PROFFESSIONAL ETHICS

© PRATEEK MISHRA

SCHEDULE – 1

(Refer to board of discipline)

PART- 1

1.	Allows any **OTHER PERSON PRACTICE** in his name as CA
2.	**PAYS FEES** to any person other than - CA - Partner - Retired partner - Legal heir of deceased partner - Member of other professional bodies
3.	Agrees to **RECEIVE PROFIT** form professional work from person being not CA, Exception - Prescribed qualification - Members of other professional bodies
4.	**PARTNERSHIP WITH OTHER THAN** - CA in practice - Members of other professional bodies - Recongnised by CG for this purpose
5.	**SECURES BUSINESS** through other than - Partner - Employee
6.	**SOLICITATION** of client for professional work.
7.	**ADVERTISES** his **PROFFESSIONAL ATTAIMNMENT** Or **USES ANY OTHER DESIGNATION.**
8.	**ACCEPTS** position of auditor **WITHOUT COMMUNICATING** With previous auditor.
9.	Accepts appointment of auditor without ascertaining requirement of **SECTION 225** is duly complied with.
10.	Charges **FEES ON PERCENTAGE BASIS OR CONTINGENT ON FINDING.** Except, - Reciever/liquidator - Auditor of co- op society - Valuer for direct tax and duties
11.	Engages himself in **BUSINESS** /profession **NOT BEING CA** unless permitted by council May become director(not MD/WTD) if he or his partner is not auditor of that co. *REGULATION 190A(*general permission, specific permission*)* *REGULATION 191*

12.	**ALLOWS** person **NOT BEING CA** sign on his or his firm's behalf

PART - II

1.	Agrees to **PAY** any **SHARE** to any person of **EMOLUMENT** of his employment
2.	Accepts any fees from lawyer a CA, broker, agent etc.

PART – III

1.	**NOT** being **FCA** acts as **FCA**
2.	Does **NOT SUPLLY** information asked by **INSTITUTE, BOD,DC** etc.
3.	While inviting professional work, anything of clause 6,7 or gives Information knowing it to be false

OTHER

Held guilty by court In opinion of council brings disrepute to profession

SCHEDULE – II

(Refer to disciplinary committee)

PART-I

1.	**DISCLOSES INFORMATION OF CLIENT** without his permission.
2.	**CERTIFIES WITHOUT EXAMINATION**
3.	Permits his/his firm's name with **ESTIMATE OF EARNING** and he **VOUCHES** the **ACCURACY** of **FORECAST.**
4.	**EXPRESSES OPINION** on F/S any business in which **HE/HIS FIRM** Or **PARTNER** has **SUBSTANTIAL INTEREST.**
5.	**FAILS** to **DISCLOSE** material facts known to him which is **NOT DISCLOSED IN F/S**
6.	**FAILS** to report **MATERIAL MISSTATEMENT**
7.	**DOES NOT** not exercise **DUE DILIGENCE** or is **GROSSLY NEGLIGENT**
8.	**FAILS** to obtain sufficient **INFORMATION** to WARRANT **EXPRESSION OF OPINION**
9.	**MATERIAL DEPARTURE** from generally accepted **PROCEDURES OF AUDIT**

10. FAILS to keep **MONEYS** of **CLIENT**

PART-II

1.	**Contravenes** any provisions of **act.**
2.	**Discloses confidential information** acquired during his **employment.**
3.	Submits information to ICAI, BOD, DC etc **knowing it to be wrong.**
4.	Defalcates or **EMBEZZLES MONEY RECEIVED IN PROFFESSIONAL CAPACITY**

OTHER

Held by court for an **offence** which is punishable with imprisonment for term exceeding **6 MONTHS**