

**Member name:** Richard Fisher - PNA

**Division:** Victoria

**Date of Hearing:** 20<sup>th</sup> November 2009

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As a result of unresolved non-compliances identified at a quality assurance review of Mr. Fisher's practice on 7<sup>th</sup> June 2007, the NIA Investigations Review Officer and the NIA Investigations Officer resolved that Mr. Fisher had a case to answer for having:

- (a) breached clause 98(2)(a) of the NIA Constitution in that it was alleged he was in breach of the by-laws of the Institute in that he was in breach of NIA by-law 9.1.7(d) in that he failed to supply a copy of one of his letters of engagement; failed to supply a copy of one of his compilation reports; failed to supply a copy of the last audit report on his trust account; failed to supply a copy of one his ethical letters; and failed to supply evidence that he had current workers' compensation;
- (b) breached clause 98(2)(a) of the NIA Constitution in that it was alleged he was in breach of NIA Pronouncement 7 – Continuing Professional Development, section 4, in that he failed to supply a copy of his record of CPE hours;
- (c) breached clause 98(2)(a) of the NIA Constitution in that it was alleged he was in breach of the by-laws of the Institute in that he was in breach of NIA by-law 9.1.2(iii) in that he did not hold professional indemnity insurance as per by-law 9.1.8;
- (d) breached clause 98(2)(h) of the NIA Constitution in that he failed to comply with a reasonable request of an Officer of the Institute in that he failed to respond to correspondences seeking resolution of the outstanding non-compliances identified at the review; and
- (e) breached clause 98(2)(f) of the NIA Constitution in that it is alleged that the above constitutes conduct that is not in the best interests of the Institute.

### **Tribunal Decision**

The Tribunal resolved that there were cases to answer under sections 98(2)(a); 98(2)(f); and 98(2)(h) of the NIA Constitution.

The Tribunal further resolved that Mr. Fisher's membership is forfeit and consequently he is to be struck off the NIA register of members and costs of \$500.00 are to be applied, payable within 30 days.

**Date of Notice:** 4<sup>th</sup> January 2010  
**Reference:** 9843

