



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

(HONG KONG, 8 April 2022) The Hong Kong Institute of Certified Public Accountants has taken regulatory action against Mr Kong Muk Yin, a certified public accountant (A11100), for his failure or neglect to observe, maintain or otherwise apply a professional standard issued by the Institute.

Kong was the executive director of China Medical & Healthcare Group Limited. In May 2021, the Market Misconduct Tribunal (“MMT”) fined the company and its directors for late disclosure of inside information regarding unrealized profits and significant gains in 2014. At the relevant time, Kong was responsible for the operation of the finance and accounts department as well as company secretarial matters and administration. The MMT fined Kong and disqualified him from being a director or being involved in the management of a listed company for six months. Kong was also ordered to undergo a training programme to be approved by the Securities and Futures Commission.

In view of Kong’s breach, the Institute concluded that he failed or neglected to observe, maintain or otherwise apply the fundamental principle of professional behaviour in section 110.1A1(e) and subsection 115 under Part A 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 Institute concluded that the following should resolve the complaint:

1. Mr. Kong acknowledge the facts of the case and his non-compliance with a professional standard;
2. he be reprimanded; and
3. he 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.

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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.

Hong Kong Institute of CPAs' contact information:

Jun Sat
Associate Public Relations Manager
Phone: 2287-7002
Email: media@hkicpa.org.hk



香港會計師公會對一名會計師作出監管行動

(香港，二零二二年四月八日) 香港會計師公會就會計師江木賢先生 (會員編號：A11100) 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。

江先生是中國醫療網絡有限公司的執行董事。於二零二一年五月，市場失當行為審裁處 (「審裁處」) 就該公司及其董事未有及時披露一項有關二零一四年未實現收益及重大盈利的內幕消息而處以罰款。在有關期間，江先生負責財務會計部門的運作及公司秘書與行政方面事宜。審裁處對他予以罰款並取消其出任董事或參與管理上市公司的資格，為期六個月。此外，江先生被命令須參加經證券及期貨事務監察委員會核准的培訓課程。

鑑於江先生的違規行為，公會認為他沒有或疏忽遵守、維持或以其他方式應用 Code of Ethics for Professional Accountants 的 A 章內第 110.1A1(e) 節及 115 小節有關「Professional Behaviour」的基本原則。

監管行動

基於上文所述以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. 江先生承認此個案中的事實及違反專業準則之處；
2. 江先生被譴責；及
3. 江先生須繳交公會費用 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）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，確保會計師的入職質素，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：

薩嘉俊

助理公共關係經理

直線電話：2287 7002

電子郵箱：media@hkicpa.org.hk