

20 February 2019

Disciplinary Committee ordered Removal from the Student Register*

On 18 February 2019, the Disciplinary Committee of ACCA (the Association of Chartered Certified Accountants) found proved the following allegations against a Member, Mr David McIlwrath, of Belfast, County Antrim, United Kingdom:

Allegation 1


(a) On 11 May 2018, David McIlwrath was convicted of:

- (i) Stealing monies to the value of £7,836.92 or thereabouts from Organisation B between 26 October 2011 and 8 March 2013, contrary to Section 1 of the Theft Act (Northern Ireland) 1969, which is discreditable to the Association or the accountancy profession; and
- (ii) Between 26 October 2011 and 8 March 2013 whilst occupying a position in which he was expected to safeguard, or not to act against, the financial interests of Organisation B dishonestly abused that position in that he wrote cheques made payable to himself and another, with the intention, by means of the abuse of that position to make a gain for himself or another or to cause loss to Organisation B or to expose Organisation B to a risk of a loss, in breach of section 4 of the Fraud Act 2006, contrary to Section 1 of the Fraud Act 2006, which is discreditable to the Association or the accountancy profession.

(b) By reason of his conduct at 1(a)(i) and (ii) above, David McIlwrath is liable to disciplinary action pursuant to bye-law 8(a)(ix).

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Allegation 2

(a) On a date or dates unknown between January 2011 and June 2012, David McIlwrath took monies belonging to Organisation A totalling approximately £16,419.06 to which he was not entitled.

(b) David McIlwrath's conduct in respect of 2(a) was:

- (i) Dishonest, in that David McIlwrath knew that he was not entitled to such monies; and
- (ii) Contrary to the Fundamental Principle of Integrity (as applicable from 2011 to 2012).

Allegation 3

(a) In or around August 2013, David McIlwrath claimed:

- (i) that he had successfully completed his final ACCA exam when he had not; and/or
- (ii) that he was a fully qualified accountant when he was not.

(b) David McIlwrath's conduct in respect of 3(a) was:

- (i) Dishonest in relation to 3(a)(i) above in that he knew that he had not successfully completed his final ACCA exam; and/or

- (ii) Dishonest in relation to 3(a)(ii) above in that he knew that he was not a fully qualified accountant.
- (iii) Contrary to the Fundamental Principle of Integrity (as applicable in 2013).

Allegation 4

By reason of his conduct in respect of any or all of the matters set out at 2(a), 2(b), 3(a) and/or 3(b) above, David McIlwrath is guilty of misconduct pursuant to bye-law 8(a)(i).

The Disciplinary Committee ordered that Mr McIlwrath be removed from the student register, with immediate effect. The Committee further ordered that Mr McIlwrath not be allowed to apply for readmission for a period of 5 years, and to pay costs to ACCA in the sum of £7,500.00.

Please note that this may be the subject of an appeal.

ACCA's regulations require ACCA to publish the Committee's findings and orders by way of a news release, as soon as practicable.

** An order made by the Disciplinary Committee shall take effect from the date of expiry of the Appeal Period referred to in the Appeal Regulations unless the Committee directs that the order should have immediate effect*

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About ACCA

ACCA (the Association of Chartered Certified Accountants) is the global body for professional accountants, offering business-relevant, first-choice qualifications to people of application, ability and ambition around the world who seek a rewarding career in accountancy, finance and management.

ACCA supports its **200,000** members and **486,000** students in **180** countries, helping them to develop successful careers in accounting and business, with the skills required by employers. ACCA works through a network of **101** offices and centres and more than **7,200** Approved Employers worldwide, who provide high standards of employee learning and development. Through its public interest remit, ACCA promotes appropriate regulation of accounting and conducts relevant research to ensure accountancy continues to grow in reputation and influence.

ACCA is currently introducing major innovations to its flagship qualification to ensure its members and future members continue to be the most valued, up to date and sought-after accountancy professionals globally.

Founded in 1904, ACCA has consistently held unique core values: opportunity, diversity, innovation, integrity and accountability. More information is here: www.accaglobal.com