

# Complaint form

For complaints about RITANZ Insolvency Practitioners Accredited by Chartered Accountants ANZ



## 1 – Important notes and checklist

### Please read before submitting your complaint:

- Complaints can only be accepted against named individuals, not firms.
- If the New Zealand accredited insolvency practitioner is a member of Chartered Accountants Australia and New Zealand (**Chartered Accountants ANZ**), a different complaint form must be used. This can be obtained from our website [www.charteredaccountantsanz.com](http://www.charteredaccountantsanz.com).
- Your complaint will be administered in the first instance by Chartered Accountants ANZ, who may advise or delegate part or all of that administration to Restructuring Insolvency & Turnaround Association of New Zealand (**RITANZ**) at any stage.
- Do not provide personal information about third parties (other than the insolvency practitioner the subject of the complaint) unless already in the public domain or you have authority to release it.
- All parties must sign the declaration sections on the last page of the form, including any representative who is making a complaint on behalf of a client.

## 2 – Your details

Name:

Address:

Daytime phone number:

Alternative phone number:

Email address:

Are you making this complaint on behalf of someone else such as a client or a relative?  Yes  No

If yes, please provide the details of the person you are making the complaint for and advise why you are making it on their behalf. (They will need to provide authorisation for you to act as set out in section 10 below).

Complainants Name:

Postal Address:

Phone Number:

Email Address:

Reason for complaining on their behalf:

### 3 – Insolvency practitioner’s details

Name:

Company/firm name:

Address:

Phone number:

Email address:

Are they still the appointed insolvency practitioner?  Yes  No

What is your connection to the insolvency or the insolvency practitioner?

Have you submitted this complaint or the subject matter of this complaint to RITANZ or Chartered Accountants ANZ previously?  Yes  No

If yes, please provide the file reference number provided to you:

### 4 – Your complaint

**Please set out the full details of your complaint in date order.** Please describe what happened, what you are unhappy about, and why (attach a separate page if necessary). If you have any relevant documentary evidence that supports your claim please also send a copy to us as this will assist in the investigation of your complaint.

Have you discussed the issue(s), or brought it to the attention of the insolvency practitioner and/or their firm?

If, yes please detail when and what happened:

If no, why not?

Would you be prepared to resolve this informally outside of the complaints process?  Yes  No

(Please note: if you tick yes, it is still possible that Chartered Accountants ANZ will instigate the complaint process)

Please list any other agencies or authorities with which you have lodged or referred your complaint to and explain the outcome of that referral:

Have you commenced legal proceedings over the subject matter of this complaint?  Yes  No

If yes, please detail at what stage the proceedings are at and details of the court and hearing date:

## 5 – What outcomes are you seeking?

Please note that as a disciplinary jurisdiction you are not able to obtain compensation or damages through the complaints process.

## 6 – Documents and evidence

Please attach any relevant documents, evidence or correspondence to support your complaint. Do not provide any personal information regarding a third party, other than the insolvency practitioner the subject of the complaint unless you have authority to disclose such information.

## 7 – Privacy notice *(Please carefully read the following Privacy Notice)*

By receiving this form we are collecting personal information from you including your name, contact information, and any personal information contained in your complaint and supporting documents. We collect your personal information in order to communicate with you, respond to, assess and/or investigate your complaint, and to maintain professional and ethical standards in connection with the management and administration of New Zealand accredited insolvency practitioners, candidates and members of RITANZ, and the protection of the reputation of Chartered Accountants ANZ and/or RITANZ, including intellectual property. All personal information you provide on this form is handled in accordance with the **Chartered Accountants ANZ Privacy Policy** (<http://www.charteredaccountants.com.au//Privacy-policy>). The Privacy Policy contains relevant information, including:

- how we collect your personal information;
- how you may seek access to and correction of the personal information we hold;
- how you may make a complaint about a breach of the Privacy Act and how we will deal with your complaint; and
- the contact details of the Chartered Accountant ANZ Privacy Officer.

Besides our staff, Chartered Accountants ANZ may use, share and/or disclose your personal information, any information regarding your complaint and any information about the individual(s) the subject of (or are referred to in) your complaint with:

- RITANZ;
- the relevant law enforcement authorities, regulators, relevant government or statutory bodies or other professional associations;
- third parties such as agents, contractors, and service providers, such as where we outsource functions, including investigators and mediators;
- the individuals(s) the subject of (or who are referred to in) your complaint; and
- a professional conduct committee, reviewer of complaints, disciplinary tribunal or appeals council and those involved in any disciplinary proceedings arising from this complaint, in order to administer the investigation, process your complaint, and/or for any of the purposes outlined above.

We will not otherwise use or disclose your personal information without your consent, unless authorised by you or required by law. Providing the information requested by this form is optional. However, if you choose not to provide the requested personal information, we may not be able to assess, respond to, and/or investigate the facts and circumstances of your complaint or communicate with you. We will only keep or store your information for as long as necessary to carry out the above purposes. You have the right to ask for a copy of any personal information you provide to us and we hold about you, and to ask for it to be corrected if you think it is wrong. If you'd like to ask for a copy of your information, or to have it corrected, please contact us at the below address.

## 8 – Waiver

**By signing below, you waive any right to take legal action against:**

- a member of the Professional Conduct Committee appointed to investigate your complaint;
- a disciplinary body;
- Chartered Accountants ANZ in exercising, in good faith, any power or function under or pursuant to the Rules for New Zealand Accredited Insolvency Practitioners;
- any person who provides documents, things, or information to the Professional Conduct Committee;
- any person who produces documents or things to a disciplinary body; or
- any person who gives evidence or answers questions at a hearing of a disciplinary body relating to your complaint.

## 9 – Declaration

**I understand and declare the following**

- I have read and understood the above Privacy Statement and Waiver.
- I authorise Chartered Accountants ANZ to forward a copy of this complaint and all supporting document to RITANZ and to the New Zealand accredited insolvency practitioner concerned.
- By lodging a complaint, I agree to keep confidential the content of any correspondence and information I receive from the subject of the complaint, the Professional Conduct Committee minutes and its decision, and any other information about third parties disclosed to (or otherwise obtained by) me by the Professional Conduct Committee. I agree that I will not disclose any such information to third parties without permission of the Committee, unless there are legal orders to the contrary.
- I understand that Chartered Accountants ANZ may enforce this form as a contract, including but not limited to the circumstance of a breach of the above Waiver or confidentiality obligations.
- I understand that if this matter is referred to the Disciplinary Tribunal I may be required to give evidence to or before that Tribunal.
- I understand that if the matter is referred to the Disciplinary Tribunal, there is a presumption that any hearing will be held in public, although suppression orders may be made.

The form **must** be signed by all complainants.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Print Full Name: \_\_\_\_\_

**Additional Complainants:** (Please print another copy of this page if there are more than two complainants to sign)

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Print Full Name: \_\_\_\_\_

## 10 – Authorisation

If you are making this complaint on behalf of someone else, that person must give permission for you to do so.

I \_\_\_\_\_ authorise  
[Name of person on whose behalf the complaint is made]

\_\_\_\_\_ to represent me in making the complaint.  
[Name of person who is representing the Complainant]

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**Once you have completed the complaint form you can email or post it to:**

Professional Conduct & Complaints  
Chartered Accountants Australia and New Zealand  
PO Box 11342  
Wellington 6142  
New Zealand  
complaints.RITANZ@charteredaccountantsanz.com