

**BEFORE THE IMMIGRATION ADVISERS
COMPLAINTS AND DISCIPLINARY TRIBUNAL**

Decision No: [2013] NZIACDT 63

Reference No: IACDT 008/13

IN THE MATTER

of a referral under s 48 of the Immigration
Advisers Licensing Act 2007

BY

Immigration Advisers Authority

Authority

BETWEEN

BG and BG

Complainants

AND

Hakaoro Hakaoro

Adviser

THE COMPLAINANTS' NAMES ARE NOT TO BE PUBLISHED

DECISION

REPRESENTATION:

Complainants: In person

Adviser: In person

Date Issued: 19 September 2013

DECISION

Introduction

- [1] The complainants consulted Mr Hakaoro who was a licensed immigration adviser.
- [2] They had applied personally for visas and received a letter from Immigration New Zealand raising issues of concern.
- [3] They sought Mr Hakaoro's assistance and say they paid him fees of \$50, \$200, and \$500.
- [4] They claim Mr Hakaoro did not take the steps required to initiate a professional relationship, failed to give the appropriate advice, misrepresented what work he was doing, and made unprofessional threats.
- [5] Mr Hakaoro says he was not working for a fee, only a voluntary donation. He was later paid a donation of \$500. He did not think he needed to engage formally with his clients in these circumstances. He says he acted professionally throughout.
- [6] The issue is primarily a question of fact and neither party sought an oral hearing.
- [7] Mr Hakaoro failed to keep the records he was required to maintain in his professional engagements. The written record, as far as it goes, supports the complainants' claims. That includes a receipt and material produced as a response to the complaint.
- [8] The Tribunal has found the grounds of the complaint established and upheld the complaint.
- [9] The findings are:
 - [9.1] Mr Hakaoro failed to initiate a professional relationship properly, then failed to give his clients appropriate advice regarding New Zealand immigration requirements, and gave them inappropriate advice; and
 - [9.2] He engaged in dishonest and/or misleading behaviour. He did that by misrepresenting to his clients what he intended to do, and also what he in fact did in pursuance of his instructions; and
 - [9.3] He engaged in unprofessional conduct by making threats and denigrating his clients.

The complaint

- [10] Their complaint was based on the following allegations.
- [11] The complainants sought a work visa for the male complainant (the husband), and a temporary visa for the female complainant (the wife) and their daughter. They lodged the applications themselves with assistance from family members.
- [12] A letter from Immigration New Zealand dated 26 September 2011, indicates the application to grant the husband a work visa did not have the complete documentation, and could not be accepted. The husband overcame that obstacle and lodged the application successfully on 7 October 2011. He received an interim visa, which was current until Immigration New Zealand decided on his application.
- [13] On 14 October 2011, the wife did not hold a current visa and accordingly her application for a temporary visa was lodged on that date under section 61 of the Immigration Act 2009.
- [14] Immigration New Zealand wrote to the husband on 27 October 2011. This letter expressed concern that the husband had been working in breach of his visa conditions, and that was capable of being considered as a ground for declining his application for a work visa. It also raised other issues regarding his eligibility for a work visa.

