



Think Ahead

News release

28 February 2023

Disciplinary Committee ordered severe reprimand*

On 23 and 24 February 2023, the Disciplinary Committee of ACCA (the Association of Chartered Certified Accountants) found proved the following allegations against Mr Tung Luu of London, United Kingdom:

Allegation 1

It is alleged that between February 2016 and December 2020 Mr Luu on behalf of his firm:

- (a) Failed to automatically enrol the employees of Company A and/or Company A's clients in a pension scheme in accordance with the Pensions Act 2008 contrary to Section 130.1(b) of the FP of Professional Competence and Due Care (as applicable in 2016 to 2018) and Section 113.1(b) of the FP of Professional Competence and Due Care (as applicable in 2019 to 2020);
- (b) Failed to comply with the Automatic Enrolment employer duties namely:
 - i. Assessment of employees prior to completing annual declaration of compliance;
 - ii. Opt-out notices;
 - iii. AE communications to be issued within 6 weeks of staging date

as set out in the Pensions Regulator Automatic Enrolment detailed guidance contrary to Section 130.1(b) of the FP of Professional Competence and Due Care (as applicable in 2016 to 2018) and Section 113.1(b) of the FP of Professional Competence and Due Care (as applicable in 2019 to 2020);

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(c) By reason of any or all of the above Mr Luu is:

- i. Guilty of misconduct pursuant to byelaw 8(a)(i).

Allegation 2

(a) Between February 2016 and December 2020, Mr Luu failed to comply with Section B9(5) of ACCA's Code of Ethics and Conduct (as applicable in 2016 to 2020) in that he failed to issue an engagement letter to 251 of his clients which included any reference to the pensions services his firm had agreed to provide to them.

- i. By reason of the conduct at 2(a) above, Mr Luu is guilty of misconduct pursuant to byelaw 8(a)(i);

The Disciplinary Committee ordered that Mr Luu be severely reprimanded and to pay costs to ACCA in the sum of £12,244.50.

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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Notes to Editors

About ACCA: ACCA is the Association of Chartered Certified Accountants. We're a thriving global community of **233,000** members and **536,000** future members based in **178** countries and regions that upholds the highest professional and ethical values.

We believe that accountancy is a cornerstone profession of society that supports both public and private sectors. That's why we're committed to the development of a strong global accountancy profession and the many benefits that this brings to society and individuals.

Since 1904 being a force for public good has been embedded in [our purpose](#). And because we're a not-for-profit organisation, we build a sustainable global profession by re-investing our surplus to deliver member value and develop the profession for the next generation.

Through our world leading ACCA Qualification, we offer everyone everywhere the opportunity to experience a rewarding career in accountancy, finance and management. And using our respected research, we lead the profession by answering today's questions and preparing us for tomorrow.

ACCA and CA ANZ have formed a [strategic alliance](#) for the benefit of members and to help shape the future of the profession. Find out more about us at accaglobal.com