



IPA INSTITUTE OF PUBLIC ACCOUNTANTS

Member Name: Member Name Withheld - FIPA

Division: Victoria

Date of Hearing: 28th September 2012

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The IPA Investigations Review Officer and the IPA Investigations Officer resolved that the member had a case to answer for having:

- (a) breached clause 98(2)(a) of the IPA Constitution in that it was alleged the member breached IPA By-law 2.1.3(b) in that the member allegedly breached Accounting Professional and Ethical Standards Board Standard APES 110 and in particular section 120.1 of that standard in that as the Accountant for a client superannuation fund the member accepted an investment from the client in a Unit Trust of which the member was a Director of the corporate trustee of that trust and it was further alleged that the client was not aware of the member's interest in that entity;
- (b) further breached clause 98(2)(a) of the IPA Constitution in that it was alleged the member breached IPA By-law 2.1.3(b) in that the member allegedly breached Accounting Professional and Ethical Standards Board Standard APES 110 and in particular section 120.1 of that standard in that as the Accountant for a client superannuation fund the member accepted an investment from a client in an entity of which the member was a Director and it is further alleged that the client was not made aware of the member's interest in that entity;
- (c) breached clause 98(2)(b) of the IPA Constitution in that it was alleged the member failed to observe a proper standard of professional care, skill or competence in that the member failed to perform the services indicated in a client engagement letter, in particular being the lodgement of returns as required to the Australian Taxation Office for a client company; and
- (d) breached clause 98(2)(f) of the IPA Constitution in that it was alleged that the member had been guilty of conduct which is not in the best interests of the Institute in that the foregoing, both joint and several, constitute conduct that is not in the best interests of the Institute.



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Tribunal Decision

The Tribunal of 28th September 2012 resolved that the cases as presented against the member under section 98(2)(a), twice mentioned; 98(2)(b) and 98(2)(f) of the IPA Constitution were not proven.

Date of Notice: 7th January 2013

Reference: 6386