



# **Register of Findings and Orders Institute of Certified Public Accountants in Ireland**

(Updated 09/01/2026)

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Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/11/08	11/05/2008	Mr. Patrick Clarke, Clarke & Company, ACC House, 112 West Street, Drogheda, Co. Louth.001450	*Permanent Record*

### FORMAL COMPLAINT

Member has failed to conduct his work in accordance with approved Financial Reporting, Accounting, Auditing and Ethical Standards

### FINDINGS

That Clarke & Co., failed to carry out their work in accordance with Financial Reporting, Auditing and Ethical Standards in breach of Bye Law 7.3

### ORDER

The Tribunal ordered that the firm: -

- Auditing Certificate be withdrawn forthwith;

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/14/11	12/08/2011	Mr. Tim Brennan, Lodge, Freshford, Co. Kilkenny	<b>*Permanent Record*</b>

Member resigned from Membership following commencement of Disciplinary process.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/18/15	27/06/2016	Mr. Seán O'Neill. O'Neill & Co., St. Kilians, Blacklion, Greystones, Co. Wicklow.	<b>*Permanent Record*</b>

### FORMAL COMPLAINT

In breach of sections 110 and 270 of the Code of Ethics and the Statement of Insolvency Practice S11B, Mr. Seán O'Neill in his administration of the liquidation of a Company, failed to pay over the full amount due to a former employee of the Company which had been awarded by the Rights Commissioner.

### FINDINGS

Mr. O'Neill resigned his membership before conclusion of these disciplinary proceedings.

### ORDER

Disciplinary Tribunal ordered publication of the fact that Member resigned before the conclusion of the Disciplinary Process.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/04/16	21/07/2016	Mr. Frank Gorman. 3Island View, Harbour Road, Howth, Dublin 13.	*Permanent Record*

### FORMAL COMPLAINT

Member is engaging in public practice without holding a Practising Certificate in breach of Bye Law 13.

### FINDINGS

Prima facie evidence established.

### ORDER

Disciplinary Tribunal ordered publication of the fact that Member resigned before the conclusion of the Disciplinary process.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/13/15	24/10/2016	Mara Young & Co., Moneycooley,Maynooth, Co. Kildare.	Order No.: (i)*Permanent Record*

### FORMAL COMPLAINT

In breach of Bye Law 7.3, Mara Young & Co. has failed to carry its work according to accounting standards issued by the Accounting Standards Board (ASB) or the International Accounting Standards Board (IASB) as relevant, all auditing and ethical standards issued by the Auditing Practices Board (APB) and all quality control standards issued by the Auditing Practices Board (APB) and the Institute's Code of Ethics, by the scoring of a Grade D in accordance with Bye Law 7 on a Quality Assurance Review conducted on 9 July 2015.

### FINDINGS

That the complaint above was proven

### ORDER

The Disciplinary Tribunal ordered that:-

- (i) The Auditing Certificate of Mara Young & Co. be withdrawn

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/06/16	14/02/2017	Thomas Clare; Thomas Clare & Co. Main Street, Dunleer, Co. Louth	*Permanent Record*

### FORMAL COMPLAINT

1. That in breach of Bye Law 7 and the Institute's Code of Ethics the Member: -
  - a) Misrepresented their audit activity to the Institute by failing to disclose all their audit clients;
  - b) Failed to make available a number of audit files for review on the day of the Quality Assurance Review;
  - c) Failed to carry out their work in accordance with approved accounting, auditing, ethical and quality control standards and scored a Grade D on the Quality Assurance Review;
  - d) Did not comply with their obligations as a designated person in accordance with Criminal Justice (Money Laundering & Terrorist Financing) Act 2010 and 2013
  - e) Failed to co-operate fully with Quality Assurance Process.
2. That the Member potentially breached Company Law by:
  - a) Acting as auditor for two companies from which they were prohibited by SI 220 of 2010 and
  - b) Failed to report an indictable offence to ODCE in accordance with Section 194(5) of Companies Act 1990.
3. That the Member failed to comply with their obligations under Bye Law 13 by: -
  - a) Failure to complete an annual compliance review and
  - b) Failure to assess the fit and proper status of their firm.

### FINDINGS

Prima facie evidence of misconduct established.

### ORDER

None – Member resigned his membership before the conclusion of these disciplinary proceedings.

Disciplinary Tribunal ordered publication of the fact that Member resigned before the conclusion of the Disciplinary process.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/11/16	25/07/2017	1. Seán O'Reilly (Member) 2. Seán B. O'Reilly & Co. (Firm) Carrowcrin, Dromahair, Co. Leitrim	1. *Permanent Record*

### FORMAL COMPLAINT

#### Seán B. O'Reilly (Member): -

1. Breach of Bye Law 7.3 – failure to co-operate fully with Quality Assurance Executive by failing to respond to a Quality Assurance Report issued
2. Failure to respond to correspondence from the Secretary – Bye Law 6.5.2(i)

#### Seán B. O'Reilly & Co. (Member Firm) of Carrowcrin, Dromahair, Co. Leitrim: -

1. Breach of Bye Law 7.4 – Failure to carry out work in accordance with accounting, auditing, and ethical standards by the scoring of a Grade D on a Quality Assurance Review and
2. Acting in breach of authorisation by completing an audit report for a UK registered company

### FINDINGS

Complaint proven.

