

**INSTITUTE OF CHARTERED ACCOUNTANTS OF NEW ZEALAND
NOTICE OF DECISION OF THE DISCIPLINARY TRIBUNAL**

(Member guilty of being convicted of a crime punishable by imprisonment)

At a hearing of the Disciplinary Tribunal of the Institute of Chartered Accountants of New Zealand held in public on 2 February 2009, at which the member was not in attendance and not represented by counsel, **CHRISTOPHER SUE** a suspended Chartered Accountant of **Auckland** by correspondence admitted the following particular and pleaded guilty to the following charge.

The charge and particular were as follows:

Charge

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

Has been 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

On or about 22 February 2008, at the District Court in Auckland, the member pleaded guilty to offences under the Crimes Act 1961, being section 253 - false accounting by employee (for offences prior to October 2003), section 257 – conspiracy to defraud (for offences prior to October 2003) and section 260 – false accounting (for offences after 1 October 2003), in that he misappropriated monies valued at or about \$2,951,299.68 from his employer, and was sentenced to a term of imprisonment of four years and six months.

Reasons

The Tribunal agreed with the Judge in this case when she said that the abuse of the position of trust and authority as a person who was employed in a significant position of trust as a Chartered Accountant, who had a fundamental principle of integrity in his Code of Ethics, was an aggravating feature.

ORDERS OF THE TRIBUNAL

- (a) Pursuant to Rule 21.31 (a) of the Rules of the Institute of Chartered Accountants of New Zealand, the Disciplinary Tribunal ordered that the name of name **CHRISTOPHER SUE** be removed from the Institute's register of members.
- (b) Pursuant to Rule 21.33 of the Rules of the Institute of Chartered Accountants of New Zealand, the Disciplinary Tribunal ordered that **CHRISTOPHER SUE** pay to the Institute the sum of \$5,536.00 (inclusive of GST) in respect of the costs and expenses of the hearing before the Disciplinary Tribunal, the investigation by the Professional Conduct Committee and the cost of publicity.

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

RIGHT OF APPEAL

Pursuant to Rule 21.41 of the Rules of the Institute of Chartered Accountants of New Zealand 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.

R J O Hoare
Chairman
Disciplinary Tribunal

4 February 2009