



## **SUMMARY OF SANCTION AGREEMENT MEMBER A**

On August 26<sup>th</sup>, 2014, the Complaints Inquiry Committee approved and accepted a sanction agreement pursuant to the provisions of s. 74 of the *Regulated Accounting Profession Act* R.S.A. 2000, c. R-12.

Under that agreement **Member A**, admitted that he is guilty of unprofessional conduct during his employment with Company A, in that he submitted expense reports, dated June 21, 2011, January 18, 2012, June 20, 2012, December 21, 2012, and July 2, 2013, which included the digital signature of the President & Chief Executive Officer (CEO) of Company A, thereby indicating that they were approved by the President & CEO when, in fact, the expense reports had not been approved and the President & CEO had not authorized the use of his digital signature for this purpose.

### **CONDUCT**

The digital signature in the “Approved by” line indicated that the expense reports had been approved by the President & CEO. However, the President & CEO had not actually approved the expense reports nor had he authorized the use of his digital signature for that purpose. The issue came to the attention of the President & CEO subsequent to **Member A** leaving his employment to pursue other employment. The Chair of the Audit Committee was advised and **Member A** was asked for an explanation. Neither the President & CEO nor the Chair of the Audit Committee found **Member A**'s explanation to be satisfactory. **Member A** informed the ICAA investigator that the use of the digital signature was inadvertent; that it must have been on the expense report template and he never noticed it was there. However, **Member A** had access to the digital signature and each of the expense reports in question was signed by **Member A** and also had a hand-written date under the approval line. The conduct is focused on the inappropriate use of the digital signature. There was no evidence of financial abuse by **Member A**.

### **SANCTIONS**

**Member A**, and the Complaints Inquiry Committee agree that the sanctions to be imposed in consequence thereof will be:

1. a reprimand from the Chair;
2. payment of a fine of \$5,000 within 60 days of the issuance of the statement of costs;
3. payment of costs of the investigation, hearing and compliance with the orders, within 60 days of the issuance of the statement of costs;

### **PUBLICATION**

1. a summary of the sanction agreement's admissions and sanctions be provided to all provincial institutes, the Institute of Chartered Accountants of Bermuda and any other professional organization to which **Member A** belongs and the Institute is aware, as of the date of this order;
2. notification of the sanction agreement's admissions and sanctions be provided to all provincial institutes to which **Member A** applies for membership at any time following this order;



3. notification of the sanction agreement's admissions and sanctions be provided to anyone who directs an enquiry to the Institute about the discipline history of **Member A**;
4. a summary of the sanction agreement's admissions, the nature of the conduct and any orders made as a result of the findings be published on the ICAA public website on a named basis;
5. the sanction agreement, with all third parties' names replaced by pseudonyms, be published on the ICAA public website on a named basis;
6. a copy of the sanction agreement be provided to Quicklaw in accordance with the bylaws; and
7. if **Member A** fails to comply with the sanction agreement's sanctions within the time specified, the registration of **Member A** be cancelled.

Discipline Tribunal Secretary