### ORDERS

#### Disciplinary Tribunal ordered that: -

1. The Auditing Certificate issued to Seán B. O'Reilly & Co. be withdrawn with effect from 31 July 2017;



Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/16/16	06/12/2017	Nigel O'Driscoll. Barrack Bridge, Old Yellow Road, Malahide, Co. Dublin.	*Permanent Record*

### FORMAL COMPLAINT

1. Mr. O'Driscoll acted in breach of the Institute's Code of Ethics by the inappropriate treatment of his own VAT which led to a significant underpayment of VAT and resulted in a judgement debt being registered by the Collector General and
2. Mr. O'Driscoll failed to satisfy a judgment debt in the amount of €259,496 to the Collector General.

### FINDINGS

Prima facie evidence of misconduct

### ORDER

None – Member resigned his membership before the conclusion of these disciplinary proceedings. Disciplinary Tribunal ordered publication of the formal complaint and resignation from membership.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/07/18	30/10/2018	Mr. Donal Ring. Donegan & Associates. Brighton House, 115-119 Lower Rathmines Road, Dublin 6	*Permanent Record*

Member resigned from membership on 31 August 2018 following the commencement of a complaints process in accordance with bye laws on discipline.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/10/18	27/03/2019	Mr. Seán O'Reilly of Seán B. O'Reilly & Co., Carrowcrin, Dromahair, Co. Leitrim.	Member: - Firm:- 1. 31/03/2026 1&2. 31/03/2026
<b>FORMAL COMPLAINT</b>			

- Continuing to sign Statutory Auditor Reports following the withdrawal of his Auditing Certificate by a Disciplinary Tribunal on 31 July 2017 – (Sec 39 of SI 312 of 2016);
- Failure to provide files or evidence of audit work for 13 clients where Statutory Audited Accounts have been filed with CRO – (Bye Law 7.4);
- Failure to complete adequate testing to support an accountant's report submitted to the Law Society on behalf of a Solicitor Client – (Bye Law 7.4);
- Failure to comply with anti-money laundering regulations – (Bye Law 7.4 and Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 and 2013);
- Failure to comply with accounting and ethical standards and the Institute's Code of Ethics;
- Continuing to hold himself out as a Statutory Auditor after the withdrawal of his Statutory Audit Licence – (Section 41 of SI 312);
- Failure to provide an accurate Client Listing to the Institute.

### FINDINGS

Complaints proven.

### ORDER

The Tribunal ordered that Seán O'Reilly: -

1. Be ineligible to hold a Practising Certificate for 2 years.

And that the Firm, Seán B. O'Reilly & Co.: -

1. Have all registrations and authorisations withdrawn;
2. Be prohibited from describing itself as "Certified Public Accountants" until such time as Mr. O'Reilly's Practising Certificate has been restored.

The Tribunal also ordered that the findings and orders in this case be published in Accountancy Plus with reference to both Mr. O'Reilly and Seán B. O'Reilly & Co. by name.

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Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/01/20	15/12/2020	Member: Glen White Firm: Glen White Accounting and Taxation Services, Suite 3, 148 Phibsboro Road, Phibsboro, Dublin 7	*Permanent record*

### FORMAL COMPLAINT

1. That in breach of bye law 7.4, the Firm failed to carry out their work according to accounting standards issued by the Financial Reporting Council (FRC) or the International Accounting Standards Board (IASB) as relevant, the auditing and ethical standards issued by the FRC or the Irish Auditing and Accounting Supervisory Authority (IAASA) as relevant, quality control standards issued by the FRC or IAASA as relevant and the applicable Code of Ethics and relevant legislation.
2. That in breach of bye law 13.33.1 the Member failed to maintain competence by failing to make arrangements so that all principals and employees conducting audit work are, and continue to be, competent to carry out the audits for which they are responsible or employed and in breach of bye law 13.33.2, Member failed to maintain an appropriate level of competence in the conduct of audits.

### FINDINGS

Complaints proven.

### ORDERS

1. That the Auditing Certificate issued to Glen White Accountancy & Taxation Services be withdrawn.

The Tribunal also ordered that details of these findings and order be published in Accountancy Plus with reference to the Member and Firm by name.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/08/20	29/01/2021	John G. O’Riordan; O’Riordan of O’Riordan & Associates, 3 <sup>rd</sup> Floor, Centre Park House, Centre Park Road, Cork	28/01/2026

## FORMAL COMPLAINT

In accordance with bye law 6.5.1(c) the Member failed, refused, or neglected to comply with orders duly made pursuant to bye law 6 in respect of the following disciplinary cases:

**Ref.: Invest/09/14.**

- Failure to discharge three judgement debts totalling €86,972 before 15 November 2018.
- Failure to discharge costs imposed of €12,000 before 31 December 2019.

**Ref.: Invest/10/17\***

- Failure to comply with a review by the Institute in January 2020 of compliance with all the Orders of Disciplinary Tribunals.

**Ref.: Invest/21/17\***

- Failure to comply with a review by the Institute in January 2020 of compliance with all the Orders of Disciplinary Tribunals.

**Ref.: Invest/23/17\***

- Failure to comply with a review by the Institute in January 2020 of compliance with all the Orders of Disciplinary Tribunals.

**Ref.: Invest/14/18**

- Failure to complete the liquidation of a client company and file all documents in the Companies Registration Office before 31 December 2019.
- Failure to provide all incomplete liquidation files for inspecting to the Institute between 1-29 February 2020.

**Ref.: Invest/11/15**

- Failure to pay fine and cost imposed before 31 December 2019.

**Ref.: Invest/08/16/**

- Failure to pay Costs imposed before 31 December 2019.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/08/20	29/01/2021	John G. O’Riordan; O’Riordan of O’Riordan & Associates, 3 <sup>rd</sup> Floor, Centre Park House, Centre Park Road, Cork	28/01/2026

## FINDINGS

Complaints proven.

