



MEMORANDUM PRIOR TO INITIAL TELEPHONE CONFERENCE

Level 5
Ernst & Young Building
2 Takutai Square
Britomart, Auckland
PO Box 106 672
Auckland 1143

P: +64 9 300 0400
F: +64 9 300 0499

COMPLAINT NO:

To: **The Registrar**
Financial Advisers Disciplinary Committee
PO Box 106 672
Auckland 1143
Email: registrar@fadcd.govt.nz

AND

To: **Financial Markets Authority**

AND

To : **[Name of Financial Adviser]** (Financial Adviser) (delete as appropriate)

(address)

From: **[Name of party]**

(address)

INTENTION TO DISPUTE OR ADMISSION OF CONTRAVENTION

(Select one)

[The Financial Adviser intends to dispute the Notice of Complaint.]

[The Financial Adviser admits contravention of the provision(s) of subpart 5A of Part 6 of the Financial Markets Conduct Act 2013, but wishes to participate in the hearing by making submissions on any penalty which might be imposed.]

[The Financial Adviser admits contravention of the provision(s) of subpart 5A of Part 6 of the Financial Markets Conduct Act 2013, but does not wish to participate in the hearing and acknowledges that the Committee may impose a penalty on the Financial Adviser and that the Financial Adviser will be notified of any such penalty.]



APPOINT REPRESENTATIVE(S) (SEE NOTES)

(complete if applicable)

The Financial Adviser wishes to appoint the following person(s) as his/her representative(s) in accordance with Rule 15 of the Disciplinary Committee Procedure Rules (Rules):

(complete for each representative)

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Full name of person/organisation _____

Representative's address for service _____

Representative's contact details: _____

Daytime contact number _____ Mobile _____

Facsimile number _____ Email address _____

PROPOSED TIMETABLING FOR PROCEDURAL ISSUES

The Financial Adviser proposes the following timetable for procedural issues:

[insert details]

• Availability of parties and intended witnesses for the hearing date set out in the Notice of Complaint

(Select one)

[The Financial Adviser confirms that he/she and his/her intended witnesses will be available for the intended hearing date set out in the Notice of Complaint.]

[The Financial Adviser advises that he/she and/or the intended witnesses will not be available for the intended hearing date set out in the Notice of Complaint and proposes the following alternative date(s).]

Signed: _____ **Date:** _____

Notes:

This memorandum may be prepared jointly by FMA and the Financial Adviser. Any party may be represented or assisted by legal counsel, or such other person as the Committee is satisfied may assist that party. This Memorandum must be completed, signed and returned to the Registrar: Financial Advisers Disciplinary Committee no later than 2 working days prior to the initial telephone conference.