

Interest

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रहा है कि auditor भी follow करें
पड़ता।

* ⑦ ICAI requires its members to comply with the principles of ethics while performing their duties.

⑧ Any deviation from the ethical responsibilities being the disciplinary mechanism into action against the CA's which may result into fines, suspension of membership or other disciplinary actions.

MCOs

Principles Based Approach v/s Rules Based Approach to ethics (Ethical or legal) :-

Principles Based.

Principles Based Approach to ethics that is requires compliance with spirit of ethics. It requires accounts to exercise professional judgement in every situation based upon their professional knowledge, skill & expertise. It requires that accountant should use professional judgement to evaluate every situation to arrive at conclusion.

Rules Based

Rules Based Approach to ethics strictly follows clear established rules. It may lead to narrow outlook & spirit of ethics may be overlooked while strictly adhering to rules. It is somewhat rigid as it may not be possible to deal with every practical situation relying upon rules.

Compliance

Accountant shall comply as per spirit of ethics.

→ flexible

Accountant shall strictly follow the clearly defines rules.

use of judgement

Accountant shall act as per their professional judgement based on their professional knowledge, skill, expertise

No use of judgement

Flexibility

It is more flexible

It is rigid approach & will not be suitable for every practical situation

Scope

It provides a broader outlook.

It provides a narrow outlook as it ~~can~~ can overlook spirit of ethics while complying rules

Professional Skepticism :-

NOV 19

(a) Professional skepticism refers to an attitude that includes a "questioning mind", "being alert to conditions" which may indicate possible MS due to fraud or error, and a "critical assessment" of AE obtained.

Cross Question

(b) Should remain alert forever. (while planning & performing audit)

(c) Challenging the evidence

(d) Auditor should remain alert in following situations :-

Examples :-

(i) When AE are inconsistent i.e. they contradict with other AE.

(ii) Conditions that may indicate possible fraud.

(iii) Info that brings into question - reliability of documents or responses to inquiries to be used as AE.

(iv) Circumstances that suggest the need for AP in addition to those required by the SM's.

(e) Maintaining Professional skepticism throughout the audit is necessary if auditor wants to reduce the following risk :-

मिले गए
identity के तै
कर पाएंगे।

(i) Overlooking Unusual Circumstances

(ii) Overgeneralising when drawing conclusion from ~~from~~ audit

assumption के
अनुसार, यह

Observation is evidence.

(iii) Using inappropriate assumptions while determining NTs of the

AP of evaluating the results thereof.

मिले ignore
मा करेगा - respect

(iv) Auditor should not disregard the past experience of honesty & integrity of mgmt & TCWG. However, this experience does not relieve the auditor from the need to maintain Professional skepticism.

Final
+ Inter

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Fundamental Principles of Professional Ethics →

ICAI code of ethics include following fundamental principles which should be complied with each professional accountants.

do's
don'ts

(a) Integrity →

and dry 00. auditor, reviewer, SRS, ... etc

- (i) Professional accountant should be straightforward honest in all his professional business relationship & should be fair dealing & truthfulness.
- (ii) Professional accountant should not be knowingly associated with such - reports, returns, communication or other info.
 - where the accountant believes that the info contains a materially false / misleading statement / ~~error~~
 - where the account believes that the info provided with negligently / omits / obscures required info ~~where~~ such omission / obscurity would be misleading.

(b) Objectivity →

quality

imbiased

- (i) This principle requires that a professional accountant should not be compromise on his professional judgement because of bias, conflict of interest or undue influence.
- (ii) If a professional accountant comes across any circumstances or relationship which can unduly influence his judgement then he should not accept such an engagement or withdraw if it is already accepted.

(c) Confidentiality →

secrecy

sept 24

- (i) This principle requires a professional accountant should respect or maintain confidentiality of info i.e. acquired as a result of professional or business relationship.
- This principle serves the public interest because it facilitates free flow of info from client or employee to accountant with the understanding that info will not be disclosed to 3rd party.

breach
of trust

money laundering + black money.

negligently - intentionally ignore.

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Exception

(ii) However, such confidential info may be disclosed :-

14.3(12)

- (a) when it is required by law or permitted by law or
- (b) authorised by the client / employer

(d) Professional Competence & due care :-

(i) This principle requires the accountant to ^{achieve} attain & maintain ^{experience} professional knowledge & skills at the level required to insure that a client or employing orgⁿ can receive a competent professional service. [Based on current technical, professional std, relevant legislation & diligently & in accordance with applicable technical & professional std].

Professional Competence

+

due care

(ii) Diligence includes responsibility to act carefully, thoroughly & on a timely basis in accordance with requirements of an assignment.

(e) Professional Behaviour :-

(i) This principle requires an accountant to comply with relevant L & R & avoid any conduct & activity that accountant knows or should know might discredit the profession. (Reputation Loss for the ICAI).

(ii) A professional accountant shall not knowingly engaged in any employment / occupation / activity that may impair his integrity, objectivity, reputation of the profession.

- rely

So ~~appear~~ to be independent meaning → two

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dependent or influenced

Independence

- Independence implies that judgement of a person is not subordinate to the wishes or direction of another person [who might have engaged him] or to his own self interest.
- Independence depends upon mind & character of person.
- Rules cannot create or ensure independence.
- Independence is a condition of mind & personal character & it should not be confused with superficial & visible standards imposed by law.
- Independence is a subjective term. One person might be independent in some circumstances & other might not feel independent in similar circumstances.
- It is the duty of every CA to determine whether he can act independently in given circumstances (apart from legal rules)
- He should not place himself in a position which compromises his independence.