## ORDERS

- Severe Reprimand
- That a contribution of €6,831 be paid towards the Institute’s costs in this case (payable by 30 June 2022).

**The Tribunal imposed the following condition in accordance with bye law 6.32.1(f):-**

- That Member be ineligible for receipt of a Practising Certificate from 1 April 2021 unless the following conditions are satisfied.
1. That all incomplete liquidation case files as per the order in Invest/14/18 are provided to the Institute in accordance with the terms of that order.
  2. That evidence is provided to the satisfaction of the Institute Secretary of the existence of an agreement and Members compliance with same agreement from either Solicitors for the Revenue Commissioners or the Revenue Commissioners in relation to the order of Invest/09/14 that three judgements debts totalling €86,972 have been discharged or are being discharged.

The Tribunal also ordered that details of these findings and orders be published in Accountancy Plus with reference to the Member by name.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/16/20	20/5/2021	Ms. Anne Cunningham; Count on Us, Osprey Complex, Devoy Quarter, Naas, Co. Kildare	19/5/2026

### FORMAL COMPLAINT

That the terms of a Hot File Review condition imposed on the statutory audit firm, Count on Us, by the Registration Committee in accordance with bye law 13, was breached by the filing of 13 sets of financial statements in the Companies Registration Office in the period November 2020 to January 2021 which had not been the subject of a hot file review.

### FINDINGS

Complaint proven.

### ORDERS

- Severe Reprimand;
- Contribution of €20,000 towards the Institute's costs in this case – (to be paid in equal instalments between July 2021 and 31 December 2023)

The Tribunal imposed the following Orders in accordance with bye law 6.32.1 (f): -

1. That for a period of three years, any audit signed by the Member or Firm must be co-signed and co-audited by an independent statutory auditor operating in another firm.
  2. That the Member undertake a minimum of 10 hours CPD in company law and 10 hours CPD in auditing, vouched to the Institute in the current calendar year;
  3. That a Quality Assurance Review of the practice be undertaken at the Members/Firms expense within 18 months;
  4. That the steps necessary be taken to rectify the Companies Registration Office record in respect of the 13 cases which were the subject matter of this complaint, at Member/Firms expense within 60 days of the Tribunal hearing. This condition is to be monitored by the Institute
- Publication of findings and orders in Accountancy Plus with reference to the Member and Firm by name.

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Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/16/20	20/5/2021	Ms. Anne Cunningham; Count on Us, Osprey Complex, Devoy Quarter, Naas, Co. Kildare	19/5/2026

## ORDERS

### Consent Order:

- Reprimand;
- Fine €1,000
- Contribution towards costs €2,500
- Publication in Accountancy Plus with reference to name.



Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/09/21	18/08/2022	Member: Michael Joseph Cronin. 1 Terenure Place, Terenure, Dublin 6w Firm: Cronin & Company. 1 Terenure Place, Terenure, Dublin 6w	17/08/2027

### FORMAL COMPLAINT

- Bye law 6.5.1(e) in that in the course of carrying out his professional duties, Member provided or purported to provide financial services in connection with a matter in which he had been engaged by a client and those services were inadequate and were not of the quality that could reasonably be expected of him; and
- Bye Law 6.5.1 (f) in that Member performed his professional duties inefficiently or incompetently to such an extent, or on such a number of occasions, as to bring discredit to himself, the Institute and the Profession of accountancy.
- Bye law 6.6.1(e) in that in the course of carrying out its professional duties, Firm provided or purported to provide financial services in connection with a matter in which it has been engaged by a client and those services were inadequate and were not of the quality that could reasonably be expected of it.
- Bye Law 6.6.1 (f) in that Firm performed its professional duties inefficiently or incompetently to such an extent, or on such a number of occasions, as to bring discredit to itself, the Institute and the Profession of accountancy

### FINDINGS

Misconduct is established in that a client of the Firm, invested through the Firm in a tax efficient holiday home scheme in or about 1992 and the Member and Firm failed to adequately explain and/or account to the client for the rental income from the investment, its location, the tax status of the income generated, its structure, the partnership agreement, authority to expend funds on behalf of the partnership, to account for any distributions made to other partners, including the sums, dates of distribution, and failed to make distributions to the client as a partner.

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Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/09/21	18/08/2022	<b>Member: Michael Joseph Cronin. 1 Terenure Place, Terenure, Dublin 6w</b> <b>Firm: Cronin &amp; Company. 1 Terenure Place, Terenure, Dublin 6w</b>	<b>17/08/2027</b>

## ORDERS

In relation to Michael J. Cronin:

- Severe Reprimand
- Fine €10,000

In relation to Cronin & Company:

- Reprimand
- Fine €10,000
- And a contribution towards the Institute's costs of €7,188.

In accordance with bye law 6.32.1(f) the Tribunal imposed the following conditions:

1. That the Member and Firm be prohibited from holding a Client Account and any funds remaining in the client account be transferred to a duly authorised law firm to manage.
2. That the Member and Firm facilitate and co-operate with a practice review to be conducted by the Institute with a focus on the movements in the Client Account.
3. That the Member and Firm prepare full annual statements of rental income and expenditure for all the properties held in the holiday home scheme for each year from 2000 to June 2022.
4. That the annual statements of rental income and expenditure be sent by the Member or the Firm to each of the Investors in the holiday home scheme and each one be advised in writing of the basis on which the fund has been managed to date and the basis on which it is intended to manage the fund in the future and include relevant material in relation to the tax treatment of the fund.
5. That none of the financial implications of any of the sanctions imposed in this case be imposed on the client account or on the investors concerned.

