



NOTICE OF DISCIPLINE

On May 25th, 2005, a Discipline Tribunal found Member “A” guilty of unprofessional conduct in having failed to maintain the good reputation of the profession by continuing to perform a compilation engagement to prepare the financial statements for Company A and Company B for the year ended September 30, 2000 although:

- a) he acted as an advocate for Client “A”, the purchasing shareholder in the negotiations and arbitration,
- b) his appointment was challenged by the vending shareholder, Client “B”,
- c) his notice to reader failed to disclose the nature and extent of his interest and involvement as he would not be seen as objective by a reasonable observer, and
- d) he had been previously admonished by the Chair of the Professional Conduct Committee for his involvement in the matter up to March 28, 2001.

Member “A” was reprimanded in writing by the Chair of the Discipline Tribunal. He was ordered to pay a \$5000.00 fine and costs of the investigation and hearing. On October 7, 2005 an Appeal Tribunal confirmed the finding of the Discipline Tribunal. The orders of the Discipline Tribunal concerning the written reprimand and the fine were also confirmed. The Appeal Tribunal varied the order of the Discipline Tribunal concerning costs and stated:

That Member “A” pay 40% of costs of the investigation and hearing.

The Appeal Tribunal confirmed the decision of the Discipline Tribunal that a summary of the findings and sanctions ordered be given on a named basis to all provincial Institutes, the Institute of Chartered Accountants of Bermuda, to those provincial institutes to which Member “A” applies to in the future, and to anyone who directs an enquiry to the Institute about the discipline history of Member “A”.

Jude Corrin
Discipline Tribunal Secretary
January 3, 2006