

Disciplinary Tribunal

Member Name: Andrew Fulepp - FIPA FFA

Division: NSW

Date of Hearing: 2 December 2022

The IPA Disciplinary Tribunal of 2 December 2022 determined that the following case presented against the Member was proven:

- Breached clause 98(2)(a) of the IPA Constitution as the Member breached the IPA By-Laws clauses 2.1.1 and 2.1.2 and in particular, APES 110 Code of Ethics for Professional Accountants and APES 220 Taxation Services.
 - The Members Statements as compiled for the complainants for the year ended 30 June 2019 were manifestly inadequate;
 - The refunds due to the Fund from the years ended 30 June 2017 and 2018 were missing at reporting date, and the amounts were quite substantial and thus material. Such omissions were glaring and fundamental errors;
 - The Member failed to duly facilitate the appointment of the complainant as a director of the trustee company, and to report this change to ASIC.
- Breached clause 98(2)(b) of the IPA Constitution as the Member failed to observe a proper standard of professional care, skill or competence. The above constitutes a failure to observe a proper standard of professional care, skill or competence.
- Breached clause 98(2)(f) of the IPA Constitution as the Member has engaged in conduct which is not in the best interests of the IPA. The above constitutes conduct that is not in the best interests of the IPA.

The Tribunal further resolved that the following penalties are imposed:

- Censure –certain standards of professional behaviour as outlined above were not met, however it is noted that the member rectified all errors.
- Costs of \$1,500 plus GST.
- Fine of \$500.
- Member is required to undertake 10 hours of CPD training relating to Self Managed Super Funds as approved by the IPA before 30 June 2023.

Date of Notice: 19 January 2023