The Tribunal also ordered publication in Accountancy Plus with reference to Michael Cronin and Cronin & Company by name.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/09/20	13/10/2022	Ms. Anne Cunningham, Clane Co. Kildare	12/10/2027

### FORMAL COMPLAINT

In accordance with bye law 6.5.1(e) in the course of carrying out her professional duties, Member provided or purported to provide financial services in connection with a matter in which she had been engaged by a client and it is alleged that those services were inadequate and were not of the quality that could reasonably be expected of her.

### FINDINGS

Misconduct is established that the member was engaged by a client to complete the financial statements for her company and to file these with Companies Registration Office and Revenue Commissioners along with the associated returns and personal tax returns. The returns were not filed by the Member which resulted in the client incurring late filing fees with Companies Registration Office and loss of audit exemption.

### ORDERS

- Reprimand
- Fine €3,500
- Contribution of €2,500 towards the Institute's costs (payable over 36 months)
- Publication by name in Accountancy Plus

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/17/21	16/12/2022	Ms. Anne Cunningham, Clane Co. Kildare	1. <b>Permanent Record</b> 2,3,4,5,6. 15/12/2027

## FORMAL COMPLAINTS

### 1. BREACH OF DISCIPLINARY ORDERS

The following orders of two previous Disciplinary Tribunals have not been complied with, which render Ms. Cunningham liable to disciplinary action in accordance with Bye Law 6.5.1(c) and is a breach of the fundamental principle of the Code of Ethics – Section 115 Professional Behaviour:

**Case Ref: Invest/02/19**

On 15 September 2020, a Disciplinary Tribunal ordered that Ms. Cunningham pay a fine of €5,000 and contribute €3,000 towards the Institute's costs. The Tribunal ordered that this fine and costs be payable by monthly standing order over a period of 36 months commencing as soon as the orders come into effect. This standing order was never put in place and the fines and costs remain outstanding.

**Case Ref: Invest/16/20**

On 12 April 2021 a Disciplinary Tribunal ordered that:

- the necessary steps be taken to rectify the Companies Registration Office record in respect of the 13 cases which were the subject matter of this complaint, at Ms. Cunningham and her firm's expense, within 60 days of the Tribunal hearing and this condition to be monitored by the Institute. No evidence has been provided and evidence is not available on the public register to indicate that this condition has been complied with.
- a Quality Assurance Review of Ms. Cunningham's practice be undertaken at her expense within 18 months of the Disciplinary Tribunal. A Quality Assurance Review was scheduled and notified to Ms. Cunningham, and she failed to engage with this review or in any way acknowledge that this review had been scheduled.
- costs totalling €20,000 be paid to the Institute in equal instalments between July 2021 and 31 December 2023. A monthly instalment arrangement was agreed but only 4 payments were made.

### 2. FAILURE TO FACILITATE A QUALITY ASSURANCE REVIEW

A Quality Assurance Review was scheduled to take place on 3 November 2021. Notice of this review was issued on 27 September 2021, with a number of follow up reminders issued in October 2021. Ms. Cunningham failed to acknowledge receipt of the notifications or to engage in any way with this review and accordingly the review could not take place. (Bye Law 7.3.refers).

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Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/17/21	16/12/2022	Ms. Anne Cunningham, Clane Co. Kildare	1. <b>Permanent Record</b> 2,3,4,5,6. 15/12/2027

### FINDINGS

Complaints proven

### ORDERS

1. Exclusion from membership;
2. Contribute €4,000 towards the Institute's costs in this case (payable within 30 days of this order becoming effective);
3. That all existing fines and costs owed by discharged within 30 days.

The Tribunal also ordered that:

4. These findings and orders be published in Accountancy Plus with reference to Anne Cunningham by name.
5. That Ms. Cunningham be advised of the implications of exclusion from membership, to include prohibition on the use of the CPA designation personally and on any business publications such as websites, premises, letterhead etc.
6. That the Companies Registration Office be advised by the Institute of the matters pertaining to Invest/16/20 and the 13 cases in respect of which the Companies Registration Office record was determined by the then Disciplinary Tribunal to be incorrect and requiring correction. The Companies Registration Office are to be advised that the Institute sought to have the matter rectified but Ms. Cunningham failed to do so, and Ms. Cunningham has been excluded from membership.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/08/21	22/02/2023	John G. O'Riordan (otherwise known as Sean O'Riordan) of O'Riordan & Associates, 3 <sup>rd</sup> Floor, Centre Park House, Centre Park Road, Cork	21/02/2028

### FORMAL COMPLAINT

1. Bye law 6.5.1(e) in that in the course of carrying out his professional duties, Member provided or purported to provide financial services in connection with a matter in which the Member had been engaged by a client and it is alleged that those services were inadequate and were not of the quality that could reasonably be expected of him.
2. Bye Law 6.5.1 (f) in that Member performed his professional duties inefficiently or incompetently to such an extent, or on such a number of occasions, as to bring discredit to himself, the Institute and the Profession of accountancy.

### FINDINGS

These charges of misconduct are proven in relation to the following complaints:

That in the course of conducting a liquidation:

1. Member failed to conduct the liquidation process in a proper and professional manner.
2. Member failed to submit the forms E3 to the CRO in a timely fashion at the appropriate.
3. Member failed to supply the complainant, as director and elected member of the Committee of Inspection with information on progress or details as required to be submitted on form E3 returns to CRO.
4. That the Copy of the Form E5 on the completion of the liquidation was not correctly supplied to the complainant. Computer printout of figures provided to the complainant did not contain a complete breakdown on what monies were collected or paid out by the liquidator and contained serious discrepancies.

