



Dear Assignment / News / Business Section Editor

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

(Hong Kong, 30 December 2016) - The Hong Kong Institute of Certified Public Accountants has undertaken regulatory action against Lai Man Shing, Stephen a certified public accountant (practising) (membership number A22232) for his failure or neglect to observe, maintain or otherwise apply professional standards issued by the Institute.

Lai was engaged to set up a Hong Kong company and provide other services for an overseas client. He failed to properly carry out the client's instructions in setting up the company. In addition, Lai did not obtain the client's authorisation before creating an e-Registry account with the Companies Registry and filing a form which bore the client's electronic signature and indicated the client's consent to act as the company's director.

The Institute concluded that Lai was in breach of the Fundamental Principle of "*Professional Competence and Due Care*" in sections 100.5 (c) and 130.1 of the Code of Ethics for Professional Accountants.

Regulatory action

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

1. Lai acknowledges the facts of the case and his non-compliance with the relevant professional standards;
2. Lai be reprimanded; and
3. Lai pays an administrative penalty of HK\$25,000 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 complaints, a Resolution by Agreement (RBA) 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. An RBA 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 40,000 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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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，二零一六年十二月三十日) — 香港會計師公會就一名執業會計師黎文成(會員編號：A22232)沒有或忽略遵守、維持或以其他方式應用公會頒布的專業準則，對其作出監管行動。

黎文成先生獲一名海外客戶聘用，為他開設一間香港公司及提供其他服務。在成立公司的過程中，黎先生沒有正確地執行客戶的指示。此外，黎先生在沒有客戶的授權下，開立了公司註冊處的電子登記帳戶，並提交一份有客戶電子簽名和顯示客戶同意擔任公司董事的表格。

公會認為黎先生違反了Code of Ethics for Professional Accountants中第100.5(c)條及130.1條的一項Fundamental Principle，即 "Professional Competence and Due Care"的條文。

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. 黎先生承認此個案中的事實及其所違反的專業準則；
2. 黎先生被譴責；及
3. 黎先生須繳交罰款港幣二萬五千元及行政費用港幣一萬元。

根據《專業會計師條例》所列公會理事會的權力，以及作為處理投訴的監管程序之一，如公會經考慮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，網址為 <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，會員人數超過四萬，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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