Independence can be interpreted using following two conditions (types) → Interlinked

(a) Independence of mind → ~~मनस्वि~~ ^{सिद्धि}

- It is the state of mind that allows the provision of an opinion without being affected by influences which compromise the professional judgement.
- It shall ~~not be interpreted~~ allowing an individual

→ explanation

Therefore, ~~integrity~~ → able to act with integrity
if a professional ~~objectivity~~ → exercise objectivity & Professional skepticism

Then his state of mind can be assumed to be independent.

Right Question
Right time
to the Right person

Teacher's Signature

(b) Independence ⁱⁿ Appearance ^{3rd party} $\Rightarrow$ test

The avoidance of facts or circumstances that are so significant that a "reasonable & informed 3rd party", having knowledge of all relevant info" (including any safeguards applied) would reasonably conclude that a audit firm / member of audit team has compromised their integrity, objectivity & professional skepticism.

Safeguards ^{controls} to Independence $\Rightarrow$ By Auditor to reduce or eliminate threat

- safeguards are actions (IC's) either individually or in combination that an auditor can take to effectively reduce the impact of threats to comply with fundamental principles to an acceptable level.
- To address these issues following guiding principles should be applied by the audit firm:
 - (a) Before accepting any work auditor must conscientiously consider whether it involves any threat to his independence.
 - Because users will have confidence in audit quality, only if auditor should always be appears to be independent.
 - (b) When such threat exists auditor should either refuse / avoid such task or eliminate the threat before accepting such task. Safeguards can be used to reduce the impact of threat to an acceptable level.
 - (c) If auditor is unable to fully implement credible & adequate safeguards then he must not accept such an engagement.
 - (or) if he has already accepted the engagement then he must inform to TC or CF should withdraw.

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Threats to Independence - 5 types :-

(a) Self Interest Threats :-

(i) ~~These threats will occur when an auditor's firm, its partner or associate could benefit from a financial interest in an audit client.~~ These threats will occur when an auditor's firm, its partner or associate could benefit from a financial interest in an audit client.

(ii) Examples :-

- direct financial interest or materially significant indirect financial interest in a client.
- loan or guarantee to or from the concerned client.
- Undue dependence on client's fees & % concern about losing engagement.
- Close business relationship with an audit client.
- Potential employment with the client &
- Contingent fees for the audit engagement (Auditor fees % of Profit)

(b)

Self Review Threats :- *make & check u. should be diff*

(i) These threats will occur when auditors review an judgement ^{which are drawn by auditor himself} conclusion reached in a previous audit or non-audit engagement,
 (a) When a member of the audit team was previously a director
 (b) senior employee of client *

(c) mgmt services, internal audit, investment advisory services etc. *includes any professional services provided to an entity by an auditor, other than audit or review of FS.*

(ii) Instance where such threats comes into play :-

- a) When an auditor having recently been a director or senior officer of co * *within period = 2 yrs*
- b) When auditors perform services that are themselves subject matters of audit [eg - valuation report or ICG prepared by CA should not be audited by same CA]

(c) Advocacy Threats $\rightarrow$

(Interpret)

- (i) ~~Adv~~ These threat occurs when the auditor promotes, or is perceived to promote, a client's opinion to a point where people may believe that objectivity is getting compromised.
- (ii) Auditor can be perceived as backing & championing causes of auditee client & it may lead to belief that auditor is not acting & working objectively.

objectivity
judgement

supporting

Examples

- when auditor deals with share/securities of audited co.
- Auditor becomes client's advocate in ~~the~~ litigation and 3rd party disputes.

(d) Familiarity Threats $\rightarrow$ ^{visible}

- (i) These are self-evident, & occur when auditors ~~form~~ ^{form} relationships with the client where they end up being too sympathetic to the client's interest.

- (ii) This may occur in many ways: (Examples):

Present -> Director
future

- Close relative of the audit team working in a senior position in the client co.
- former partner of the audit firm being a director or senior employee of the client.
- long association betwⁿ specific auditors & their specific client counterparts &
- acceptance of significant gifts or hospitality from client co, its directors or employees.
- Gifts from client.

- (iii) Rotation of auditor as per sec 139(2) mainly addresses these very familiarity threat.

Gift

9. Intimidation Threats ^{not allures}
- It occurs when auditors are deterred from acting objectively with an adequate degree of professional skepticism.
 - There could happen because of threat of replacement over disagreement with the application of going policy or pressure to disappoint reduce work in response to reduced audit fees or being threatened with litigation.
 - Threats attempts to intimidate auditors to deter them from acting objectively.

SUMMARY

Types of approaches for audit

- Principles Based Approach
- Rule Based Approach

Professional Skepticism

Independence

↓
Threats

↓
Safeguards

Independence types

Independence of mind

Independence in appearance

Fundamental Principles of Professional Ethics

- Integrity
 - Objectivity
 - Professional Competence (due care)
 - Professional Behaviour
 - Confidentiality
- +
- Independence

Threat to Independence types

- Self Interest threat
- Self Review threat
- Advocacy threat
- Familiarity threat
- Intimidation threat