ARTICLE FOR CA FINAL STUDENTS

TOPIC: HOW TO GIVE ANSWER OF QUESTION RELATED TO

PROFESSIONAL ETHICS

Hello friends, once again i am here to take your 15 minuts but i am sure these 15minuts may help you in securing 16marks. Yes my friends this time i am talking about PROFESSIONAL ETHICS (also known as code of ethics), which itself has significance of 16marks in your audit paper.

What i am going to write here, is not at all new for anyone. Infact i was thinking, not to write this article. But after talking with many students i came to know still students do not know how to write answers for questions concerning to Professional Ethics, so decided to recommend a way of answering.

First lets have a brief knowledge:

"Schedule"	Part	Particulars	Nature	No. of clauses
FIRST	I	professional misconduct of members in practice	professional	12
FIRST	II	Prof. misconduct of member in service	Professional	2
FIRST	III	prof. misconduct of members generally	Professional	3
FIRST	IV	other misconduct of members generally	Other	2
SECOND	I	Prof. misconduct of members in practice	Professional	10
SECOND	II	Prof. misconduct of members generally	Professional	4

SECOND	III	Other misconduct of members generally	Other	1

Now come to the main agenda: Answer should be in four parts

1st: Do write provision

2nd: Do write facts given in question

3rd: Do connect the facts with the provision, which you wrote at 1st.

4th: Give conclusion.

Manner of writing the provision: As per the *relevant clause of the *relevant part of the *relevant schedule to the Chartered Accountants Act 1949, a chartered accountant in **practice/service shall deemed to be guilty ***professional/other misconduct, if he........do write provision.....

This is how you should start your answer. Above written mannner will take upto two lines of your sheet then two lines for your main provision, two lines for facts and two more lines for connecting the fact and conclusion. In this whole you have to take care about only those two lines which contains the provision, rest part of the answer, is pre-fixed and is cup of tea of every final student.

*do write clause, part and shc. which is attracted.
**according to particulars part of above given table
***as per nature of misconduct, see the above table.

Now lets have review of the clauses (usefull at the last moment)

The First schedule: Part I :- for members in practice

clause No. Provision

1. Allowing a person to practice in his name other than specified
2. pays or allow or agrees to pay or allow any share in his fee or profit of professional business with other than specified
3. Getting commission or brokerage from other than specified persons
4. Entering into partnership with other than specified persons
5. securing business through services of person other than specified
6. soliciting client through advertisement etc.
7. advertisement of professional attainment and using degrees other than specified after name
8. accepting the audit without first communicating the previous auditor
9. accepting appointment in a company without complying sec224 and 225
10. charging fee on the basis of % of profit or contingent upon findings
11. Engaging himself into other occupation
12. allowing any person to sign in his behalf other than specified

PART-II:- for members in service

1. Pays or allows share in his emoluments to any other person
2. Accept share in profit or commission from other person

PART-III:- for all members

1. Not being fellow act as fellow member
2. Not supplying information to authorities of ICAI
3. Giving wrong write-ups to the person enquiring

PART-IV:- for all members

1. Other misconduct- punishable with imprisonment less than 6moths
2. Brings disrepute to the profession

THE SECOND SCHEDULE

PART-I :-for members in practice

1. looses confidentiality of information obtained during the course of professional work

2. certifies in his name work done by persons other than specified

3. Reports as if vouching for the accuracy of the forecast

4. Expresses opinion on financial statement of the entity in which he, his partner, or firm is interested

5. Fail to disclose material fact known to him

6. fail to report misstatement known to him to appear in fin. stat.

7. Does not exercise due diligence

8. reporting baselessly

9. departing from generally applicable audit procedure without disclosing the same in report

10. fails to utilize money of client for stated purpose

PART-II :- for all members

1. contravenes provisions of the act, regulations and guidlines of ICAI

2. discloses confidential information in service

3. submits false particulars to authorities of ICAI

4.defalcates or embezzles money recieved

PART-III :-

1. other misconduct: if punishable for imprisonment for more than six month.

At last thank you friends, i am done.

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