

IPA Appeals Tribunal

Member Name: Kamal Sood – FIPA FFA
Division: New South Wales
Date of Determination: 27 September 2018

IPA Disciplinary Tribunal

The IPA Disciplinary Tribunal of 15 September 2017 determined that the following case presented against the member was proven:

- a) Breached clause 98(2)(a) of the IPA Constitution as the member has breached the IPA By-Laws clause 2.1.3 and in particular APES 110 – Code of Ethics for Professional Accountants. The member failed to provide appropriate advice to the client in relation to setting up the custody trust and related purchase of property;
 - b) Breached clause 98(2)(a) of the IPA Constitution as the member breached the IPA By-Laws clause 2.1.3 and in particular APES 110 – Code of Ethics for Professional Accountants and APES 305 – Terms of Engagement. The member failed to document and/or communicate the terms of engagement with the client in an engagement document;
 - c) 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;
- and
- d) 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
- Requirement to undertake the IPA quality assurance review in the form of a site visit within 3 months
- Costs of \$1000.00 plus GST.

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The IPA Appeals Tribunal considered the appeal and made a determination on 27 September 2018 to affirm the decisions of the IPA Disciplinary Tribunal as stated above that the member breached clauses 98(2)(a), 98(2)(b) and 98(2)(f) of the IPA Constitution and affirm the penalties imposed, and dismissed the member's appeal.

Date of Notice: 4 October 2018

Reference: 7717