



## Hong Kong Institute of Certified Public Accountants takes regulatory action against a certified public accountant

(HONG KONG, 25 August 2021) The Hong Kong Institute of Certified Public Accountants has taken regulatory action against Mr. Shin Yick, Fabian, a certified public accountant (F03614) for his failure or neglect to observe, maintain or otherwise apply professional standards issued by the Institute.

Shin was formerly a responsible officer and the chief executive officer of Yi Shun Da Capital Limited (“company”). In 2017, he was the sponsor principal in charge of supervising the execution of a listing application for which the company was the sole sponsor. The listing application lapsed subsequently after inquiries by the Securities and Futures Commission (“SFC”) and The Stock Exchange of Hong Kong Limited.

The SFC later instituted an investigation and found that the company failed to comply with relevant rules and regulations of the SFC. The SFC also found that the company’s failures were attributable to Shin’s failure to discharge his duties and Shin was in breach of the relevant rules and regulations of the SFC. In September 2020, the SFC issued a decision notice banning Shin from re-entering the industry for 20 months.

The Institute concluded that Shin failed or neglected to observe, maintain or otherwise apply the fundamental principle of professional behaviour under sections 100.5(e) and 150 of the applicable Code of Ethics for Professional Accountants.

### Regulatory action

Based on the foregoing and in lieu of further proceedings, the Council of the Hong Kong Institute of Certified Public Accountants concluded that the following should resolve the complaint:

1. Shin acknowledge the facts of the case and areas of non-compliance with professional standards;
2. Shin be reprimanded; and
3. Shin pay costs of the Institute of HK\$15,000.

### About Resolution by Agreement

In order to better serve the interests of the public and the profession, the Hong Kong Institute of Certified Public Accountants (“HKICPA”) ensures complaints are dealt with in an effective and transparent manner. In accordance with Council powers outlined in the Professional Accountants Ordinance, a Resolution by Agreement (“RBA”) may be offered in uncontested cases considered to be moderate after taking into account the nature and gravity of the complaint, past disciplinary records of the respondent and any aggravating

or mitigating circumstances. An RBA will not be offered in cases involving complaints of dishonesty, which are handled through a separate disciplinary process.

The RBA includes a mandatory public censure which entails publication of the name of the respondent, facts of the case and areas of non-compliance with professional standards. Information on the Institute's complaint handling process and guidelines for Resolutions by Agreement are available at the Institute website under the "Compliance" section at [www.hkicpa.org.hk](http://www.hkicpa.org.hk).

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### **About HKICPA**

The Hong Kong Institute of Certified Public Accountants ("HKICPA") is the statutory body established by the Professional Accountants Ordinance responsible for the professional training, development and regulation of certified public accountants in Hong Kong. The Institute has over 46,000 members and 17,000 registered students.

Our qualification programme assures the quality of entry into the profession, and we promulgate financial reporting, auditing and ethical standards that safeguard Hong Kong's leadership as an international financial centre.

The CPA designation is a top qualification recognised globally. The Institute is a member of and actively contributes to the work of the Global Accounting Alliance and International Federation of Accountants.

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## 香港會計師公會對一名會計師作出監管行動

(香港，二零二一年八月二十五日) 香港會計師公會就會計師冼易先生 (會員編號：F03614) 沒有或忽略遵守、維持或以其他方式應用公會頒佈的專業準則，對他作出監管行動。

冼先生曾任易順達融資有限公司 (「該公司」) 的負責人員兼行政總裁。在二零一七年，他擔任保薦人主要人員，負責監督執行該公司作為唯一保薦人的一項上市申請。該上市申請其後經證券及期貨事務監察委員會 (「證監會」) 及香港聯合交易所有限公司查問後終止。

證監會其後展開調查，發現該公司未能遵守證監會相關規則及規例。證監會亦發現，該公司的失職歸因於冼先生未能履行其職責及違反了證監會相關規則及規例。在二零二零年九月，證監會發出紀律決定通知書，禁止冼先生在 20 個月內重投該行業。

公會認為冼先生沒有或忽略遵守、維持或以其他方式應用適用的 **Code of Ethics for Professional Accountants** 第 110.5(e) 及 150 條有關「Professional Behaviour」的基本原則。

### 監管行動

基於上文所述及為省卻進一步程序，香港會計師公會理事會決定以下列的方案解決這宗投訴：

1. 冼先生承認此個案中的事實及違反專業準則之處；
2. 冼先生被譴責；及
3. 冼先生繳交公會費用 15,000 港元。

### 有關解決方案

為保障公眾及會計界的利益，香港會計師公會以有效及具透明度的方式處理投訴個案。根據《專業會計師條例》概述的公會理事會權力，公會在考慮投訴個案的性質與嚴重性、答辯人的過往處分紀錄，以及加重與寬減等因素後，若認為個案屬中度嚴重，便可在答辯人不抗辯的情況下藉解決方案處理。然而，如個案涉及不誠實行為的投訴，則不可藉解決方案處理，而須另按紀律處分程序處理。

對於所有解決方案，公會均作出強制性的公開譴責及公佈答辯人的姓名、個案涉及的事實和所違反的專業準則。公會投訴處理程序及解決方案的指引，可於公會網頁（[www.hkicpa.org.hk](http://www.hkicpa.org.hk)）內「Compliance」部份查閱。

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## 關於香港會計師公會

香港會計師公會是根據《專業會計師條例》成立的法定機構，負責培訓、發展和監管本港的會計專業。公會會員逾 46,000 名，學生人數逾 17,000。

公會開辦專業資格課程，確保會計師的人職質素，同時頒佈財務報告、審計及專業操守的準則，以鞏固香港作為國際金融中心的領導地位。

CPA 會計師是一個獲國際認可的頂尖專業資格。公會是全球會計聯盟及國際會計師聯合會的成員之一，積極推動國際專業發展。

## 香港會計師公會聯絡資料：

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