



Dear Assignment / News / Business Section Editor

Hong Kong Institute of Certified Public Accountants takes regulatory action against a certified public accountant (practising)

(HONG KONG, 15 September 2014) — The Hong Kong Institute of Certified Public Accountants has undertaken regulatory action against a certified public accountant (practising), Mr. Lui Siu Tang, as a just and proper resolution for the complaint lodged against Lui for non-compliance with professional standards.

Lui is the sole proprietor of Lui Siu Tang & Company. He was the auditor of a private company and signed an unmodified auditor report of the company's financial statements for the year ended 31 March 2012.

The complaint concerned Lui's failure to obtain sufficient audit evidence of unanimous shareholders' consent required under section 141D of the then Companies Ordinance, Cap 32 in order for the company to adopt the "*Small and Medium-sized Entity Financial Reporting Framework and Financial Reporting Standard*" in the preparation of the financial statements.

The Institute concluded that Lui was in breach of Hong Kong Standard on Auditing 250 "*Consideration of Laws and Regulations in an Audit of Financial Statements*" as supplemented by Practice Note 900 "*Audit of Financial Statements Prepared in Accordance with the Small and Medium-sized Entity Financial Reporting Standard*".

Lui also accepted that he did not ensure that the board of directors of the company had taken responsibility for the financial statements before the auditor's report was signed by him, in breach of Hong Kong Standard on Auditing 700 "*Forming an Opinion and Reporting on Financial Statements*".

Regulatory action

Based on the foregoing and in lieu of further proceedings, the Council concluded that the following Resolution should resolve the complaint:

1. Lui acknowledges the facts of the case and his non-compliance with the relevant professional standards;
2. Lui be reprimanded; and
3. Lui is directed to pay an administrative penalty of HK\$10,000 and costs of HK\$10,000.

In accordance with Council powers outlined in the Professional Accountants Ordinance and as a part of the regulatory process to handle complaint, a Resolution may be offered to respondents in cases considered to be moderate after taking into account factors including, but not limited to, the nature and seriousness of a complaint, past disciplinary records of the respondents and any aggravating or mitigating circumstances. A Resolution will not be offered in cases involving complaints of dishonesty.

Information on the Institute's complaint handling process and guidelines for Resolution is available at the Institute website under the "Compliance" section at www.hkicpa.org.hk.

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About the Hong Kong Institute of Certified Public Accountants

The Hong Kong Institute of CPAs is the only body authorized by law to register and grant practising certificates to certified public accountants in Hong Kong. The Institute has more than 37,000 members and more than 18,000 registered students. Members of the Institute are entitled to the description *certified public accountant* and to the designation CPA.

The Hong Kong Institute of CPAs evolved from the Hong Kong Society of Accountants, which was established on 1 January 1973.

The Institute operates under the Professional Accountants Ordinance and works in the public interest. The Institute has wide-ranging responsibilities, including assuring the quality of entry into the profession through its postgraduate qualification programme and promulgating financial reporting, auditing and ethical standards in Hong Kong. The Institute has responsibility for regulating and promoting efficient accounting practices in Hong Kong to safeguard its leadership as an international financial centre.

The Hong Kong Institute of CPAs is a member of the Global Accounting Alliance – an alliance of the world's leading professional accountancy bodies, which was formed in 2005. The GAA promotes quality services, collaborates on important international issues and works with national regulators, governments and stakeholders.

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Hong Kong Institute of
Certified Public Accountants
香港會計師公會

致：編採主任／新聞／財經版編輯

香港會計師公會對一名執業會計師作出監管行動

（香港，二零一四年九月十五日） — 香港會計師公會就一名執業會計師雷紹騰先生沒有遵守專業準則的投訴，對他作出公正和恰當的監管行動。

雷先生為雷紹騰會計師事務所的獨資經營者。他曾是一間私人公司的核數師，並就該公司截至2012年3月31日的財務報表發出無保留意見的核數師報告。

是項投訴是關於雷先生沒有取得足夠的審計證據，以核實該公司是按當時的香港法例第32章《公司條例》第141D條的要求取得股東的一致同意採用《中小型財務企業財務報告準則》擬備財務報表。

公會的結論是雷先生違反了Hong Kong Standard on Auditing 250 "*Consideration of Laws and Regulations in an Audit of Financial Statements*" 的要求及 Practice Note 900 "*Audit of Financial Statements Prepared in Accordance with the Small and Medium-sized Entity Financial Reporting Standard*"的補充要求。

雷先生同時承認他沒有在發出核數師報告前，確保該公司的董事會已承擔擬備財務報表的責任，因此違反了Hong Kong Standard on Auditing 700 "*Forming an Opinion and Reporting on Financial Statements*"。

監管行動 (Regulatory action)

基於上文所述及為省卻進一步的程序，公會理事會決定以下列的方案解決這宗投訴：

1. 雷先生承認此個案中的事實及他所違反的專業準則；
2. 雷先生被譴責；及
3. 雷先生受命繳交行政罰款一萬港元及費用一萬港元。

根據《專業會計師條例》對公會理事會權力的概述，以及作為處理投訴的監管程序之一，如公會經考慮答辯人涉及投訴的性質及嚴重程度、答辯人過往的處分紀錄、各種加重和寬減的情況等等之後，認為個案屬輕微的，便可藉解決方案處理。如個案涉及不誠實行為的投訴，則不可藉解決方案處理。

有關公會投訴處理程序及解決方案的指引，可於公會網頁內Compliance部份查閱，網頁為<http://www.hkicpa.org.hk>。

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關於香港會計師公會

香港會計師公會是香港唯一獲法例授權負責專業會計師註冊兼頒授執業證書的組織，會員人數超過三萬七千，註冊學生人數逾一萬八千。公會會員可採用「會計師」稱銜（英文為 **certified public accountant**，簡稱 **CPA**）。

公會(**Hong Kong Institute of Certified Public Accountants**)於一九七三年一月一日成立，當時的英文名稱為 **Hong Kong Society of Accountants**。

公會根據《專業會計師條例》履行職責，以公眾利益為依歸。其職能廣泛，包括開辦專業資格課程(**Qualification Programme**)以確保會計師的入職質素，以及頒布香港的財務報告、審計及專業操守準則。此外，公會亦負責在香港監管和推動優良而有效的會計實務，以鞏固香港作為國際金融中心的領導地位。

香港會計師公會是全球會計聯盟（**Global Accounting Alliance**，**GAA**）的成員之一。全球會計聯盟於二零零五年成立，聯合了全球頂尖的專業會計團體，推動優質服務，並積極與各地監管機構、政府及關連人士就國際重要議題共同合作。

香港會計師公會聯絡資料

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