- [15] The complainants approached Mr Hakaoro on 8 November 2011 and asked for assistance in responding to Immigration New Zealand's letter of 27 October 2011. They say Mr Hakaoro stated he had been successful in dealing with similar cases in the past and they had a strong case. They paid \$50 for this consultation. No agreement has been produced to the Tribunal.
- [16] At this meeting Mr Hakaoro encouraged the complainants to think they would be entitled to residence in New Zealand and said they should "not think of going back to Tonga". However, the complainants emphasised their priority was ensuring that they did not overstay on their visas. If needed, they would be happy to return to Tonga to maintain their good record.
- [17] On 10 November 2011, the complainants went to pick up the response that Mr Hakaoro had drafted. They paid an additional \$200 for his services. No receipt was provided. The complainants personally submitted Mr Hakaoro's letter to Immigration New Zealand.
- [18] The letter Mr Hakaoro prepared was dated 9 November 2011.
- [19] On 24 November 2011, Mr Hakaoro asked the complainants to attend his office where they were shown a letter from Immigration New Zealand dated 22 November 2011. The letter gave notice the husband's application for a work visa had been declined. The letter said the husband was not a *bona fide* applicant as he had worked while he was on a visitor's visa.
- [20] Additionally, the letter also stated that the husband's interim visa, granted pending the decision, had now expired. Accordingly, he was now in New Zealand unlawfully and had to leave or he was liable for deportation.
- [21] The following day the complainants paid Mr Hakaoro \$500 to lodge an appeal against the decision with the Immigration and Protection Tribunal. Mr Hakaoro issued a receipt, which stated that the payment was for "appealing".
- [22] The complainants did not receive any correspondence from Mr Hakaoro. On 26 January 2012, they went to see Mr Hakaoro to obtain a letter for their daughter's school. Mr Hakaoro informed the complainants their appeal had been declined in December 2011.
- [23] However, Mr Hakaoro had, in fact, not lodged an appeal. He dishonestly misrepresented to the complainants that he had.
- [24] During the meeting of 26 January 2012, Mr Hakaoro denigrated the complainants because they were overstayers, and the husband had worked in breach of his visa conditions. Mr Hakaoro, as a threat, stated that that he had previously reported persons for overstaying and they had been immediately deported.
- [25] On 13 February 2012, Mr Hakaoro returned personal documents and the originals of letters dated 22 and 23 November 2011 from Immigration New Zealand.
- [26] On 24 February 2012, the husband received a letter from Immigration New Zealand which outlined his options for leaving New Zealand. This letter, inconsistent with Immigration New Zealand's letter dated 22 November 2011, stated that the husband had not held a lawful visa permitting him to remain in New Zealand since 10 October 2011. The earlier letter stated the Husband held a valid interim visa until 22 November 2011. This being the date his application was declined.

The response

- [27] Mr Hakaoro responded to the complaint in correspondence dated 18 February 2013 addressed to the Authority.
- [28] The letter also included Mr Hakaoro's wife's response to the complaint in handwriting with attachments.

- [29] The key elements of Mr Hakaoro's response are:
- [29.1] He agreed to assist the complainants without payment but invited a donation. The payment of \$500 was later made as a donation and receipted.
 - [29.2] Mr Hakaoro's approach was to "confess and apologise" for the husband working in breach of his visa. His clients were not happy with the approach, but Mr Hakaoro insisted that for integrity reasons it would assist in the consideration of their application.
 - [29.3] Mr Hakaoro had no responsibility for the husband and his family overstaying their visas. They did not have any valid visas since 10 October 2011, which was prior to Mr Hakaoro having any contact with the family.
 - [29.4] The complaint is a "deliberate lie".
 - [29.5] The husband had falsely declared to Immigration New Zealand that he was not working when he applied for a work visa.
- [30] Mr Hakaoro's wife's response had the following key elements:
- [30.1] The family lied. She and Mr Hakaoro "never acted for them".
 - [30.2] The husband's cousin was acting for the family in immigration matters not Mr Hakaoro.
 - [30.3] Mr Hakaoro did engage with the family but only sought a donation. As such, there was no professional relationship.
 - [30.4] Mr Hakaoro worked for two whole days to prepare a response to Immigration New Zealand.
 - [30.5] The complaint is a lie and is an attempt to avoid deportation.
 - [30.6] It suffices to say that Mr Hakaoro's wife's response continues in the form of a diatribe, which has no place in professional correspondence and most certainly not as a response to a complaint regarding professional conduct.

The Tribunal's Minute

Purpose of the Minute

- [31] On 1 May 2013, the Tribunal issued a Minute which explained the Tribunal had conducted a review of the material before it at that time. The Minute identified apparent issues, potential factual findings, and emphasised the parties would have the opportunity to respond. Further, that the Tribunal had reached no conclusions at that point.
- [32] The key elements of the complaint and the response identified in the Minute were as outlined above.
- [33] The Authority and the complainants do not lay charges and are not responsible to prove them. The Tribunal is an expert inquisitorial body, which receives complaints and determines whether the proof before it is adequate to uphold the complaint and, if so, in what respect. Accordingly, the Minute identified issues and potential conclusions on the material presented before the Tribunal in order to give the parties the opportunity to consider their positions and provide submissions and further proof if they wished.
- [34] The Minute identified potential conclusions on the papers before the Tribunal at the time with the view of giving the parties the opportunity to respond. The Minute emphasised that quite different conclusions may follow if further information was presented or submissions were made.

- [35] The Minute related the potential factual findings to the professional standards required under the Licensed Immigration Advisers Code of Conduct 2010 (Code of Conduct) and Immigration Licensing Advisers Act 2007 (the Act).

Potential conclusions identified in the Minute

- [36] The Minute observed that on the papers then before the Tribunal, the findings identified below appeared to be open.

