Think Ahead ACCA

HEARING

DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of:	**Mr Lee Chong Kuang**
Heard on:	**Wednesday, 03 September 2026**
Location:	**Held remotely by video conference**
Committee:	**Mr David Tyme (Chair)** **Ms Fiona MacNamara (Accountant)** **Mr Geoff Baines (Lay)**
Legal Adviser:	**Mr Andrew Granville Stafford**
Persons present and capacity:	**Mr Richard Ive (ACCA Case Presenter)** **Miss Sofia Tumburi (Hearings Officer)**
Outcome:	**Allegations 1, 2(a), 2(b), 3(a), 3(b), 3(c), 3(d) and 4(a) proved.** **Excluded from membership.**
Costs:	**£5,500.**

INTRODUCTION AND PRELIMINARY MATTERS

1. The Disciplinary Committee of ACCA ('the Committee') convened to consider a report concerning Mr Lee Chong Kuang ('Mr Lee').

2. The Committee had before it a Bundle of documents (201 pages) and a Service Bundle (15 pages).

PROCEEDING IN ABSENCE

3. Mr Lee did not attend the hearing and was not represented.

4. This case was previously listed for a hearing before a panel of this Committee on 13 May 2026, which was also held by video link, and which Mr Lee attended. The Committee on that occasion decided to adjourn the hearing. It also directed Mr Lee to file a witness statement by 12 June 2026.

5. On 08 June 2026, Mr Lee sent a completed Case Management Form ('CMF') and a written statement to ACCA. In his CMF he ticked the boxes to say he did not intend to attend or be represented at the disciplinary hearing.

6. In his written statement, Mr Lee said:

   'I do not intend to attend the re-listed hearing of this matter. I have reached that decision deliberately and on a considered basis, having regard to the matters set out in this letter. . . My non attendance is not to be construed as an admission of any allegation, nor as any want of co-operation on my part, and all of my rights are expressly reserved.'

7. He asked the Committee to take into account his written representations. He added that he did not intend to continue his membership of ACCA.

8. Notice of today's hearing was sent by email to Mr Lee on 05 August 2026. He replied by email on 08 August 2026, referring to his previous response, and asking that his membership of ACCA be terminated. The Hearings Officer replied on 10 August 2026, pointing out that membership cannot be terminated whilst disciplinary proceedings are ongoing.

9. The Committee was satisfied that the requirements as to service in regulations 10(1), 10(8)(d) and 22(5) of the Chartered Certified Accountants' Complaints and Disciplinary Regulations ('CDR') had been complied with.

10. Having satisfied itself that service had been effected in accordance with the regulations, the Committee went on consider whether to proceed in the absence of Mr Lee.

11. The Committee considered there was no good reason to adjourn this hearing. Mr Lee had not applied for an adjournment and, moreover, had made it clear that he did not intend to attend it. He had therefore voluntarily waived his right to attend, and in circumstances no useful purpose would be served by an adjournment.

12. Having regard to the public interest, the Committee decided that the case should proceed in Mr Lee's absence.

ALLEGATIONS AND BRIEF BACKGROUND

13. The allegations faced by Mr Lee were as follows.

Allegation 1

Pursuant to bye-law 8(a)(vi), Mr Lee Chong Kuang is liable to disciplinary action by virtue of the disciplinary action taken against him by the Disciplinary Committee of the Malaysian Institute of Accountants (MIA) on 06 December 2024.

Allegation 2

a) Mr Lee Chong Kuang failed to bring promptly to the attention of ACCA that he had been disciplined on 06 December 2024 by the MIA, a fact or matter indicating that he may have become liable to disciplinary action, in breach of bye-law 10(b).

b) In relation to the facts in Allegation 2(a), Mr Lee Chong Kuang is liable to disciplinary action and guilty of misconduct pursuant to bye-law 8(a)(i).

Allegation 3

Contrary to Regulation 3(1) of the Complaints & Disciplinary Regulations 2014 (as amended), Mr Kuang failed to co-operate with the investigation of a complaint, in that he did not respond to any or all of ACCA's correspondence dated:

a. 23 October 2025;
b. 05 November 2025;
c. 19 November 2025;
d. 04 December 2025.

Allegation 4

In relation to any or all of the facts in Allegation 3, Mr Lee Chong Kuang is:

a) Guilty of misconduct pursuant to bye-law 8(a)(i); or in the alternative:

b) Liable to disciplinary action pursuant to bye-law 8(a)(iii).

14. Mr Lee has been a member of ACCA since 15 November 2000 and a Fellow since 15 November 2005. He is resident in [PRIVATE].

15. Mr Lee has also been a member of the Malaysian Institute of Accountants ('MIA') since 2007. MIA is a statutory body established to regulate and develop the accountancy profession in Malaysia. At the material times, Mr Lee held an MIA practising certificate, but he did not hold an audit licence or a tax agent licence.

