Plumbers, Gasfitters and Drainlayers Board

DUNCAN v LAL

Plumbers, Gasfitters & Drainlayers Board Disciplinary Decision (2025/8)

Summary

Sanjesh Lal, registered Plumber, was charged with carrying out sanitary plumbing in a manner contrary to an enactment. The charge related to the removal and replacement of a shower mixer in a residential property in Auckland/Tāmaki Makaurau.

Mr Lal pleaded guilty to the charge.

The Board considered Mr Lal's offending was moderately serious given he was aware that he required a plumbing licence to complete the work. The Board accepted that Mr Lal was entitled to credit for his guilty plea and cooperation during the disciplinary process. The Board found Mr Lal's previous offending was an aggravating factor.

The Board ordered Mr Lal to pay a fine $3,800 and $3,700 towards costs.

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

BETWEEN **CATRIONA DUNCAN**

Investigator

AND **SANJESH LAL**
Plumber of Auckland/Tāmaki Makaurau

Registered Person

DECISION OF THE BOARD
13 November 2025

Hearing:	Held by audiovisual link on 3 September 2025
Members sitting:	Martin De Gouw (Chair), Selwyn Hikuroa, Jason O'Connor, James Smith, Beth Healy
Counsel:	Elena Mok for the investigator Mr Lal was self-represented
Legal advisor:	Michael Hodge

Disciplinary hearing

1. On 3 September 2025, the Plumbers, Gasfitters and Drainlayers Board (**Board**) held a disciplinary hearing to consider a complaint by Sankesh Prabhu against Sanjesh Lal, registered Plumber. The complaint related to the removal and replacement of a shower mixer at a property in Auckland/Tāmaki Makaurau.

Guilty plea

2. On 28 June 2025, Mr Lal pleaded guilty to carrying out sanitary plumbing in a manner contrary to an enactment and signed an agreed summary of facts, the material parts of which were as follows:

    a. Mr Lal holds a registration as a Plumber. Mr Lal has not held a practicing licence since 31 March 2015.

    b. In February 2024, Mr Prabhu engaged Mr Lal to carry out sanitary plumbing work at the property involving the removal and replacement of a shower mixer.

    c. Only registered plumbers with a current practising licence or persons otherwise authorised to do sanitary plumbing work under the Plumbers, Gasfitters, and Drainlayers Act 2006 (**Act**) may carry out sanitary plumbing under section 8 of the Act.

    d. At the time Mr Lal carried out the sanitary plumbing at the property, he did not hold a current practising licence and was not otherwise authorised to do sanitary plumbing.

3. The Board was satisfied that the facts in the agreed summary of facts meant that Mr Lal had committed a disciplinary offence under section 89(a)(ii) of the Act.

Summary of investigators submissions on penalty and costs

4. On behalf of the investigator, 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. She submitted that the penalty imposed on Mr Lal should correct his behaviour while being consistent with other decisions of the Board and be the least severe penalty appropriate to achieve the relevant principles and purposes.

5. Ms Mok submitted that Mr Lal's offending was moderately serious. Mr Lal was not a licensed plumber and should have been aware of the need for any person who carried out restricted plumbing work to be appropriately authorised. She submitted that at the time Mr Lal carried out the sanitary plumbing work, it had been nine years since he was last licensed and it was a significant period of time since he last received training or oversight of his work.

6. Ms Mok submitted that Mr Lal had left the work in an incomplete and non-compliant state as the shower mixer was not fixed in place and was not sealed. While Mr Lal intended to return with silicone to seal the work, it did not appear that he intended to adequately fix the shower mixer in place.

7. Ms Mok submitted that consistency with similar cases was an important consideration and referred the Board to its previous decisions in the cases of *Radovich v Willson* (2022/17)*,* and *Radovich v Manson* (2023/20)*.* In *Wilson,* Mr Wilson was found guilty of carrying out sanitary plumbing work at a residential property four years after his licence had expired. Mr Wilson had been unlicensed for a significant amount of time, he knew he needed to hold a licence to carry out sanitary plumbing, and this was the second time he had been caught carrying out unauthorised work. The Board imposed a start and end point fine of $2,500. In *Manson,* Mr Manson was a certifying plumber with a recently expired exemption to carry out gasfitting work. The Board considered that Mr Manson's offending was at the higher end of moderately serious and was intentional because Mr Manson would have known that he was not authorised to do the work. The Board adopted a starting point fine of $5,500.

8. Ms Mok submitted by following the previous decisions of the Board an appropriate starting point was a fine in the vicinity of $4,000 to $4,500.

9. Ms Mok submitted that Mr Lal's previous offending was an aggravating feature, however, it should only be accounted for once when determining penalty. Ms Mok submitted that other than Mr Lal's previous offending there were no other personal aggravating features.

10. Ms Mok submitted that Mr Lal's cooperation during the investigation and early guilty plea were mitigating features. Ms Mok submitted that, when considering Mr Lal's remorse, the Board should recognise that Mr Lal had received a discount for remorse at his previous disciplinary hearing and had then gone on to carry out the present offending.

Summary of Mr Lal's submissions on penalty and costs

11. Mr Lal did not attend the hearing and asked that the Board proceed without him. Mr Lal did provide the Board with a written submission and supporting information.

12. Mr Lal submitted that he was remorseful for his offending and described his personal and financial circumstances for the Board.

Decision on penalty

13. 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, assist with their rehabilitation, and deter them and other practitioners from disciplinary offending.

14. Having considered the parties' submissions and the facts of the case, the Board determined that Mr Lal's offending was moderately serious given he was aware that he required a plumbing licence to complete the work.

15. Mr Lal was entitled to credit for his guilty plea and cooperation during the disciplinary process. However, the Board found Mr Lal's previous offending was an aggravating factor. Mr Lal carried out unauthorised sanitary plumbing in 2019 for which he was disciplined by the Board in 2021. Mr Lal had apologised and told the Board at the time that he knew the conduct was wrong and he would not repeat it. Given Mr Lal's previous offending and subsequent apology, the Board gave little weight to the remorse he expressed in the present case.

16. The Board considered that a fine was the appropriate penalty and adopted a starting point of $4,500. Recognising the mitigating factors in this case, the Board reduced the fine to $3,800.

Costs

17. 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 costs for the investigation, prosecution, and hearing amounting to $9,277.38.

18. The Board recognised Mr Lal's personal circumstances and the fact that his guilty plea had avoided the costs of a full defended hearing. The Board determined that he should pay $3,700 towards costs which was around 40% of the total costs.

Publication

19. In accordance with the requirements of the Act, the Board ordered that details of the action taken against Mr Lal 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

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

    a. Pursuant to section 106(1)(f) of the Act, Mr Lal pay a fine of $3,800.

b. Pursuant to section 107 of the Act, Mr Lal pay $3,700 towards the costs of the investigation, prosecution, and hearing.

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

Appeal

21. If Mr Lal is dissatisfied with the whole or any part of this decision or these orders, 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 13 November 2025

Signed



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Martin De Gouw
Chair
Plumbers, Gasfitters and Drainlayers Board