sen disputed providing Mr Prakash with a signed certificate, telling him to complete the remaining details on the certificate, or permitted him to carry out gasfitting work without him. However, Ms Mok submitted that Mr Prakash's evidence was that Mr Sen provided him with the certificate which included Mr Sen's signature but was otherwise blank and that he completed the blank sections of the certificate. Mr Prakash also stated that he told Mr Sen when the job was finished and asked him to come and inspect the work. He said Mr Sen refused and told him to provide the certificate to the property owner.

11. Ms Mok submitted that while Mr Sen disputed giving Mr Prakash the signed, blank certificate, Mr Prakash could not provide the certificate himself as he was not a certifying gasfitter. Given that Mr Sen accepted that it was his signature on the certificate, she submitted that it was evident that, at some point, Mr Prakash either asked Mr Sen for the certificate or Mr Sen offered it to him. She submitted that it was implausible that Mr Prakash would have obtained the certificate with Mr Sen's signature on it from any other person and that Mr Prakash's evidence was to be preferred on this point.

12. Ms Mok also referred to statements made by Mr Sen during the investigation in which he stated that he did give the signed certificate to Mr Prakash on the condition that they do the job together. Mr Sen claimed to have made a big mistake doing so and had learnt not to give signed certificates to anyone and not to believe anyone else unless he was doing the gasfitting work himself or with someone else on the site.

13. Ms Mok submitted that Mr Sen providing a pre-signed certificate was plainly improper for several reasons. Mr Prakash was not authorised and was not permitted to do gasfitting work. By providing a pre-signed certificate, Mr Sen enable a person who was not qualified to do this work. By allowing Mr Prakash to complete the certificate, Mr Sen enabled him to complete it incorrectly including misrepresenting that the installation was safe and compliant when it posed a high risk to persons and property. Finally, Mr Sen allowed the work to be certified in his name when he had not personally carried out the work or attended the property to inspect it despite the certificate recording that he had.

14. Ms Mok submitted that Mr Sen's conduct in providing the pre-signed certificate to Mr Prakash was highly improper and had an adverse bearing on his fitness to be registered and licensed. As a certifying gasfitter, Mr Sen would have been well aware of the importance of certifying work: something the Board had emphasised many times in previous disciplinary cases. She submitted that Mr Sen's conduct demonstrated a deliberate and serious disregard for his obligations in this respect.

15. Ms Mok submitted that some of Mr Sen's conduct after Mr Tribe made his complaint was also improper. Mr Sen made various false statements to the investigator during the subsequent investigation of the complaint about his involvement in the work, claiming that he had carried out the gasfitting with Mr Prakash's assistance. He also asked Mr Kumar and Mr Prakash to make false statements to the investigator that

he, Mr Sen, had carried out the work and Mr Prakash had only assisted him. It was only after disciplinary charges were laid against Mr Sen in respect of him carrying out the work and allowing Mr Prakash, an unauthorised person, to assist him that he stated that he had not carried out the work.

16. Ms Mok submitted that that it did not appear from the statement of agreed and disputed facts that Mr Sen disputed that the statements he had made to the investigator about his involvement in the work were false, or that Mr Kumar's and Mr Prakash's statements about his involvement were false. Rather, she submitted that Mr Sen disputed that he had told Mr Kumar and Mr Prakash to make those false statements.

17. Ms Mok submitted that the investigator relied on the statements of Mr Kumar and Mr Prakash on that issue. Mr Kumar's evidence was that Mr Sen "begged" him to make the statements to the investigator, which he did because he felt sorry for his situation. Similarly, Mr Prakash's evidence was that Mr Sen encouraged him to lie about him (Mr Sen) doing the work. Mr Prakash told Mr Sen that they should tell the truth but Mr Sen disagreed. Mr Prakash also said that Mr Sen told him not to say anything when he provided him with the signed, blank certificate and told him to fill in the details after completing the work.

18. Ms Mok submitted that the investigator also relied on statements made by Mr Sen during the investigation which were consistent with the evidence of Mr Kumar and Mr Prakash that he told them to lie. These included Mr Sen accepting responsibility for providing false information about who had done the work and his admissions to the Hearings Manager that he had initially claimed he had done the work to "save" Mr Prakash who did not have a licence. Finally, Ms Mok submitted that Mr Sen's signature on the certificate despite his lack of involvement with the work and failure to inspect it was clear motivation for him to encourage Mr Kumar and Mr Prakash to mislead the investigator about the true extent of his involvement with the work, or lack thereof.