16. On 06 December 2024, the Disciplinary Committee of the MIA found Mr Lee had committed misconduct by promoting and advertising audit and tax related services when he did not have an audit licence or a tax agent licence. The allegation against Mr Lee, which was found proved by the MIA Disciplinary Committee, was as follows:

"THAT you Mr Lee Chong Kuang (Mem. No.: [PRIVATE]) as a member of the Institute and in your capacity as [PRIVATE] of Company A. [PRIVATE] ("the Company") had on 14 Sept 2020 advertised and promoted audit and tax

services in the Malaysia Services E-Directory at http://'malaysiaservice.matrade.gov.my and via the website of Company A ("the Company's website") at [PRIVATE], where such advertising and/or promoting may lead the public at large to infer that you and your Company are qualified to provide auditing and tax services when in fact you do not possess a valid audit licence nor a tax agent licence issued by the relevant Malaysian authority and therefore is not authorised to advertise and/or promote and/or offer such services.

In doing so, you have thereby contravened:

Section 18A of the Accountants Act 1967 dealing with Advertisement:

"A member who is a chartered accountant or a licensed accountant may advertise himself as being engaged in practice as a chartered accountant or licensed accountant respectively in accordance with by-laws made by the Council."

Subsection R115.2 (a) of the Institute's By-Laws dealing with Professional Behaviour:

"When undertaking marketing or promotional activities, a professional accountant shall not bring the profession into disrepute. A professional accountant shall be honest and truthful and shall not make: (a) Exaggerated claims for the services offered by, or the qualifications or experience of, the accountant".

Pursuant to the above contravention, you have thereby breached:

Subsection R115.1 of the Institute's By-Laws dealing with Professional Behaviour:

"A professional accountant shall comply with the principle of professional behaviour, which requires an accountant to comply with relevant laws and regulations and avoid any conduct that the accountant knows or should know might discredit the profession. A professional accountant shall not knowingly engage in any business, occupation or activity that impairs or might impair the

integrity, objectivity or good reputation of the profession, and as a result would be incompatible with the fundamental principles'.

To be read together with Subsection R115.1 A1 of the By-Laws dealing with Professional Behaviour:

"Conduct that might discredit the profession includes conduct that a reasonable and informed third party would be likely to conclude adversely affects the good reputation of the profession."

The relevant laws applicable here being:

(i) *Section 263(1) of the Companies Act 2016: -*

"Any person may apply to the Minister charged with the responsibility for finance to be approved as a company auditor for the purpose of this Act".

(ii) *Section 153 (1) of the Income Tax Act 1967 states that:*

"No person holding himself out as a tax agent, a tax consultant or a fax adviser (or under any other like description) shall be permitted to act in Malaysia on behalf of any person for any of the purposes of this Act unless he is a tax agent as defined in this section".

[Section 153(3) of the Income Tax Act 1967 defines "tax agent" as "any professional accountant or person, approved by the Minister"]

By contravening the Accountants Act 1967 and the institute's By-laws, you have thereby committed an act amounting to an 'unprofessional conduct' within the meaning as provided under Rule 2 of the Malaysian Institute of Accountants (Disciplinary) (No.2) Rules 2002.

And if found guilty, Rule 18(3) of the Malaysian Institute of Accountants (Disciplinary) (No.2) Rules 2002 empowers the Disciplinary Committee to impose any one or combination of disciplinary punishments provided under the said Rules."

17. The MIA's Disciplinary Committee fined Mr Lee RM4,000 and ordered him to pay costs of RM5,000.

18. ACCA Bye-law 8(a)(vi) provides that a member is liable to disciplinary action if they have been disciplined by another professional or regulatory body. ACCA's case in relation to Allegation 1 was that, in light of the findings of the MIA's Disciplinary Committee, Mr Lee is liable to disciplinary action under Bye-law 8(a)(vi).

19. ACCA was notified of the above finding by a letter sent to Head of ACCA Malaysia by a manager at the MIA on 17 April 2025. That letter was forwarded to ACCA's Complaint Assessment department on 10 September 2025.

20. ACCA Bye-law 10(b) requires a member to bring promptly to the attention of the Secretary of ACCA any facts or matters indicating that they may have become liable to disciplinary action. ACCA's case in respect of Allegation 2 was that, as Mr Lee failed to notify ACCA of this matter and instead, the matter was brought to ACCA's attention by MIA, he is in breach of this requirement.

