

Notification of appeal

from Australian Disciplinary Tribunal decision

Subject to By Law 40(9.4), an appeal must be lodged **within 21 days** after notice of the written decision with reasons is given.

Only the Member or the Professional Conduct Committee may appeal a decision of the Disciplinary Tribunal.

A notice of appeal must be submitted on this prescribed form and state the grounds of appeal in full. The grounds so stated shall not thereafter be amended except with the approval of the Appeals Tribunal.

The Appeals Tribunal may, at its discretion:

- require the Member to pay such amount as it determines as security against the anticipated Costs which CA ANZ may incur in the conduct and hearing of the appeal
- stipulate a time period of not less than 28 days within which the Member must pay such amount and, if it does so and the Member has not paid that amount at the expiry of that period, the appeal will automatically lapse.

Section 1 - Privacy notice

Chartered Accountants Australia and New Zealand ABN 50 084 642 571 (CA ANZ) including its subsidiaries, controlled entities and the New Zealand Institute of Chartered Accountants (NZICA), a regulated body established under the Institute of Chartered Accountants Act 1996 (NZ) (each **we, us or our**) collects, holds, uses and discloses your personal information for the purpose of your appeal, and to communicate with you in connection with the appeal. We may also collect your personal information from third parties in connection with your appeal. We may disclose your personal information (including this appeal and all documents we hold in connection with the appeal) to third parties, including investigators, mediators, and/or members of a disciplinary tribunal and participants in disciplinary hearings and to the original complainant. We may also disclose your personal information to agents, contractors and service providers, such as where we outsource functions. Your information will also be used and disclosed as set out in our Privacy Policy, available at www.charteredaccountantsanz.com/privacy. We are permitted to process your information for the above purpose, by relying on one or more of the following lawful grounds: (a) you have explicitly agreed to us processing such information for a specific reason; (b) the processing is necessary to perform the agreement we have with you or to take steps to enter into an agreement with you; (c) the processing is necessary for us to comply with our legal obligations; or (d) the processing is necessary for our legitimate interests, including to provide you with a smooth and efficient customer experience. Where you have consented to our processing of such information (including any special categories of personal data) you may withdraw such consent at any time (where your local data protection and privacy laws specifically provide you with this right), by contacting us using the contact details in our Privacy Policy. Please note, however, that in certain circumstances it may be still lawful for us to continue processing this information even where consent has been withdrawn, if one of the other legal bases described above is applicable. It is likely that your personal information will be disclosed to overseas recipients (as provided in our Privacy Policy, including the location of those entities) in which case your personal information will be treated securely and in accordance with data protection laws, including putting in place appropriate safeguards. The Privacy Policy sets out the contact details of our Privacy Officer and information regarding your rights (including how to withdraw your consent, if applicable) and how we handle your personal information including how you can seek to access and correct your information or raise a privacy concern with us and how it will be dealt with as well as details about the disclosure of your information to entities overseas.

Section 2 - Appellant

2.1 Which party is making this appeal?

The Member - go to sections 2.2 and 2.3

The PCC - go to section 2.4

2.2 Member appellant's details

Title Mr Mrs Miss Ms Other ----->

Full name

Postal address

Daytime phone number Alternate phone number

Email address*

2.3 Member appellant's legal representation (if any)

Title Mr Mrs Miss Ms Other ----->

Full name Firm/Chambers

Postal address

Email address* Phone number

* CA ANZ will use this email address to communicate with you/your legal representative unless provided with alternate contact details

2.4 PCC representative

Title Mr Mrs Miss Ms Other ----->

Full name Email address

Capacity

Section 3 - Details of appeal

3.1 Case details

Member name (in full)

Disciplinary Tribunal hearing date Disciplinary Tribunal reference (case number)

3.2 Which part(s) of the Disciplinary Tribunal decision are you appealing?

- Findings of breach Interim suspension of membership
- Sanction(s) Cost sanction
- All decisions Other (eg publication/notification of decision)

Part of decision(s) (list part(s)) ----->

If insufficient space annex page(s) to this form

Section 4 – Grounds for appeal

Please explain in full the grounds on which you say the appeal should be granted. Please note that once submitted, these grounds cannot be amended without the consent of the Appeals Tribunal.

If insufficient space annex page(s) to this form

Section 5 – Signature

I have read, understood and consent to the Privacy Notice at the beginning of this form and the Privacy Policy of CA ANZ

Signature

Date

Capacity (eg Legal Representative, PCC Secretary, etc)

Section 6 – Submitting your notification of appeal

HOW TO SUBMIT YOUR FORM

Please send your completed form (including any annexed pages) by:

EMAIL Amanda.Weavers@charteredaccountantsanz.com

OR

POST Tribunal Secretary
Chartered Accountants Australia and New Zealand
GPO Box 9985
Sydney NSW 2001

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