The existence and scope of the professional relationship

- [37] Mr Hakaoro says he spent two days working on a response to Immigration New Zealand for the husband but says there was no professional relationship as he solicited a donation rather than a fee.
- [38] The Minute noted it was possible to draw the conclusion Mr Hakaoro was engaged in a professional capacity due to the nature of his conduct in relation to the complainants' affairs, and a professional relationship was not excluded by remuneration in the form of a donation.
- [39] As a professional, he was required to abide by the Code of Conduct. This included maintaining adequate records regarding disputed issues.

Misrepresentation

- [40] The Minute indicated to Mr Hakaoro that if he was engaged on the terms his clients allege, it may be open to conclude he was providing services in a professional capacity, including lodging an appeal upon receiving payment of \$500. That, he did not do so, and dishonestly told his clients an appeal had been lodged and decided. Furthermore, the complainants' claim was consistent with the receipt issued on payment of the \$500.

Failing to provide proper and appropriate advice regarding complying with New Zealand immigration requirements

- [41] The complainants say Mr Hakaoro advised them to stay in New Zealand and breach the requirement to leave when their visas expired. He advised that they were likely to get residence if they persisted and should remain in New Zealand.
- [42] Mr Hakaoro was put on notice to consider when responding that this disputed issue was an essential element of accepting instructions and advising the complainants. Further that he should have held records.

Unprofessional threats

- [43] The allegation that Mr Hakaoro denigrated his clients as overstayers and the husband for working in breach of his visa was consistent with the contents of some of the material responding to the complaint.
- [44] Mr Hakaoro was asked to consider that and respond.

Potential outcome

- [45] Mr Hakaoro was given notice the Tribunal, on the material before it then, would potentially conclude:
- [45.1] The facts alleged in the complaint were correct.
- [45.2] He engaged in dishonest and/or misleading behaviour in misrepresenting to his clients what he intended to do and what he in fact did in pursuance of his instructions.

- [45.3] He failed to give his clients appropriate advice regarding their obligations concerning complying with New Zealand immigration requirements, or gave them inappropriate advice.
- [45.4] He engaged in unprofessional conduct by making threats, and denigrating his clients.
- [45.5] The complaint would potentially be upheld pursuant to section 44(2)(d) and (e) of the Act.

Hearing on the papers

- [46] The Tribunal is required to hear matters on the papers unless it thinks fit to request any person appear before the Tribunal (Section 49 of the Act).
- [47] The parties were put on notice in the Minute that, at that point, the Tribunal did not consider it appropriate to request the appearance of anyone before the Tribunal as Mr Hakaoro should have records that deal with most or all of the issues. However, any party could apply to have the Tribunal exercise that power.
- [48] There was no application to conduct an oral hearing and I am satisfied it was not necessary or appropriate to do so.

Discussion

Mr Hakaoro's position

- [49] Mr Hakaoro responded to the Tribunal's Minute with two documents. The first was styled as a "Statement of Defence" which was not appropriate. It contained comments on the content of the Tribunal's Minute. The second was a memorandum that largely made the same points as the "Statement of Defence".
- [50] The essence of the contents of the "Statement of Defence" and the Memorandum were:
 - [50.1] Mr Hakaoro did not have a professional relationship as he obtained a donation rather than a fee. He only received a single payment of \$500. He only acted for the husband, not the wife.
 - [50.2] He did not think the circumstances required a signed contract.
 - [50.3] The complaint is based on false declarations and lies. In particular, he claimed the allegation that he advised the complainants to remain in New Zealand without valid visas were false. The claimants' visas had in fact expired when he first saw them. Further, he says they made false declarations on forms submitted to Immigration New Zealand.
 - [50.4] He says the grounds of the complaint are implausible, as no licensed immigration adviser would act in that way.
 - [50.5] He warned the complainants that their position was not strong. He did not encourage them to think there was very much prospect of a successful outcome. The fact the husband worked while holding a visitor's visa was Mr Hakaoro's principal concern. It was the complainants who refused to take a realistic view of their situation.
 - [50.6] On 9 November 2011, Mr Hakaoro's wife personally accompanied the husband to Immigration New Zealand's office. He personally filed "his case" which Mr Hakaoro had prepared for him.
 - [50.7] Mr Hakaoro did not offer to lodge an appeal to the Immigration and Protection Tribunal (Tribunal) as it had no jurisdiction over the declined work visa. His fees

would have been at least \$3,000 if he had prepared for an appeal to the Tribunal. His strategy was to apologise to Immigration New Zealand for the husband working in breach of his visa.

