

# press release



## **Member reprimanded**

On 20 March 2006, the Disciplinary Committee of the Association of Chartered Certified Accountants (ACCA) considered three complaints against a member, Stephen Peter John White, FCCA, of Brattleby, Lincoln, LN1 2SQ. The complaints that he was liable to disciplinary action in that:

Complaint i)

- (a) under bye-law 8(a)(ii), he performed his professional work improperly or incompetently to such an extent as to bring discredit to himself, to the Association, or to the accountancy profession in that he failed to discharge his duties as Nominee by failing to report matters that should have been made known to the court and to the creditors in his Nominee's Report prepared in accordance with section 256 of the Insolvency Act 1986, contrary to Statement of Insolvency Practice 3 and Fundamental Principle 5 (Due care, skill, diligence and expedition and with proper regards for technical and professional standards)

and

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- (b) under bye-law 8(a)(iii), he failed to discharge his duties as Nominee by failing to report matters that should have been made known to the court and to the creditors in his Nominee's Report prepared in accordance with section 256 of the Insolvency Act 1986, contrary to Statement of Insolvency Practice 3 and Fundamental Principle 5 (Due care, skill, diligence and expedition and with proper regards for technical and professional standards)

Complaint ii)

- (a) under bye-law 8(a)(ii), he performed his professional work improperly or incompetently to such an extent as to bring discredit to himself, to the Association, or to the accountancy profession in that he failed to take any appropriate and/or sufficient action in ascertaining the validity or otherwise of the lease after the approval of the Individual Voluntary Arrangements, contrary to Fundamental Principle 5 (Due care, skill, diligence and expedition and with proper regards for technical and professional standards)

and

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- (b) under bye-law 8(a)(iii), he failed to take any appropriate and/or sufficient action in ascertaining the validity or otherwise of the lease after the approval of the Individual Voluntary Arrangements, contrary to Fundamental Principle 5 (Due care, skill, diligence and expedition and with proper regards for technical and professional standards)

Complaint iii)

- (a) under bye-law 8(a)(ii), he performed his professional work improperly or incompetently to such an extent as to bring discredit to himself, to the Association, or to the accountancy profession in that he failed to act with due skill, care, diligence and expedition and with proper regard for the technical and professional standards expected of him as a member in that he disregarded the express terms of the proposals as modified in that he failed to:
  - i) present bankruptcy petitions against two clients in a timely manner once the Individual Voluntary Arrangements had failed

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and

- ii) to issue certificates of non-compliance in a timely manner once the Individual Voluntary Arrangements had failed due to the non payment of the instalments

contrary to Statement of Insolvency Practice 3 and Fundamental Principle 5 (Due care, skill, diligence and expedition and with proper regard for technical and professional standards)

and

- (b) under bye-law 8(a)(iii), he failed to act with due skill, care, diligence and expedition and with proper regard for the technical and professional standards expected of him as a member in that he disregarded the express terms of the proposals as modified in that he failed to:
  - i) present bankruptcy petitions against two clients in a timely manner once the Individual Voluntary Arrangements had failed

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and

- ii) issue certificates of non-compliance in a timely manner once the Individual Voluntary Arrangements had failed due to the non payment of the instalments

contrary to Statement of Insolvency Practice 3 and Fundamental Principle 5 (Due care, skill, diligence and expedition and with proper regard for technical and professional standards)

were found proved.

The Committee ordered that Mr White should be reprimanded and pay a fine of £2,000 and costs of £7,907, and that the decision should be published by issuing a press release to the professional, national and local press referring to him by name.

For further information, please contact:

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