



Dear Assignment / News / Business Section Editor

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

(Hong Kong, 2 February 2017) - 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 arranged the sending of unsolicited emails to promote the services of his practice. In addition, Lai made misleading statements in the promotional emails and certain websites advertising his services. He used "CPA" in conjunction with names of his de-registered practices, which may cause readers to misunderstand that those practices were still registered CPA firms. Lai also made a misleading claim in the webpages that his practice could "guarantee" the opening of bank accounts in Hong Kong for its clients. The Institute concluded that Lai was in breach of sections 450.10, 450.12 and 450.22 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\$50,000 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 are available at the Institute website under the "Compliance" section at www.hkicpa.org.hk.

- End -

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.

Hong Kong Institute of CPAs’ contact information:

Margaret Lam
Head of Member & Public Relations
Phone: 2287 7053
Email: margaret@hkicpa.org.hk



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，二零一七年二月二日) — 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。

黎先生安排發送未經收件人要求索取的電子郵件，宣傳他的執業單位所提供的服務。此外，黎先生在宣傳其服務的電郵及網站內作出了誤導性的陳述。他把"CPA"的字樣與他已撤銷註冊的執業單位名稱放在一起，因而可能令讀者誤以為該等單位仍然是註冊的專業會計師事務所。其次，黎先生在網頁內發出誤導訊息，聲稱他的執業單位「保證」客戶能在香港開立銀行戶口。公會認為黎先生違反了 Code of Ethics for Professional Accountants 中第 450.10，450.12 及 450.22 段。

監管行動 (Regulatory action)

基於上文所述及為省卻進一步程序，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他所違反的專業準則；
2. 黎先生被譴責；及
3. 黎先生須繳交行政罰款港幣五萬元及費用港幣一萬元。

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www.hkicpa.org.hk。

— 完 —

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

林韋曼儀

會員及公共關係部主管

直線電話：2287 7053

電子郵箱：margaret@hkicpa.org.hk