

IN THE MATTER OF: Financial Advisers Act 2008

BETWEEN: FINANCIAL MARKETS AUTHORITY

Complainant

AND DAVID ROBERT GILMOUR ROSS

Respondent

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**DECISION OF THE COMMITTEE**

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In the matter of the Financial Markets Authority v David Ross called on 5 August 2013 at 10.00 am in the Tribunals Unit, 86 Custom House Quay, Wellington

Committee members: Sir Bruce Robertson  
Tracey Berry  
David Macdonald

In attendance: Rachael Manttan, Counsel for the Complainant  
Ginny Coubrough, Registrar

1. The Committee noted Mr Turkington's Memorandum advising that instructions in respect of the hearing had not been received from the Respondent.
2. Counsel for the Complainant:
  - a. sought an adjournment of the proceedings pending the outcome of the criminal charges laid against the Respondent; and
  - b. confirmed that the Respondent's status as an authorised financial adviser had been suspended as a result of the Respondent not completing an annual confirmation to the Registrar of Financial Services Providers by the required date.
3. The Committee, taking into account the above matters:
  - a. adjourned the proceedings pending the determination of the criminal charges laid against the Respondent;
  - b. granted the Complainant leave to apply to the Committee for the matter to be brought before it earlier should this be considered appropriate;
  - c. requested FMA to file a memorandum updating the Committee on the status of the matter by 1 February 2014.



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For the Committee  
Chairman – Sir Bruce Robertson