- [50.8] Mr Hakaoro dealt with his clients in a respectful manner. He did not threaten them with deportation and has no power to deport people.

Evaluation

- [51] Mr Hakaoro was put on notice in the Minute that on his own view of the facts, there appeared to be a professional relationship. It was not an option to invite donations and avoid the application of the Code of Conduct.
- [52] To gain a licence, Mr Hakaoro was required to demonstrate he understood the obligations in the Code of Conduct. Mr Hakaoro has provided no sensible explanation for considering he could avoid his professional obligations in this way.
- [53] At the commencement of a professional engagement, the Code of Conduct requires various essential tasks to be undertaken which includes:
- [53.1] Briefing clients on the terms of the written engagement and all significant matters relating to it (Clause 1.5),
 - [53.2] Attending to disclosure obligations including explaining the obligations in the Code of Conduct (Clauses 1.4, 7, 8 and 9), and
 - [53.3] Carrying out with due care, diligence, respect and professionalism lawful informed instructions of clients, which will involve looking at all material issues arising in relation to prospective immigration (Clause 1.1(b)).
- [54] Furthermore, Clause 3 of the Code of Conduct requires that a licensed immigration adviser keep a record of the engagement, which includes keeping a written record of material oral communications (Clause 3(f)).
- [55] It is evident Mr Hakaoro failed to comply with these obligations and has not kept records.
- [56] Having failed to comply with his professional obligations, Mr Hakaoro is now in a situation where there is a complaint that he conducted himself improperly. For example, his clients claim he stated that he would lodge an appeal, and then stated he had lodged an appeal, and later stated it had been decided.
- [57] Any relationship conducted in accordance with the Code of Conduct will have a clear written record of the advice given and what was completed. That is absent in this case.
- [58] However, it is not appropriate to simply assume that because Mr Hakaoro failed in this fundamental professional obligation that all his clients say must be true. Regardless it is evident Mr Hakaoro was engaged in a course of conduct where he had chosen to abandon essential professional obligations.
- [59] The Tribunal is required to determine facts on the balance of probabilities. However, the test must be applied with regard to the gravity of the finding (*Z v Dental Complaints Assessment Committee* [2008] NZSC at [55]; [2009] 1 NZLR 1). I will consider each of the issues to be determined on that basis.

The existence and scope of the professional relationship

- [60] Mr Hakaoro says he spent two days working on a response to Immigration New Zealand for the husband but says that there was no professional relationship as he agreed to receive a donation rather than a fee.
- [61] Mr Hakaoro was engaged in a professional relationship. Characterising fees as donations makes no difference to the professional relationship or his obligations. Further, his clients say

they were charged fees of \$50, \$200, and \$500. Mr Hakaoro has misrepresented the situation.

- [62] As required within the Code of Conduct, Mr Hakaoro was required to set out fees and the terms and conditions of payment (Clause 8). This would include a request for a voluntary donation. Further, Mr Hakaoro was required to provide a written agreement and written record of the services to be provided (Clause 1). There are no exemptions from these requirements.
- [63] Mr Hakaoro was expected to provide a written record of the arrangements he says were in place to support his claim. He was given notice in the Tribunal's Minute. There is no such record.
- [64] Mr Hakaoro admits he did not comply with the Code of Conduct in relation to establishing the professional relationship.
- [65] The receipt issued on payment of the \$500 supports the complainants' account. The receipt indicates the payment was for future work to be performed after the payment was made. It is not expressed as a donation for past work as Mr Hakaoro claims. Accordingly, I do not accept Mr Hakaoro engaged with his clients on the basis that they would pay a voluntary donation.
- [66] I am satisfied the complainants' account is correct and:
 - [66.1] Mr Hakaoro charged fees of \$50 for a brief consultation and then \$200 for a letter of response.
 - [66.2] He then agreed to lodge an appeal, and was paid \$500 for doing so.
 - [66.3] Having solicited a fee of \$500 for lodging an appeal he did not do so.
- [67] I do not accept Mr Hakaoro's claim that his fee would have been higher if he had prepared for an appeal to the Tribunal. The evidence points to a scheme to secure the payment for work promised, not work done. This aspect is addressed under the following heading.
- [68] It follows Mr Hakaoro had a conventional professional relationship. He was required to comply with the Code of Conduct. He breached cl.1 of the Code of Conduct, as he did not comply with the requirements of cl.1.5 relating to written agreements or cl.8 relating to setting fees.