21. Allegation 3 relates to Mr Lee's failure to co-operate with ACCA's investigation into the above matters.

22. On 23 October 2025, the Investigation Department of ACCA emailed a letter to Mr Lee, seeking further information regarding the disciplinary action taken by the MIA. He was also asked to confirm whether he had paid the fine and costs imposed and why he had not informed ACCA of the MIA's finding. The email was sent to his registered email address. Mr Lee did not reply.

23. On 05 and 19 November 2025, ACCA sent further emails to Mr Lee's registered email address, reminding him of his obligation to co-operate with the investigation and seeking his response by 19 November 2025 and 03 December 2025 respectively. No response was received. ACCA's internal software shows that the email dated 19 November 2025 was opened on 20 November 2025 at 04:08.

24. On 04 December 2025, a final chaser was sent to Mr Lee's registered email address. Mr Lee was warned that an allegation would be raised against him if he did not respond by 18 December 2025. No response was received.

25. ACCA submits that by failing to respond to its enquiries, Mr Lee breached CDR Regulation 3(1), which states:

Duty to co-operate

(a) Every relevant person is under a duty to co-operate with any investigating officer and any assessor in relation to the consideration and investigation of any complaint .

(b) The duty to co-operate includes providing promptly such information, books, papers or records as the investigating officer or assessor may from time to time require.

MEMBER'S CASE

26. Mr Lee emailed ACCA on 07 May 2026, shortly before the adjourned hearing on 13 May 2026. He said that he had not received previous correspondence from ACCA regarding these allegations and he only became aware of them on receiving a telephone call from ACCA on 29 April 2026.

27. In his email he said that he had attended the MIA's Disciplinary Committee hearing on 06 December 2024 and had maintained that the allegation against him was baseless. He said that he had paid the fine and costs without any admission that he had breached the MIA's bye-laws. He said he had not been aware that he was under an obligation to notify ACCA of the Malaysian proceedings. He had, he said, at all times maintained the highest standards of professional and corporate conduct.

28. In his CMF, completed on 08 June 2026, Mr Lee stated:

'I do not admit any allegation and deny each, putting ACCA to strict proof. All four stem from a single root — the MIA determination of 6 December 2024 (Allegation 1) — which I do not accept: a technical advertising / professional behaviour matter raised by an MIA investigating officer, involving no dishonesty, client detriment or financial impropriety, no deliberate holding-out on my part, and disproportionately sanctioned on a flawed basis. Allegation 2 is wholly dependent on it — with no valid matter to report, no duty under bye-law 10(b) arose. Allegations 3 and 4 arise solely from an investigation deriving

entirely from that same contested determination; in any event the circumstances of the correspondence are explicable and disclose no want of co-operation. Absent a sound Allegation 1, the rest have no independent foundation. All rights reserved.'

29. In his statement accompanying his CMF, Mr Lee said that he had been a member of ACCA for almost thirty years, and his professional conduct had been entirely unblemished. He said that he was profoundly disappointed that, after such a long period of unblemished membership and dedicated professional service, he found himself the subject of these proceedings. He said:

'I would further observe that I presently carry substantial executive responsibilities, including as [PRIVATE] of a company listed on the [PRIVATE]. The present proceedings represent, in my respectful submission, a disproportionate and unwarranted demand upon my time, energy and resources — wholly out of step with the technical and historic nature of the underlying matter. It is a matter of genuine regret to me that I am compelled to divert attention from those responsibilities in order to address allegations that I consider to be without proper foundation. None of the foregoing, however, is to be taken as any want of co-operation on my part; my position on the allegations is as set out in this letter, and all of my rights are reserved.'

30. He also said that he did not wish to continue his membership of ACCA, having regard to the manner in which this matter had been handled.

DECISIONS ON ALLEGATIONS AND REASONS

31. The Committee considered the documents before it, the submissions of Mr Ive on behalf of ACCA and the advice of the Legal Adviser. The Committee bore in mind that the burden of proving an allegation rests on ACCA and the standard to be applied is proof on the balance of probabilities.

32. The Committee considered each of the Allegations separately.

Allegation 1

33. The Committee was satisfied, in light of the letter sent from the MIA to the Head of ACCA Malaysia dated 17 April 2025, that Mr Lee was subject to a finding of misconduct by the Disciplinary Committee of the MIA on 06 December 2024.

34. The Committee was also satisfied that the MIA was a professional regulatory body, and therefore Mr Lee was liable to disciplinary action under Bye-law 8(a)(vi).

35. The Committee therefore found Allegation 1 proved.

Allegation 2

36. The Committee was satisfied that Mr Lee did not bring the disciplinary finding made against him by the MIA to the attention of ACCA. ACCA only became aware of it from MIA's letter of 17 April 2025.

37. The Committee noted that Mr Lee said in a letter to ACCA dated 07 May 2026 that he was unaware of his obligation to notify ACCA of the MIA finding. By implication, therefore, he accepts that he did not notify ACCA of this finding.

