

IN THE MATTER OF

A Complaint made under section 34(1A) of the Professional
Accountants Ordinance (Cap. 50)

BETWEEN

The Registrar of the Hong Kong Institute of COMPLAINANT
Certified Public Accountants

AND

Sze Lin Tang (A14573) 1ST RESPONDENT

Zhonghui Anda CPA Limited (M2082) 2ND RESPONDENT

Before a Disciplinary Committee of the Hong Kong Institute of Certified
Public Accountants

Members: Ms. CHAN Ka Man (Chairman)
 Mr. CHU Pak Ning Ian
 Ms. NG Yuen Chun
 Mr. CHOI Wai Wing
 Mr. MIU Liong Nelson *

Date of Substantive Hearing: 22 February 2021

Date of Reasons for Decision: 22 April 2021

Date of Order and Decision on Sanctions and Costs: 2 August 2021

ORDER AND DECISION ON SANCTIONS AND COSTS

1. This is a complaint made by the Registrar of the Hong Kong Institute of Certified Public Accountants (“**Institute**”) against Mr. Sze Lin Tang (“**1st Respondent**”) and Zhonghui Anda CPA Limited (“**2nd Respondent**”), a corporate practice (collectively the “**Respondents**”) that the Respondents failed or neglected to observe, maintain or otherwise apply professional standards under section 34(1)(a)(vi) of the Professional Accountants Ordinance (“**PAO**”).
2. The Committee’s findings of facts and reasons are set out in the Reasons for Decision dated 22 April 2021 (“**Decision**”) and this decision on sanctions and costs shall be read together with the Decision.
3. As directed by the Committee, the Complainant and the Respondents provided their submissions on sanctions and costs on 20 May 2021 and 17 June 2021 respectively.
4. In determining the appropriate sanctions to be imposed, the Committee notes that it has a wide discretion on the sanctions and has borne in mind the relevant provisions in the Guideline to Disciplinary Committee for Determining Disciplinary Orders. It is further noted that the Committee is not bound by decisions of a previous committee and that it is for the Committee to determine the appropriate penalty having regard to the specific features of each case.

5. In considering the proper order to be made in this case, the Disciplinary Committee has had regard to, *inter alia*, the aforesaid submissions from the parties, the nature of the complaint, involvement of a listed company, clear record of the Respondents and conduct of the Respondents in these proceedings.

6. The Disciplinary Committee hereby orders that:-
 - a) The Respondents be reprimanded under section 35(1)(b) of the PAO;
 - b) The 1st Respondent do pay a penalty of HK\$35,000 pursuant to section 35(1)(c) of the PAO;
 - c) The 2nd Respondent do pay a penalty of HK\$35,000 pursuant to section 35(1)(c) of the PAO;
 - d) The Respondents do jointly and severally pay:
 - (i) the costs and expenses of and incidental to the proceedings of the Complainant (including costs of this Committee) in the sum of HK\$179,324 under section 35(1)(iii) of the PAO; and
 - (ii) the costs and expenses in relation or incidental to the investigation incurred by the Financial Reporting Council in the sum of HK\$31,019 under section 35(1)(d)(ii) of the PAO.

The above shall take effect on the 42th day from the date of this Order.

Dated the 2nd day of August 2021.

Ms. Chan Ka Man
Chairman
Disciplinary Panel A

Mr. Chu Pak Ning Ian
Member
Disciplinary Panel A

Mr. Choi Wai Wing
Member
Disciplinary Panel B

Ms. Ng Yuen Chun
Member
Disciplinary Panel A

Mr. Miu Liong Nelson
Member
Disciplinary Panel B