19. Ms Mok submitted that if the Board were satisfied that Mr Sen not only lied to the investigator himself but also encouraged Mr Kumar and Mr Prakash to provide false information, such conduct was plainly improper in relation to the performance of gasfitting and rendered him unfit to be registered or licensed as a gasfitter. She submitted that the complaints and disciplinary process was an important mechanism for ensuring the public was kept safe and public confidence in the industry was maintained through proper industry standards. She submitted that it was fundamental that registered practitioners cooperate with complaints and investigations processes and provide truthful information when doing so.

20. Ms Mok submitted that Mr Sen's actions in lying to the investigator and convincing others to also lie was directly connected with the performance of gasfitting work. This was because he had done so to conceal his actions in providing Mr Prakash with a pre-signed certificate despite his lack of involvement with the work or inspecting

the work. Similarly, Mr Sen's conduct after the complaint and during the investigation was directly connected to circumstances in which the work was carried out as it involved misleading the investigator both personally and through others as to who had performed the work.

21. Ms Mok submitted that, for the reason set out, the evidence would establish that Mr Sen was guilty of the charge of improper conduct under section 89(i) of the Act.

Summary of evidence – Wayne Radovich

22. The first witness was the investigator, Wayne Radovich. The Board considered his evidence contained in a written statement dated 4 July 2025.

23. Mr Radovich described the investigation into Mr Tribe's complaint which began when he was appointed by the Registrar of Plumbers, Gasfitters, and Drainlayers on 6 September 2022.

24. Mr Radovich stated that Mr Tribe's complaint related to gasfitting work carried out by Mr Prakash, who was not registered and licensed or otherwise authorised to do gasfitting work. He stated that one of the key allegations considered in relation to the complaint was that Mr Sen had provided Mr Prakash with blank certificate of compliance and gas safety certificate for the work which he had signed but which was otherwise incomplete.

25. Mr Radovich described how he had contacted Mr Sen about Mr Tribe's complaint and Mr Sen had confirmed that he had carried out the gasfitting work and provided a diary note in respect of the work. Mr Sen also told Mr Radovich that a plumber named "Amit" had been onsite. In response to Mr Radovich's inquiry, Mr Sen had provided the full name and licence number of Vinit Prakash which revealed that Mr Prakash was not authorised to carry out gasfitting work.

26. Mr Radovich followed up with Mr Kumar who advised he had no involvement with the gasfitting work and he had seen both Mr Sen and Mr Prakash at the property.

27. Mr Radovich described obtaining a technical assessment of the gasfitting work and questioning Mr Sen further about Mr Prakash's lack of authorisation to do gasfitting. Mr Sen advised Mr Prakash had only been assisting him. Mr Radovich also sent a series of questions to Mr Prakash who responded.

28. Mr Radovich then prepared a preliminary investigation report which he provided to Mr Sen and invited him to provide any comments. No comments were received and Mr Radovich stated he finalised his report recommending that Mr Tribe's complaint be considered by the Board.

29. Mr Radovich stated that on 17 February 2023, disciplinary charges were laid against Mr Sen for carrying out non-compliant gasfitting work and allowing Mr Prakash, an unauthorised person, to assist with doing gasfitting.

30. Mr Sen indicated that he would defend that charges against him and the usual pre-hearing steps were taken in relation to the matter including filing of the investigator's evidence. This included signed statements from Mr Prakash confirming what he had told Mr Radovich during the investigation. Following receipt of the investigator's evidence, Mr Radovich stated that Mr Sen rang the Board's Hearings Manager and told her that he had not completed the gasfitting work at the property and had never even been to the property. He said he had not completed the certificate and it was Mr Prakash who had carried out the work and completed the certificate.

31. Mr Radovich stated that, in response to what Mr Sen had told the Hearings Manager, he contacted Mr Prakash and asked him to confirm whether what he said was true. Mr Prakash confirmed that Mr Sen was now telling the truth, that Mr Sen had told him not to say anything when he provided Mr Prakash with the signed certificate and asked him to fill in the details, and that he had asked Mr Sen to come and inspect the work but Mr Sen had refused to do so.

