



NEW ZEALAND INSTITUTE OF CHARTERED ACCOUNTANTS ACT 1996

IN THE MATTER of the New Zealand Institute of Chartered Accountants Act 1996 and the Rules made thereunder

AND

IN THE MATTER of **Mervyn Ian Doolan**, Chartered Accountant (retired), of **Gold Coast, Australia**

**DETERMINATION OF THE DISCIPLINARY TRIBUNAL OF THE NEW ZEALAND
INSTITUTE OF CHARTERED ACCOUNTANTS
7 November 2011**

Hearing: 7 November 2011

Tribunal: Mr RJO Hoare FCA (Chairman)
Prof DJD Macdonald FCA
Mr MB Robinson FCA
Ms A Hauk-Willis (Lay member)

Legal Assessor: Mr B Corkill QC

Counsel: Mr T Sissons for the prosecution

At a hearing of the Disciplinary Tribunal held in public at which the member was not in attendance and not represented by counsel by correspondence the member admitted the particular and pleaded guilty to the charge.

The charge and particular were as follows:

Charge

THAT in terms of the New Zealand Institute of Chartered Accountants Act 1996 and the Rules made thereunder, and in particular Rule 21.30 the member is guilty of:

- (1) Being convicted of an offence punishable by imprisonment and the conviction reflects on his fitness to practise accountancy and/or tends to bring the profession into disrepute.

Particular

IN THAT

- (a) On or about 8 July 2011 at the High Court in Auckland he was convicted of five charges pursuant to s58 of the Securities Act 1978, for distributing offer documents containing untrue statements.

DECISION

The member was an Executive Director of Nathans Finance throughout the lifetime of the company and received the longest sentence of the three defendants.

PENALTY

Pursuant to Rule 21.31(a) of the Rules of the New Zealand Institute of Chartered Accountants the Disciplinary Tribunal ordered that the name of **Mervyn Ian Doolan** be removed from the Institute's register of members.

COSTS

Pursuant to Rule 21.33 of the Rules of the New Zealand Institute of Chartered Accountants the Disciplinary Tribunal ordered that **Mervyn Ian Doolan** pay to the Institute the sum of \$3,900 in respect of the costs and expenses of the hearing before the Disciplinary Tribunal and the investigation by the Professional Conduct Committee.

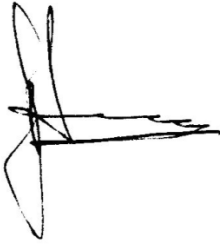
PUBLICATION

In accordance with Rule 21.35 of the Rules of the New Zealand Institute of Chartered Accountants the decision of the Disciplinary Tribunal shall be published on the Institute's website and in the Chartered Accountants Journal with mention of the member's name and locality.

RIGHT OF APPEAL

Pursuant to Rule 21.41 of the Rules of the New Zealand Institute of Chartered Accountants which were in force at the time of the original notice of complaint, the member may, not later than 14 days after the notification of this Tribunal to the member of the exercise of its powers, appeal in writing to the Appeals Council of the Institute against the decision.

No decision other than the direction as to publicity shall take effect while the member remains entitled to appeal, or while any such appeal by the member awaits determination by the Appeals Council.

A handwritten signature in black ink, appearing to be 'R J O Hoare', written in a cursive style.

R J O Hoare
Chairman
Disciplinary Tribunal