

# CPA Australia

## Professional Conduct 2024

Membership of CPA Australia means committing to the obligations spelt out in CPA Australia's Constitution and By-Laws, APES 110 Code of Ethics for Professional Accountants and applicable regulations.

To ensure all members uphold these standards, CPA Australia has a formal process that enables complaints about its members to be heard, evaluated and, where appropriate, disciplinary action taken.

Investigations and disciplinary processes are guided by the principles of procedural fairness, confidentiality, independence, and the right to appeal.

CPA Australia has undertaken to act in the public interest and has an obligation to ensure that complaints about members are investigated thoroughly in an impartial, timely manner; striving to preserve the rights of members while acknowledging the public interest concern of complainants.

Details on complaints received and the outcomes of those complaints is summarized in the tables below.

**Table 1: Complaints against members**

Number of Complaints received and resolved	2020	2021	2022	2023	2024
Total complaints received <sup>1</sup>	348	264	300	294	389 <sup>2</sup>
Relevant Complaints received <sup>3</sup>	197	122	183	215	225
Complaints resolved in the year received	261	206	215	218	309
Total complaints resolved (including those from previous years)	352	329	297	291	436

<sup>1</sup>Total complaints received refers to all complaints received from external and internal sources, including those dealt with by phone or email.

<sup>2</sup>The increase in complaints received in 2024 year is due to an increase in complaints received from external parties. The amount of 'Relevant Complaints' received, remains relatively static. The extra 85 complaints received were Unviable complaints, that predominantly fall into the category – "Not a Member".

<sup>3</sup>Relevant Complaints received refers to all complaints formally investigated, that is, they are not considered 'unviable'. An Unviable Complaint as defined in the By-Laws is one that concerns a matter that occurred more than 5 years prior to the date of the complaint, concerns a person who is not a member at the time the complaint is lodged, is not supported on the available evidence, or is primarily a fee dispute.<sup>4</sup>Complaints resolved refers to Complaints closed following an investigation resulting in no case to answer, or heard by a Disciplinary Tribunal and concluded, or those matters resolved without a formal investigation.

**Table 2: Source of Relevant Complaints**

Source of Relevant Complaints investigated	2020	2021	2022	2023	2024
External Complaint <sup>1</sup> Forms lodged by members of the public	81	58	66	81	107
Internally initiated Complaints <sup>2</sup> , including those referred from other CPA Australia business units	93	40	76	99	74
- Complaints initiated due to adverse outcomes by statutory/regulatory authorities or professional bodies <sup>3</sup>	16	22	35	32	33
- Complaints initiated based on criminal or civil court proceedings	7	2	6	3	10
Complaints initiated based on new TASA Breach reporting requirements	-	-	-	-	1
<b>TOTAL</b>	<b>197</b>	<b>122</b>	<b>183</b>	<b>215</b>	<b>225</b>

<sup>1</sup>External Complaints are lodged by members of the public using the CPA Australia online complaint form available on the Member conduct and discipline web page.

<sup>2</sup>Internal Complaints are initiated by the General Manager Professional Conduct (GMPC) based on publicly available information, a member's self-disclosure, or referrals from other CPA Australia functions. We have expanded this definition to make the distinction between complaints resulting in regulatory outcomes that are independently received by CPA Australia and those directly referred to CPA Australia. Internal complaints in 2020 and 2021 have been re-allocated to align with this updated definition.

<sup>3</sup>Complaints initiated due to adverse outcomes by statutory/regulatory authorities or professional bodies only includes those complaints directly referred by the regulatory agencies (i.e. TPB or ASIC). Number of complaints in 2020 and 2021 have been re-allocated to align with this updated definition.

The table below indicates the outcome of all Relevant Complaints investigated and resolved in the year indicated. The closed Complaints include those initiated in the current year and those unresolved from previous years.

**Table 3: Resolution of Relevant Complaints**

Outcome of Complaint investigations	2020	2021	2022	2023	2024
Complaints formally investigated and closed with no case to answer	142	78	88	115	115
Complaints determined by Disciplinary Tribunal	54	53	46	45	44
Internal reprimands/cautions issued to members	30	33	41	55	59
<b>TOTAL closed</b>	<b>226</b>	<b>164</b>	<b>175</b>	<b>215</b>	<b>218</b>

**Table 4: Number of Members that have appeared before a Disciplinary Tribunal in the relevant years**

Year	2020	2021	2022	2023	2024
Number of Members	47	48	32	42	43

The total allegations heard, are listed below; however, the individual Complaint combinations are not shown.

**Table 5: Complaints heard at Disciplinary Tribunals**

Complaints heard at Disciplinary Tribunals	2020	2021	2022	2023	2024
Member obtained admission by improper means, making a false declaration	0	1	1	0	1
Breach of Constitution, By-Laws, Code of Conduct or Applicable Regulations	14	16	14	9	17
Breach of APES 110 – Standard of Professional Care	10	14	7	11	5
Conduct dishonourable/derogatory to or not in the best interests of CPA Australia or its members	18	17	4	19	18
Become insolvent/ bankrupt	3	2	2	3	1
Adverse finding Professional/Statutory Body or Court	25	26	20	15	23
Failure to comply with request from, or determination by, CPA Australia	23	17	6	10	5
<b>TOTAL</b>	<b>93</b>	<b>93</b>	<b>54</b>	<b>67</b>	<b>70</b>

The total penalties imposed by Disciplinary Tribunal are listed below, however the Complaint combinations are not shown.

**Table 6: Disciplinary Tribunal Penalty Outcomes<sup>1</sup>**

Sanctions ordered by Disciplinary / Appeals Tribunals	2020	2021	2022	2023	2024
Forfeiture of membership	39	34	27	29	34
Suspension of membership	3	3	1	5	2
A severe reprimand	35	39	19	32	29
Admonishment	7	6	6	1	4
Complete a Quality Review	3	5	7	7	5
Training and development	15	13	15	6	12
Fine	35	22	11	29	21
Other Penalty*	10	13	8	3	8

<sup>1</sup>In addition to the penalties imposed, members are often required to meet certain criteria prior to any application for re-admission. This may include such conditions as providing evidence of further education, having repaid monies, producing a medical certificate etc.

<sup>2</sup>Other Penalty – includes penalties such as a lowering of the member's designation or a failure to be recorded against a member's examination results.