32. Mr Radovich stated he also contacted Mr Kumar about what Mr Sen had told the Hearings Manager, and Mr Kumar confirmed that Mr Sen was now telling the truth. Mr Kumar admitted providing false information during the investigation because Mr Sen had begged him to lie about the circumstances of the job. Mr Prakash and Mr Kumar subsequently filed signed statements confirming the information they had provided in response to Mr Radovich's latest enquiries.

33. Mr Radovich described withdrawing the charges against Mr Sen alleging he had carried out non-compliant work and allowed an unauthorised person to assist in doing gasfitting work. Mr Radovich was then re-appointed to investigate Mr Tribe's complaint in light of the new information provided.

34. Mr Radovich described carrying out further enquiries with Mr Sen, Mr Kumar and Mr Prakash. During the second investigation, Mr Radovich stated Mr Sen admitted giving the signed certificate to Mr Prakash but claimed he told him he could not do the gasfitting work without him. Mr Kumar also admitted that he had contracted Mr Prakash to do the gasfitting work as he did not have the authorisation necessary to carry out gasfitting work.

Summary of evidence – Vinit Prakash

35. The second witness was Mr Prakash. The Board considered Mr Prakash's evidence contained in a written statement dated 3 July 2025.

36. Mr Prakash stated that he carried out the gasfitting work at the property and accepted that he was not authorised in any way to do gasfitting. Mr Prakash referred to the two signed statements he had made in relation to the work at the property. In the first statement he stated he had been asked to help install a new oven and gas hot water heater at the property. Mr Sen had been the main gasfitter on site and he has asked Mr Prakash to assist him, which Mr Prakash had done. He stated he had

done the pre-line work for the cooktop and water heater and had put some clips on pipework. He confirmed he was not authorised to do gasfitting work and was just helping Mr Sen out.

37. In Mr Prakash's second statement, he stated he had completed the gasfitting work at the property. Mr Sen knew he had done the work but told him not to say anything and provided him with a signed certificate and told him to fill in the details after completing the job. Mr Prakash stated he told Mr Sen when the job was done and asked him to come and see it, but Mr Sen refused and told him to provide the certificate to the customer. Mr Prakash admitted that what he had said in his first statement was not true and he had said it because Mr Sen asked him to. He confirmed that his second statement was the true version of events and Mr Sen had never come to the property.

Summary of evidence – Amit Kumar

38. The final witness was Mr Kumar. The Board considered Mr Kumar's evidence contained in a written statement dated 29 June 2023.

39. Mr Kumar described his exchanges with Mr Radovich in July 2022 during his investigation into Mr Tribe's complaint. He told Mr Radovich that he had contracted Mr Prakash to do the gasfitting work at the property who worked for Mr Sen. He also told Mr Radovich he did not know who had actually done the gasfitting as he had been focused on his job only. He did tell Mr Radovich that both Mr Prakash and Mr Sen had been at the property.

40. Mr Kumar stated that in June 2023, Mr Radovich had contacted him saying Mr Sen had advised that he had not done the gasfitting work and that Mr Prakash had and the reason Mr Sen had said he had done the gasfitting work was to save Mr Prakash and his own licence. Mr Radovich also told him that Mr Prakash had completed the certificate and Mr Sen had only signed it. Mr Prakash had also said he had gotten the job from Mr Kumar and had not told Mr Sen about it.

41. Mr Kumar responded to Mr Radovich telling him Mr Sen was now telling the truth. He admitted Mr Sen had not been on site as he had previously said and that Mr Sen had begged him to say what he had said. Mr Kumar stated that he felt sorry for Mr Sen and had made the false statements under pressure. Mr Kumar apologised for making the false statements.

Board deliberations

42. Having considered the evidence provided by the investigator, the Board was satisfied on the basis of the agreed facts and Mr Prakash's evidence that the gasfitting work, which involved installing a LPG oven and gas water heater, had been carried out by Mr Prakash. Mr Prakash had not been registered or licensed or otherwise authorised to carry out gasfitting work at the time he carried this work out.

43. The Board was satisfied from the evidence that Mr Sen had provided Mr Prakash with a certificate to complete which he had pre-signed. Mr Sen claimed he did not know where Mr Prakash got his signature for the certificate, but the Board considered that such a claim was inconsistent with his response to the investigator that he had given Mr Prakash the signed certificate but had told him they had to do any gasfitting job together. Such a claim was also inconsistent with Mr Prakash's second statement which the Board accepted was true.

