

Member Name: Member Name Withheld - PNA
Division: Queensland
Date of Hearing: 30th May 2008

The NIA Investigations Review Officer and the NIA Investigations Officer resolved that the member:

- (a) had a case to answer for having breached clause 98(2)(a) of the NIA Constitution in that it was alleged the member was guilty of breaching the NIA Constitution, By-laws, Regulations or Pronouncements, in particular Pronouncement 6 – Client Money and the Maintenance and Audit of Trust Accounts of Members, in that the member failed to have their trust account audited for a number of years and that there were deficiencies found in that trust account;
- (b) had a case to answer for having breached clause 98(2)(h) of the NIA Constitution in that it was alleged the member failed to comply with a reasonable request of an officer of the Institute in that the member did not respond to two prior attempts to seek a response to the issues raised about the failure to have the member's trust account audited; and
- (c) had a case to answer for having breached clause 98(2)(f) of the NIA Constitution in that it is alleged that the above is conduct that is not in the best interests of the Institute.

Tribunal Decision

The Tribunal resolved that the cases against the member under NIA Constitution sections 98(2)(a); 98(2)(f); & 98(2)(h) were proven.

The Tribunal further resolved that the member is admonished without the name being published and further resolved that the member's Public Practice Certificate is to be cancelled for a period of twelve months and the member is to contribute \$500.00 toward costs.

Date of Notice: 10th July 2008
Reference: 6507