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Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/08/21	22/02/2023	John G. O'Riordan (otherwise known as Sean O'Riordan) of O'Riordan & Associates, 3 <sup>rd</sup> Floor, Centre Park House, Centre Park Road, Cork	21/02/2028

## ORDER

Following an appeal against the Orders of the Disciplinary Tribunal, an Appeal Tribunal varied some of the Orders of the Disciplinary Tribunal and ordered the following to take effect from 22 February 2023:

- Severe reprimand
- Fine of €20,000 (the first €5,000 to be paid within 6 months and the balance to be paid within 3 years thereafter)
- Contribution towards costs of €9,900 – payable within 12 months
- Publication by name in Accountancy Plus

In addition, Member is required to fully co-operate with facilitating a quality assurance review conducted by or on behalf of the Institute within 12 months.

The Tribunal noted an undertaking given by the Member not to partake in insolvency work and it is a Condition of this Order that he comply with this undertaking for the remainder of his career.

Member agreed to give the Institute the file in respect of the only outstanding liquidation which he is acting as a liquidator within two weeks of the date of this decision.

Failure to comply with the Orders above within the time periods specified shall result in a default Order being activated forthwith such that the Member's practicing certificate will be withdrawn.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/14/21 Invest/02/23	7/7/2023	1. Michael P. McGarry (Member) 2. Michael P. McGarry & Co (Member Firm) Colman, Fethard, Co. Tipperary	1. <b>Permanent Record</b> 2, 3, 4, 5 and 6 – 6/7/2028
<b>FORMAL COMPLAINT</b>			

**Case Ref: Invest/14/21:****1. Quality Assurance Complaint**

Member Firm failed to carry out its work in accordance with approved accounting standards, relevant auditing and ethical standards, quality control standards and the Code of Ethics – bye law 7.4, bye law 6.5.1 (a) and Section 113 of the Code of Ethics refers.

This followed the scoring of unsatisfactory grades on three successive quality assurance reviews conducted in accordance with bye law 7 and the Companies Act 2014.

**2. Breach of Hot File Review condition**

Member and Member Firm breached the terms of a hot file review condition imposed in April 2021 - Bye Law 7.17.3, bye law 6.5.1 (a) and Section 115 of the Code of Ethics refer.

**3. Member failed to respond to Correspondence from Secretary of the Institute – bye law 6.8 refers.****Case Ref: Invest/02/23:****1. Breach of Hot File Review Condition - Hot file review not conducted and monthly confirmations not submitted in respect of four clients - Bye Law 7.17.3; bye law 6.5.1 (a); Code of Ethics – Section 111 Integrity refer.****2. Breach of Hot file review Condition - Two Audit reports signed in advance of the conclusion of a Hot file review and failure to submit one monthly confirmation - Bye Law 7.17.3; bye law 6.5.1 (a); Code of Ethics – Section 111 Integrity refer.**

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Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/14/21 Invest/02/23	7/7/2023	1. Michael P. McGarry (Member) 2. Michael P. McGarry & Co (Member Firm) Colman, Fethard, Co. Tipperary	1. <b>Permanent Record</b> 2, 3, 4, 5 and 6 – 6/7/2028

## FINDINGS

Charges of misconduct proven

## ORDERS

The Tribunal ordered the following:

1. That the Firms Auditing Certificate be withdrawn with immediate effect, in advance of any appeal in accordance with the provisions of bye law 6.36;
2. That Member contribute €9,384 towards the Institute's costs in this case – (with an option to pay this over 12 months by equal monthly instalments).
3. That Member be fined €2,500 (with an option to pay this over 12 months by equal monthly instalments).
4. That a Severe Reprimand be imposed on the Member and the Firm.

The Tribunal imposed the following Orders in accordance with bye law 6.32.1 (f): -

5. That all audit clients be advised by the Member immediately of the withdrawal of his Auditing Certificate and all resignations be filed in accordance with legal obligations, with copies to be sent to the Institute.
6. That a Quality Assurance Review of the Firm's non-audit practice be undertaken within 90 days.

And that details of these findings and orders be published in Accountancy Plus with reference to both Member and Firm by name.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/07/22	08/03/2024	Jim McEvoy, McEvoy & Co., Office Suite 1, Celbridge Shopping Centre, Celbridge, Co. Kildare.	08/03/2026

### COMPLAINT

The Member failed to complete an audit engagement by failing to sign the auditor's report and make the necessary filings with CRO.

### FINDINGS

Prima Facie Evidence of Misconduct

### ORDER

Consent Order:

- (i) Reprimand
- (ii) Contribute €4,000 towards the Institute's costs in this case;
- (iii) Member give an undertaking to provide a copy of the fully signed audited accounts, signed by both the directors and the Member as auditor, for the year ended 31 December 2018, to client company within 28 days;
- (iv) Member give an undertaking to co-operate fully with any new auditor appointed by the client company;
- (v) Details of the Consent Order be published in Accountancy Plus with reference to the Member and the Member Firm by name.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/07/23	18/07/2024	Francis McCarthy(Member) Francis McCarthy & Co (Member Firm) The Steeples, Duleek, Co. Meath	1. <b>Permanent record</b>  2 – 6 17/07/2029

## FORMAL COMPLAINTS

### 1. Quality Assurance Complaint

Firm Francis Mc Carthy & Co failed to carry out its work in accordance with approved accounting standards, relevant auditing and ethical standards, quality control standards and the Code of Ethics – bye law 7.4, bye law 6.5.1 (a) and Section 113 of the Code of Ethics refers.