44. The Board concluded that Mr Sen did engage in improper conduct when performing gasfitting because he had provided Mr Prakash with the signed certificate for him to complete despite Mr Prakash not being authorised to do gasfitting or certify gasfitting work. By doing so, Mr Sen allowed the gasfitting work to be certified in his name when he had not carried out the work and had not attended the property to inspect the installation to check that it was safe and compliant.

45. The Board also concluded from the evidence of Mr Prakash and Mr Kumar that during the first investigation into Mr Tribe's complaint, Mr Sen had told both Mr Prakash and Mr Kumar to make false statements to the investigator about who had done the gasfitting work, which they both did. The Board was also satisfied from Mr Sen's admissions to the investigator that he had also made false statements and provided false information about his involvement in the work. The Board considered that this conduct was also improper and related to the performance of the gasfitting work.

46. Being satisfied that all the particulars of the charge against Mr Sen were made out, the Board determined that Mr Sen was guilty of improper conduct in this case.

Summary of investigator's penalty submissions

47. Ms Mok submitted that the purpose of disciplinary proceedings was not to punish but to ensure public protection and maintenance of proper industry standards through both specific and general deterrence. Other principles that were relevant to assessing penalty were the importance of treating practitioners consistently where possible and the need to impose the least severe penalty appropriate to ensure the relevant principles and purposes of disciplinary proceedings were met in the case.

48. Ms Mok submitted that Mr Sen's conduct in both providing the pre-signed certificate to an unauthorised person to complete and in providing false information to the investigator both directly and through others was highly serious.

49. Ms Mok submitted that gasfitting work was inherently dangerous if not undertaken properly by appropriately trained and skilled people. Mr Prakash had never held an authorisation to do gasfitting work and did not have that training or skills required resulting in work that had multiple defects and posed a safety risk to people and property. She submitted that Mr Sen took no steps to attend the property or inspect the installation despite Mr Prakash asking him to do so.

50. Ms Mok submitted that in addition to failing to appreciate that he needed to satisfy himself that the gasfitting work was safe and compliant, Mr Sen provided Mr Prakash with a pre-signed certificate for the work. Ms Mok submitted that, far from a box ticking exercise, a gas certificate is a formal and legal declaration that is relied on by the homeowner to assure them that their gas installations are compliant and safe to use. Only certifying gasfitters can issue certificates. Mr Sen simply handed a pre-signed blank certificate to Mr Prakash without any attempt to view or verify the work and told him to fill the certificate in himself. As a result, gasfitting work which was defective was declared to be safe and compliant and falsely represented that it had been certified by Mr Sen when it had not.

51. Ms Mok submitted that Mr Sen's conduct was further aggravated by that fact that he facilitated the provision of false information to the investigator to conceal his conduct in providing the pre-signed certificate without inspecting the work. Mr Sen not only provided false information himself he encouraged others to do so as well. Ms Mok submitted that Mr Sen's improper conduct was considerable given the false information resulted in disciplinary charges being filed and Mr Prakash providing a statement to the investigator in support of those charges attesting to the truth of the false information.

52. Ms Mok submitted that a charge under section 89(i) required a high level of impropriety given it reflected adversely on the registered person's fitness to be registered or licensed. She submitted that there were, therefore, limited cases dealing with such charges. She referred the Board to the cases of *Cannell v Kovacs* (2023/15) and *Pidgeon v Browne* (2023/14). In *Kovacs*, Mr Kovacs pleaded guilty to charges including improper conduct under section 89(i) in relation to supplying a pre-signed gas certificate template to three tradesman gasfitters. 91 certificates were issued using the template in respect of 89 properties and while Mr Kovacs had some awareness of the jobs and viewed photographs, the Board considered this was not sufficient for him to ensure the work was safe and complaint. Mr Kovacs' conduct was considered highly serious and the Board determined that the starting point for the penalty in his case should be a 12-month suspension.

53. Ms Mok submitted that Mr Kovacs' case involved a significant number of pre-signed certificates issued without inspections. However, there was no evidence any of the work certified was defective. Further, Mr Kovacs cooperated fully and honestly with the investigation. Ms Mok submitted Mr Sen's conduct in wilfully misleading the investigator for a considerable period of time and providing a pre-signed certificate to an unauthorised person made Mr Sen's conduct more serious and warranting a more significant penalty.