Misrepresentation

- [69] It follows I also find established the claim that Mr Hakaoro:
 - [69.1] Received a payment of \$500 and informed his clients an appeal would be lodged on payment of that money;
 - [69.2] He did not lodge an appeal and did not intend to lodge an appeal; and
 - [69.3] Misrepresented to his clients that an appeal had been lodged and decided.
- [70] The receipt his clients were given refers to "appealing" it is a description that is consistent with their account. It is not consistent with Mr Hakaoro's claim he was given a donation for past work. He was put on notice to address those issues, and has provided no sensible explanation.
- [71] I do not find Mr Hakaoro's claim that no appeal could be lodged at all persuasive. He dishonestly told his clients an appeal could be lodged, when he did not intend to lodge an appeal in an attempt to secure payment dishonestly.
- [72] I am satisfied Mr Hakaoro engaged in dishonest and misleading behaviour. He misrepresented what he was to do and what he had done on his clients' behalf. He did so

with the intention that his clients would pay fees and not know he had failed to undertake work he promised to perform. That conduct breaches section 44(2)(d) of the Act.

Failing to provide proper and appropriate advice regarding compliance with New Zealand immigration requirements

- [73] As noted in the Minute, Mr Hakaoro's clients say he advised them to stay in New Zealand beyond the expiry of their visas thus being unlawfully in New Zealand. They claim he advised they were likely to obtain residence if they persisted.
- [74] Mr Hakaoro says they were already overstaying on their visas when he took instructions. However, that is not an answer. The allegation is that he gave them advice to remain in New Zealand unlawfully.
- [75] A person's immigration status is a central element in taking instructions in an immigration matter. Failure to comply with the terms of a visa is likely to have serious adverse consequences. Mr Hakaoro was required to confirm in writing, the details of material discussions with clients (Clause 3 of the Code of Conduct).
- [76] Mr Hakaoro has no record of the visas held by the complainants and his advice regarding compliance with New Zealand immigration requirements.
- [77] Mr Hakaoro's letter to Immigration New Zealand dated 9 November 2011 stated that the husband "qualified for residence pursuant to adult sibling sponsorship" and further emphasised his "suitability as a potential permanent resident".
- [78] Given Mr Hakaoro's estimation of that potential and the husband's desire to live and work in New Zealand, non-compliance with his visa was potentially very serious for the husband.
- [79] The complainants stated they were concerned about being in New Zealand unlawfully. They did not want to overstay and it appears the issue of an interim visa for the husband allowed him to avoid adverse consequences to a greater or lesser extent. This was a matter Mr Hakaoro was requested to address in the Tribunal's Minute. He has provided no satisfactory response. Mr Hakaoro had a professional obligation to address these issues with his client at the time, explain their situation, and determine what remedial actions could be taken.
- [80] The complaint recognised the complainants' obligations to comply with New Zealand law and provided a sensible account. They say Mr Hakaoro provided inappropriate advice, which is consistent with Mr Hakaoro failing to meet other professional obligations as is evident from the record.
- [81] I am not satisfied Mr Hakaoro's claim that the complainants are dishonest has any merit. He takes issue with the manner in which his clients dealt with their immigration issues, which they may not have understood well. That is common and the reason why people engage professional assistance.
- [82] I am satisfied that the complainants' account is consistent with the record as far as it extends. Mr Hakaoro does not have the records he should have to show he gave proper professional advice. There is also a clear record of Mr Hakaoro systematically breaching his professional obligations under the Code of Conduct. I am satisfied the complainants' account is plausible, and, on the balance of probabilities, correct. I take account of the fact the complaint is a serious one.
- [83] Mr Hakaoro failed to perform services with care, diligence, respect and professionalism in direct breach of clause 1 of the Code of Conduct.

Unprofessional threats

- [84] The allegation Mr Hakaoro denigrated his clients as overstayers and the husband for working in breach of his visa is consistent with the contents of Mr Hakaoro's wife's statements submitted to the Authority in response to this complaint.

- [85] The threat to have the complainants deported by reporting them to Immigration New Zealand was also consistent with Mr Hakaoro taking \$500, and making false statements regarding what he intended to do.
- [86] Mr Hakaoro was put on notice he should respond to these matters, which included explaining why a statement from his wife was submitted given its unprofessional tone that is consistent with what the complainants report. He has provided no such explanation. Instead, he has continued to say they have made false declarations and told lies.
- [87] I accept the complainants' evidence regarding this matter and reject Mr Hakaoro's account.
- [88] The Conduct was a failure to perform his professional services with care, diligence, respect and professionalism which was in breach of Clause 1 of the Code of Conduct.