Firm, Francis Mc Carthy & Co, scored the following grades quality assurance reviews conducted in accordance with Section 1496 (h) of Companies Act 2014 and bye law 7 – Quality Assurance:

August 2021	-	Grade D
July 2023	-	Grade D

Breaches of Bye Law 7.4; 7.17.4; and 13.25.1; Sections 1539; 1542; 1496 (f) (iii) of the Companies Act 2014; ISA's (Ireland); IAASA Ethical standard for Auditors; and ISQM 1 are noted.

### 2. Breach of Hot File Review condition

A hot file review condition in accordance with bye law 7 was accepted by Francis Mc Carthy & Co on 8 November 2021, following the scoring of Grade D on quality assurance review conducted in August 2021. Francis Mc Carthy and Francis Mc Carthy & Co breached the terms of this hot file review condition by failing to have a hot file review concluded in relation to three audits.

In addition, monthly confirmation requirements for March; April; May; June; July and August 2023 were not submitted in accordance with the terms of the hot file review condition.

Bye Law 7.17.3, bye law 6.5.1 (a) and Section 115 of the Code of Ethics refers.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/07/23	18/07/2024	Francis McCarthy(Member) Francis McCarthy & Co (Member Firm) The Steeples, Duleek, Co. Meath	1. <b>Permanent record</b>  2 – 6 17/07/2029

## FINDINGS

Charges of misconduct proven.

## ORDERS

1. That the Firms Auditing Certificate be withdrawn with immediate effect, in advance of any appeal in accordance with the provisions of bye law 6.36;
2. That Member contribute €8,479 towards the Institute's costs in this case—(with an option to pay this over 12 months by equal monthly instalments).
3. That Member be fined €1,000 (with an option to pay this over 12 months by equal monthly instalments).
4. That a Severe Reprimand be imposed on the Member and the Firm.
5. That all audit clients be advised by the Member immediately of the withdrawal of his Auditing Certificate and all resignations be filed in accordance with legal obligations, with copies to be sent to the Institute.
6. That a Quality Assurance Review of the Firm's non-audit practice be undertaken before 31 August 2024.

And that details of these findings and orders be published in Accountancy Plus with reference to both Member and Firm by name.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/01/24	02/08/2024	Yang Wang (Member) The Little Root Co. Ltd t/a Business Green Line (Member Firm) Unit 7A; Bridgecourt Office Park, Walkinstown Avenue, Dublin 12	01/08/2029

## FORMAL COMPLAINTS

### 1. Quality Assurance Complaint

Member and firm failed to carry out their work in accordance with approved accounting standards, and ethical standards, quality control standards and the Code of Ethics – bye law 7.4, bye law 6.5.1 (a) and Section 113 of the Code of Ethics refers.

Firm scored a Grade D on two successive quality assurance reviews conducted in November 2022 and October 2023. In addition, the firm scored a non-complaint grade on Anti-Money Laundering reviews conducted in conjunction with the two quality assurance reviews.

### 2. Continuing Professional Development (CPD)

Member failed to attain and maintain his professional knowledge in line with Code of Ethics – Section 110 A3refers.

### 3. Resources

Member as the compliance principal did not ensure that employees received appropriate training and supervision as required by Code of Ethics – Section R113.5

### 4. Fees

Fees charged by Firm professional services were not in compliance with Code of Ethics Section 330.3.

Cont'd on following page

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/01/24	02/08/2024	Yang Wang (Member) The Little Root Co. Ltd t/a Business Green Line (Member Firm) Unit 7A; Bridgecourt Office Park, Walkinstown Avenue, Dublin 12	01/08/2029

## FINDINGS

Charges of misconduct proven.

## ORDERS

1. Member's Practicing Certificate be withdrawn.
2. Member ordered to contribute €7,190 towards the Institute's costs in this case- payable within 60 days.
3. Severe Reprimand imposed on the Member.

And that details of these findings and orders be published in Accountancy Plus with reference to both Member and Firm by name.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/02/24	25/10/2024	Member in Practice	15/10/2029

### FORMAL COMPLAINT

Member engaged in public practice without holding a practicing certificate during the period 1 April 2022 to 20 March 2024, in breach of bye law 13.15 of the Institute's Practice and Audit Regulations

### FINDINGS

Misconduct proven

### ORDERS

- Fine €3,500 - payable within six months in six equal monthly installments
- Contribution of €7,000 towards the Institute's costs in this case – payable within six months in six equal monthly installments
- Reprimand

The Tribunal also ordered that details of these findings and orders be published on the Institute's (i.e. CPA Ireland) website, without reference to the Member by name.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/03/23	9/1/2025	Member: Andrew Callanan Firm: A. Callanan & Co; 5 Lower Main Street, Dundrum, Dublin 14	9/1/2030

## FORMAL COMPLAINTS

### 1. Breach of Hot File Review condition

In accordance with a Hot File Review (HFR) condition imposed on the Firm A. Callanan & Co on 20 March 2017, all audit files should be subject to a hot file review before signing.

Misconduct is established in that: -

1. There were three instances of audit reports bearing the name and signature of the Member and Firm which had not been the subject of a hot file review:
2. There were fifteen instances where an audit report was signed before the hot file review process was completed
3. Four audit reports bearing the name of the Member were filed with the CRO which were subject to a Cold File review rather than a Hot file review

### 2. Failure by firm to implement quality assurance recommendations

The firm failed to implement quality assurance recommendations made in December 2016 by scoring a Grade C on a quality assurance review while being the subject of a Hot file review. Bye law 7.17.2 and Section 1496 (4) of the Companies Act 2014 refers.