54. In the case of *Browne*, Mr Browne, a tradesman gasfitter, pleaded guilty to charges including improper conduct in performing gasfitting work. Mr Browne installed a non-room-sealed instantaneous gas water heater at a residential property which posed a risk to the occupants due to excess carbon monoxide in the space. Mr Browne also issued a certificate for the work using his supervisor's details without his supervisor's knowledge or permission. The certificate was also false and misleading stating the work had been carried out lawfully and was safe and compliant when it

was not. The Board suspended Mr Browne's gasfitting registration for six months and imposed a fine of $4,000.

55. Ms Mok submitted the present case was similar to *Browne* in that it involved a false and misleading certificate for gasfitting at a single property where there were similar safety defects with the work. However, she submitted that improper conduct in the present case was more extensive as Mr Sen directed an unauthorised person to complete a pre-signed certificate without viewing the work. Mr Sen also took steps to mislead the investigator about the extent of his involvement in the work, making the present case considerably more serious.

56. Ms Mok submitted that Mr Sen's extensive disciplinary history was a significant aggravating factor in the case. She submitted that since 2021, Mr Sen had been found guilty of five disciplinary convictions involving supervision failings, negligent or incompetent gasfitting, and issuing a false or misleading gas certificate. Mr Sen had been fined and ordered to complete two different training courses. In his most recent disciplinary hearing, Ms Mok submitted that Mr Sen had been put on notice that any further disciplinary findings could result in the loss of his registration or licence. Despite this, she submitted he had continued to engage in the offending that was the subject of the present charge.

57. Ms Mok submitted that it was particularly concerning that Mr Sen was facing charges in relation to an unsafe/non-compliant gas installation for the third time. She submitted that his failure to attend the property and inspect the work when Mr Prakash asked him to suggested that either Mr Sen still did not understand his obligations as a certifying gasfitter, or he disregarded those obligations. She submitted that providing an unauthorised person with a pre-signed gas certificate for them to completed supported the latter and indicated that Mr Sen was unfit to practise as a certifying gasfitter.

58. Ms Mok submitted that it was also concerning that Mr Sen had stopped engaging with the disciplinary process. His history, combined with his non-engagement in the present proceedings also suggested Mr Sen did not take his professional obligations seriously and was unfit to be a certifying gasfitter.

59. Ms Mok acknowledged that before disengaging with the disciplinary process, Mr Sen had agreed to some of the facts relevant to the charge which had narrowed the issues to be determined by the Board. However, she submitted that many of these facts could not have realistically been disputed given Mr Sen's written admissions. In addition, Mr Sen had continued to dispute the charge and had stopped being involved in the hearing process. As such, Ms Mok submitted that no credit was warranted. She submitted that Mr Sen's lack of engagement also meant that the Board had no information relating to Mr Sen's insight, remorse, or any other mitigating factors.

60. Taking into account the serious nature and gravity of Mr Sen's course of conduct together with his disciplinary history and absence of any personal mitigating factors, Ms Mok submitted that the appropriate penalty was cancellation of Mr Sen's certifying gasfitter registration and practicing licence. She submitted that such an

order was required to ensure public protection and the maintenance of proper industry standards, particularly given his conduct in relation to the certificate and subsequent repeated instances of dishonesty in responding to the complaint.

61. Ms Mok submitted that under section 107 of the Act, in addition to any penalty, the Board could order a registered person to pay a reasonable sum towards the costs and expenses of the investigation, prosecution, and hearing. She submitted that the starting point for such an order was typically half of the costs incurred, though it was a matter for the Board to determine in its discretion. Ms Mok submitted that Mr Sen's acceptance of some of the facts had reduced the scope of the evidence and the number of witnesses relied on. Whether any discount was available for this was for the Board to determine though Ms Mok submitted that any costs savings because of this was already reflected in the lesser overall costs.

Board deliberations on penalty

62. When it comes to imposing penalties in disciplinary cases, the Board's primary considerations are the need to protect the health and safety of the public and maintain industry standards. Any disciplinary penalty should aim to ensure the competency of a practitioner by holding them to account for their offending, assist with their rehabilitation, and deter them and other practitioners from disciplinary offending.

