

Professional Conduct Committee – 14 December 2016

Adverse finding – Name withheld

At a meeting of the Professional Conduct Committee of Chartered Accountants Australia and New Zealand held in private on 14 December 2016 in Sydney Australia in respect of **Member B** (name and location withheld), the Committee found that adverse findings were made by a Supreme Court judge, some of which findings were not overturned on appeal, in relation to the member's professional and/or business conduct as an insolvency practitioner and would otherwise warrant being referred to the Disciplinary Tribunal.

With the written consent of the Member, the Committee made the following determinations:

1. that the Member receive a reprimand
2. that the Member pay costs incurred by and on behalf of CA ANZ in investigating and dealing with the matters the subject of the complaint and the case conference.

In making its decision the Committee noted the Member's:

- description of the very complex factual and legal issues involved
- statement that all actions were taken with the benefit of and in accordance with specialist legal advice
- submissions regarding the relatively short period of time in which multiple complex decisions and actions were taken
- statement that the appointment continued,

but cannot overlook the fact that adverse findings have been made which is a breach of the By-Laws.

Professional Conduct Committee Chartered Accountants Australia and New Zealand

14 December 2016