### 3. Failure by the firm to carry out their work according to relevant standards

A Grade C was scored by the firm on a quality assurance review in December 2022. The quality assurance review identified a number of breaches of relevant standards. This represents a breach of Bye Law 7.4 which requires that firms carry out their work according to accounting standards issued by the Financial Reporting Council (FRC), all auditing and ethical standards issued by the FRC or the Irish Auditing and Accounting Supervisory Authority (IAASA).

**Cont'd on next page**



Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/03/23	9/1/2025	Member: Andrew Callanan Firm: A. Callanan & Co; 5 Lower Main Street, Dundrum, Dublin 14	9/1/2030

## FINDINGS

Charges of misconduct proven.

## ORDERS

- Reprimand – Member and Firm;
- Fine €3,000 - payable before the Quality Assurance review referenced below takes place;

The following Orders were imposed in accordance with bye law 6.32.1 (f): -

- That a Quality Assurance Review of the Firms' practice be undertaken after 6 months at the Firm's expense.
- If a Grade A or B is achieved at this quality assurance review, the excess of the cost of this disciplinary process of €4,200 over the cost of the Quality Assurance Review will be written off. If a Grade A or B is not achieved, then the full costs of €4,200 (this includes the cost of Quality Assurance Review) become payable immediately.
- The Hot File Review condition is to remain in place until a Grade A or B is achieved in a Quality Assurance Review, at the discretion of the Institute.

An order was also made that details of these findings and orders be published on the website of CPA Ireland ([www.cpaireland.ie](http://www.cpaireland.ie)) with reference to Member and Firm by name.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/07/24	9/4/2025	Member: Colm Ward Firm: Colm Ward & Co; 5-6 Main Street, Coolock, Dublin 5.	9/4/2030

## FORMAL COMPLAINTS

### 1. Quality Assurance

Misconduct is established that the Member and Member Firm failed to carry out their work in accordance with approved accounting standards, relevant auditing and ethical standards, quality control standards and the Code of Ethics – bye law 7.4, 7.7, 13.25.1, Sections 1539, 1542, 1496 Companies Act 2014, ISQM1, and Section 4 IAASA Ethical Standards for Auditors refers.

### 2. Unsatisfactory Continuing Professional Development (CPD)

By scoring a non-compliant grade in a Continuing Professional Development (CPD) review on 8 April 2024, the Member was found to be in breach of bye law 8.3.5 (i) and (iii) and 8.3.4.

## FINDINGS

Charges of misconduct proven.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/07/24	9/4/2025	Member: Colm Ward Firm: Colm Ward & Co; 5-6 Main Street, Coolock, Dublin 5.	9/4/2030

## ORDERS

- That the Auditing Certificate issued to Colm Ward & Co be withdrawn with effect from 31 March 2025;
- That the Member contribute €3,600 towards the Institute's costs in this case – payable within twelve months in 12 equal monthly installments; and
- That a Reprimand be imposed on the Member.

The Tribunal also imposed the following orders in accordance with bye law 6.32.1(f);

- That the Member and Member Firm resigns from all audit clients with immediate effect.
- That the audit of their final ongoing audit engagement be completed, along with a full hot file review, before 31 March 2025. A copy of the hot file review report is to be forwarded to the Institute as soon as it is completed. If it is not possible to complete this audit by 31 March 2025 then the Tribunal direct that the Member resign as auditor by 31 March 2025.
- The Member's CPD plan for 2025 and evaluation is to be filed with the Institute no later than 31 March 2025.
- No new audit appointments should be accepted by the Member, with immediate effect.
- A Quality Assurance review of the non-audit practice of Colm Ward & Co to be undertaken before 31 December 2025.

The Tribunal also ordered that details of these findings and orders be published on the legacy CPA Ireland website ([www.cpaireland.ie](http://www.cpaireland.ie)), with reference to the Member and Firm by name as well as in the register of findings and orders of CPA Ireland in accordance with bye law 6.49.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/10/21	10/07/2025	Member: Brian White, Dublin 2, formerly Grange Close, Baldoyle Industrial Estate, Baldoyle, Dublin 13.	*Permanent Record*

### FORMAL COMPLAINTS

1. That the Member, failed to account for an investment of €35,000 made by a client in an investment club through him by failing to provide adequate information to the executor of the client's estate regarding this investment. (Bye Law 14 Chapter 3 Conduct of Investment Business and Code of Ethics – Section 113 Professional competence and due care and Section 115 Professional Behaviour refers).
2. That the Member failed to account for an investment made by a client in the amount of €125,000, through him in 2014, to the client's estate or the Executor of the client's estate. (Bye Law 14 Chapter 3 Conduct of Investment Business and Code of Ethics – Section 113 Professional competence and due care and Section 115 Professional Behaviour refers).
3. That the Member failed to repay an amount of €2,500 to the estate of a client, being the balance due on a loan received from the client (Code of Ethics – Section 115 Professional Behaviour refers).

### FINDINGS

Charges of misconduct proven

### ORDERS

- Exclusion from membership
- Publication by name on legacy CPA Ireland website

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/08/24	17/07/2025	Member: Joseph Fagan Firm: J.F. Fagan & Associates, Castleknock, Dublin 15	1. 17/07/2033 2-3. 17/07/2030

## FORMAL COMPLAINTS

The Firm scored the following unsatisfactory grades on successive quality assurance reviews conducted on his practice activities in accordance with bye law 7:

- August 2021                      Grade C
- October 2022                    Grade D

Misconduct is established that the Member and the Firm failed to carry out their work in accordance with approved accounting standards, quality control standards and the Code of Ethics – bye law 7.4, 7.7; 8 and 13.25.1 refer.