63. The Board determined that Mr Sen's offending was highly serious and showed a disregard for both the safety of the public and the reputation of the industry. Gasfitting had been carried out by someone who was unauthorised and the defects with that work had posed a risk of harm to people and property damage. Mr Sen had then enabled the certification of that work without visiting the property or inspecting the installation by giving the unauthorised person a blank, pre-signed and telling them to fill in the details. To cover up his actions, Mr Sen had then lied to the investigator about his involvement with the work and persuading others to lie on his behalf as well. The Board considered there was no doubt that Mr Sen's conduct meant he did not meet the standards required of a registered practitioner and he was not a fit and proper person to be registered or licensed.

64. The Board accepted that Mr Sen's extensive disciplinary history, including multiple findings in relation to supervision failings and negligent or incompetent gasfitting, were an aggravating factor in this case. The Board had previously ordered Mr Sen to complete training in relation to both supervision and commissioning and certifying gasfitting work, yet despite this he had continued to offend. The Board also considered it was an aggravating factor that Mr Sen had failed to engage in his last two disciplinary hearings and had ceased to engage in the present hearing early in the process. The Board considered that this showed both a disregard for the process and an unwillingness on Mr Sen's part to acknowledge or accept his offending. The Board considered that there were no mitigating factors in this case.

65. The Board was satisfied that a penalty of cancellation was appropriate having regard to all the circumstances, and considered how far the cancellation should extend. The Board considered whether it was in the public interest and the interests of maintaining industry standards to cancel all of Mr Sen's registration and licences. However, recognising that Mr Sen's offending had mostly involved carrying out, supervising, and certifying gasfitting work, the Board determined that only his gasfitting registration and licence should be cancelled. The Board did, however, impose a period of five years period during which Mr Sen could not apply to be re-registered and re-licensed as a certifying gasfitter. The Board was also minded to warn Mr Sen that any further offending relating to his supervision of others could raise concerns about whether he was a fit and proper person to hold any registrations and licences.

Costs

66. Section 107 of the Act provides that, in addition to any penalty imposed, the Board may order a registered person to pay a reasonable sum towards the costs and expenses incidental to the investigation of the complaint, prosecution, and hearing. The Board was provided with a schedule of estimated total costs for the investigation, prosecution, and hearing amounting to $33,689.11.

67. The Board's usual approach to determining costs is to begin with half the estimated costs and then considered if there were factors justifying an increase to or reduction from that starting figure. Factors that would justify a reduction were any steps the practitioner had taken to reduce costs such as pleading guilty at an early stage in the process. It was clear that no reduction was available on this basis in this case. The Board then considered whether there were any steps on Mr Sen's part which had increased the costs and determined that by providing false information to the investigator and persuading others to do so as well, he had increased the costs of both the investigation and the hearing. Accordingly, the Board ordered Mr Sen to pay the sum of $21,897.92 towards costs, which is 65% of the total.

Publication

68. In accordance with the requirements of the Act, the Board ordered that details of the action taken against Mr Sen should be recorded on the register of plumbers, gasfitters, and drainlayers in the usual way. Any other publication of the Board's orders would be at the discretion of the Registrar of Plumbers, Gasfitters and Drainlayers.

Board orders

69. Being satisfied that Mr Sen was guilty of a disciplinary offence under section 89(i) of the Act, the Board made the following orders:

    i. Pursuant to section 106(1)(a)(i) and (1)(a)(iii) of the Act, Mr Sen's certifying gasfitter registration be cancelled with effect from 9 February 2026 and he is

ordered not to apply to be re-registered or re-licensed before the expiry of five years from this date.

ii. Pursuant to section 107 of the Act, Mr Sen pay $21,897.92 towards the costs of the investigation, prosecution, and hearing.

iii. Pursuant to section 74(1)(c)(viii) of the Act, details of the Board's orders in respect of Mr Sen be published on the register.

Appeal

70. If Mr Sen is dissatisfied with the whole or any part of this decision, he may appeal to the District Court under section 162(1)(f) of the Act. Any appeal must be brought within 20 working days from the date on which this formal written decision is received, or within any other timeframe the District Court may allow.

Dated 26 January 2026

Signed



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Martin de Gouw
Chair
Plumbers, Gasfitters and Drainlayers Board