



# Fixed penalty process: effective 1 April 2019

Fixed penalties are based on the least serious starting point in the Guidance on Sanctions (GoS) to reflect the fact that the process is intended to apply only in the case of minor, compliance-type complaints where there are no aggravating features.

To be consistent with section 3.5 of the Guidance on Sanctions, a 30% discount applies to any financial penalty levied through the process to recognise the respondent / respondent firm's early admission of the complaint.

Type of complaint	Fixed penalty
Practising without a practising certificate / PII (inadvertent breach, admitted and rectified). (Refer section 7(a) and (b) of the GoS, pages 22)	Reprimand and category F financial penalty with 30% discount applied.
Mis-use of the description Chartered Accountants (where breach corrected). (Refer section 11(c) of the GoS, page 39)	Reprimand and a fine equal to the fees saved with 30% discount applied.
Failure to comply with assurances given to Quality Assurance Department reviewers as part of a Practice Assurance Scheme review (where underlying breach now corrected). (Refer section 11(j) of the GoS, page 40)	Reprimand and a category F financial penalty with 30% discount applied.
Member entering into an IVA (no aggravating features). (Refer section 12(f) of the GoS, page 42)	Unpublicised caution.

Principal of an accountancy practice entering insolvency (no aggravating features). (Refer section 12(d) of the GoS, page 41)	Unpublicised caution.
Summary only offence where the respondent receives a non-custodial sentence (Refer section 4 of the GoS, page 14)	Reprimand
Police Cautions and any offences leading to a conditional or absolute discharge (Refer section 4 of the GoS, page 14)	Unpublicised caution.
NOTE: Costs orders do not apply in this process.	

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