38. The Committee was satisfied that this was a breach of Bye-law 10(b). It was also satisfied that Mr Lee's failure to notify ACCA of the finding made against him by the MIA amounts to misconduct. All professionals should be aware of the need to inform their regulator when a disciplinary finding is made against them by another regulatory body. A failure to do so would be regarded as deplorable by fellow professionals.

39. The Committee therefore found Allegations 2(a) and 2(b) proved.

Allegations 3 and 4

40. The Committee was provided with copies of the correspondence sent to Mr Lee by ACCA's investigations department on 23 October 2025, 05 November 2025, 19 November 2025 and 04 December 2025. It was satisfied that CDR 3(1) imposed on Mr Lee a requirement to co-operate with the investigation by replying to that correspondence, and that he had failed to do so.

41. The Committee did not accept Mr Lee’s assertion that he was unaware of the ACCA investigation until 29 April 2026. All of the emails were sent to Mr Lee’s registered email address. The Committee was provided with proof that the email sent to him by ACCA on 19 November 2025 was opened the following day at 04.08hrs. Significantly, that email both referred to and enclosed copies of the previous two emails, sent on 23 October 2025 and 05 November 2025.

42. The Committee was satisfied, on the balance of probabilities, that Mr Lee had deliberately ignored this email correspondence from ACCA and had therefore failed in his obligation to provide the information requested by the ACCA investigator.

43. The Committee accordingly found Allegation 3 proved in its entirety.

44. The Committee was satisfied that failing to reply to correspondence from his regulator regarding a disciplinary investigation amounted to misconduct by Mr Lee. It was a blatant disregard of his professional responsibilities over a sustained period and, in the Committee's view, fell way below the standards expected of a member of the Association. It therefore found Allegation 4(a) proved.

45. As Allegation 4(b) was in the alternative, there was no need for the Committee to consider it.

SANCTION AND REASONS

46. The Committee considered what sanction, if any, to impose taking into account ACCA’s Guidance for Disciplinary Sanctions (‘GDS’) and the principle of proportionality. The Committee bore in mind that the purpose of sanctions was not punitive but to protect the public, maintain confidence in the profession and declare and uphold proper standards of conduct and behaviour. It took into account the submissions of the parties and the advice of the Legal Adviser.

47. The Committee took into account that no previous disciplinary findings had been made against Mr Lee by ACCA. However, given the finding of the MIA’s Disciplinary Committee, it could not regard him as having an unblemished disciplinary record. Therefore, the Committee was unable to identify any mitigating factors.

48. The Committee considered the following to be aggravating factors. Mr Lee engaged in a deliberate course of conduct over a period of time aimed at frustrating the ACCA investigation. Further, Mr Lee's attitude demonstrated a lack of respect for his regulators, both the MIA and the ACCA, and therefore he had not demonstrated any insight into his failings.

49. Having found that Mr Lee's actions constituted a serious falling short of the required standards, taking no further action or an admonishment were clearly not appropriate.

50. The Committee had regard to the guidance in the GDS in respect of reprimand and severe reprimand.

51. As the failings in question were not minor and were, in the circumstances, a deliberate disregard of Mr Lee's regulatory responsibilities, a reprimand was not an appropriate sanction.

52. In order for a severe reprimand to be an appropriate sanction, in light of the serious nature of the allegations found proved, the Committee would have to be satisfied that Mr Lee had shown insight into his conduct; furthermore, that public confidence would not be called into question by allowing him to continue his membership of ACCA. The Committee was not satisfied of those matters. Mr Lee's attitude towards his regulatory responsibilities means, in the Committee's view, that there is an ongoing risk to the public. In those circumstances, the public and fellow professionals would expect him to be excluded.

53. Therefore, pursuant to CDR 13(1)(c), Mr Lee is excluded from membership of ACCA. The Committee did not consider that it was necessary to extend beyond the minimum the period for which an application for readmission can be considered.

COSTS AND REASONS

54. ACCA applied for costs in the sum of £5,783. The application was supported by a schedule providing a breakdown of the costs incurred by ACCA in connection with the hearing.

55. Mr Lee provided no information regarding his financial circumstances.

56. The Committee considered that in principle a costs order should be made in favour of ACCA. It further considered that the costs sought were reasonably and necessarily incurred, save that some reduction should be made to reflect the actual rather than estimated length of the hearing.

57. The Committee determined that the appropriate order was that Mr Lee pay ACCA's costs in the sum of £5,500.

EFFECTIVE DATE OF ORDER

58. The Committee determined that it would be in the interests of the public for the order to take immediate effect. Therefore, pursuant to CDR 20, the order removing Mr Lee from membership will take effect immediately.

Mr David Tyme
Chair
03 September 2026