Conclusion

- [89] On the material before me, I am satisfied:
- [89.1] The facts alleged in the complaint are correct.
 - [89.2] Mr Hakaoro failed to give his clients appropriate advice regarding their obligations concerning complying with New Zealand immigration requirements, or gave them inappropriate advice; and
 - [89.3] He engaged in dishonest and/or misleading behaviour in misrepresenting to his clients what he intended to do and what he in fact did in pursuance of his instructions; and
 - [89.4] He engaged in unprofessional conduct by making threats and denigrating his clients.
- [90] It follows the complaint must be upheld pursuant to section 44(2)(d) and (e) of the Act.

DECISION

- [91] Pursuant to section 50 of the Act the complaint is upheld.
- [92] I have found Mr Hakaoro breached the Code of Conduct in the respects identified which are grounds for complaint pursuant to section 44(2)(e) of the Act.
- [93] He also engaged in dishonest and misleading behaviour which is grounds for complaint pursuant to section 44(2)(d) of the Act.

SUBMISSIONS ON SANCTIONS

- [94] As the complaint has been upheld section 51 allows the Tribunal to impose sanctions.
- [95] The Authority and the complainants have the opportunity to provide submissions on the appropriate sanctions including potential orders for costs, refund of fees and compensation. Whether they do so or not, Mr Hakaoro is entitled to make submissions and respond to any submissions from the other parties.
- [96] The parties are requested to address the amount of any fees not repaid and other matters in respect of which compensation may be sought.
- [97] The Tribunal notes it is appropriate for a disciplinary tribunal to consider the financial burden of a complaint on the profession as a whole. The profession is levied to fund the licensing and disciplinary regime.

- [98] The principles are discussed in *Daniels v Complaints Committee 2 of the Wellington District Law Society* [2011] NZLR 850 at [43]. In that case actual costs of investigation of \$76,000 had resulted in an award of \$40,000. The Court commented:

“An award of costs under s 129 of the 1982 Act (and the 2006 Act) is entirely discretionary. ... It is clear that expenses include salaries and staff and overhead expenses incurred by the societies that investigate and bring proceedings before the Tribunal.”

- [99] Those principles appear to apply, with necessary modifications, to the Act and accordingly, the present proceedings.
- [100] In *O'Connor v Preliminary Proceedings Committee* HC Wellington AP 280/89, 23 August 1990, where an order for costs of \$50,000 out of a total of \$70,500 was awarded Jeffries J at 13 said:

“It is a notorious fact that prosecutions in the hands of professional bodies, usually pursuant to statutory powers, are very costly and time consuming to those bodies and such knowledge is widespread within the professions so controlled. So as to alleviate the burden of the costs on the professional members as a whole the legislature had empowered the different bodies to impose orders for costs. They are nearly always substantial when the charges brought are successful and misconduct admitted, or found.”

- [101] However, under the Act the mechanism is less direct as the Authority and the Tribunal are statutory bodies. Members are levied through an obligation to pay licensing fees. There can be little doubt the purpose of section 51(1)(g) has the same in effect as the authorities discussed above.
- [102] The Registrar pursuant to section 49(4) is requested to provide a schedule particularising the expenses of his investigation, inquiry and dealing with the complaint before the Tribunal.

TIMETABLE

- [103] The timetable for submissions will be as follows:
- [103.1] The Registrar and the complainants are to make any submissions within 10 working days of the issue of this decision.
 - [103.2] The Registrar is to respond to the request for a schedule of expenses with 10 working days of the issue of this decision.
 - [103.3] Mr Hakaoro is to make any further submissions (whether or not the Registrar or the complainants make submissions) within 15 working days of the issue of this decision.
 - [103.4] The Registrar and the complainants may reply to any submissions made by Mr Hakaoro within 5 working days of him filing and serving those submissions.
- [104] The parties are notified that this decision will be published with the names of the parties (apart from the names of the complainants; see paragraph [105] below) after five working days unless any party applies for orders not to publish any aspect.

Suppression of name

- [105] The names and any other information that identifies the complainants are not to be published at anytime in relation to this complaint.

DATED at WELLINGTON this 19th day of September 2013

G D Pearson
Chairperson