## FINDINGS

Charge of misconduct proven

## ORDERS

1. That the Member be suspended from membership for a period of three years (re-admission to membership after the period of suspension will be dependent on the Member being up to date with the Continuing Professional Development (CPD) requirements of a member and meet the Institute's annual CPD requirements before re-admission is granted)
2. That the Member contribute €6,500 towards the Institute's costs in this case – payable within twelve months in 12 equal monthly installments
3. That a Severe Reprimand be imposed on the Member and Firm.

The Disciplinary Tribunal also ordered that details of these findings and order be published on the legacy CPA Ireland website ([www.cpaireland.ie](http://www.cpaireland.ie)), with reference to the Member and Firm by name as well as in the register of findings and orders of CPA Ireland in accordance with bye law 6.49.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/06/24	18/08/2025	Member	1. 18/08/2030 2-3 . 18/08/2030

### FORMAL COMPLAINTS

That the Member acted or defaulted in a manner which tends to discredit himself, the Institute and the profession of accountancy by engaging in conduct in the context of an insolvency event which gives rise to liability to disciplinary action in accordance with bye law 6.5.1(d) and (j), by his failure to discharge a judgement debt of €116,806.

### FINDINGS

Charge of misconduct proven.

### ORDERS

1. That the Member be suspended from membership until such time as the judgement debt is discharged and same is vouched to the Institute's satisfaction.
2. That the Member contribute €4,500 towards the Institute's costs in this case –payable prior to the lifting of the suspension from membership.

The Tribunal also imposed the following order in accordance with bye law 6.32.1 (f):

3. Delivery by the Member of a plan, vouched to the satisfaction of the Institute, for the paying down of all of the debts of which the Tribunal have an awareness. Such plan is to be delivered/updated at four weekly recurring intervals from the date on which the orders come into force.

The Disciplinary Tribunal also ordered that details of these findings and order be published on the legacy CPA Ireland website ([www.cpaireland.ie](http://www.cpaireland.ie)), without reference to the Member by name as well as in the register of findings and orders of CPA Ireland in accordance with bye law 6.49.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/03/24	11/09/2025	Member: Francis K. McCarthy, Co. Meath.	11/09/2027

### FORMAL COMPLAINTS

In accordance with bye law 6.5.1 (e), in a client engagement:

1. The Member failed to complete an engagement by not preparing final financial statements for the years 2019-2022.
2. The Member did not submit financial statements and annual returns to the Companies Registration Office (CRO) for the years 2019-2022.
3. The Member did not communicate adequately with the complainant/client regarding the consequences of the failure to respond to notices from the CRO.

### FINDINGS

Charge of misconduct proven.

### ORDERS

Consent Order was offered and accepted, the terms of which are as follows;

1. That a Reprimand be imposed on the Member;
2. That the Member be fined €3,500; and
3. The Member contributes €3,500 towards the Institute's costs in this case.

The Investigation Committee also ordered that details of this Consent Order be published on the legacy CPA Ireland website ([www.cpaireland.ie](http://www.cpaireland.ie)), with reference to the Member by name as well as in the register of findings and orders of CPA Ireland in accordance with bye law 6.49.

Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/14/24	11/09/2025	Member: John Landy Member Firm: Landy Muldoon Limited, The Bullring, Drogheda, Co. Louth	11/09/2027

### FORMAL COMPLAINTS

The Member and the Member Firm acted in breach of the Companies Act 2014 S.1535(2) and S.1535(3), the CPA Ireland Code of Ethics Sections R510.5, R523.3 and R524.3 and Sections 2.3D, 2.32 and 2.35 of the Ethical Standard for Auditors issued by Irish Auditing and Accounting Supervisory Authority, by the signing and filing of statutory audit reports for a company for all financial years ending 31 July 2017 to 2023 whilst not qualified to do so as a partner in the Member Firm was an officer (director) of that company.

### FINDINGS

Charge of misconduct proven.

### ORDERS

Member and Member firm were offered, and accepted a Consent Order, the terms of which are as follows;

1. That a Reprimand be imposed on the Member and Member Firm;
2. That the Member be fined €5,000; and
3. That the Member contributes €2,000 towards the Institute's costs in this case.

The Investigation Committee also ordered that details of this Consent Order be published on the legacy CPA Ireland website ([www.cpaireland.ie](http://www.cpaireland.ie)), with reference to the Member and Member Firm by name as well as in the register of findings and orders of CPA Ireland in accordance with bye law 6.49.



Ref.	Date of Entry	Member Details	Expiry Date from Register
Invest/13/24	09/01/2026	Member and Member Firm	09/01/2031

### FORMAL COMPLAINTS

The Member Firm was subject to two Quality Assurance reviews in accordance with Bye law 7 and scored the following unsatisfactory grades:

- March 2023    Grade D
- June 2024    Grade C

Weaknesses were identified in the Quality Assurance reports, specifically relating to Section 17 of M14 Miscellaneous Technical Statement and in financial statement compliance, specifically Section 291 of the Companies Act 2014. The reports further identified that the Member had not attained and maintained their professional knowledge in line with the CPA Ireland Code of Ethics, section 110.

### FINDINGS

Charge of misconduct proven.

### ORDERS

1. That the Member be fined €1,500-payable within 90 days;
2. That the Member contributes €9,888.18 towards the Institute's costs in this case-payable within 90 days;
3. That a Reprimand be imposed on the Member and the Member Firm.

The Disciplinary Tribunal also imposed the following order in accordance with bye law 6.32.1 (f): That a Practice Monitoring review of the Member Firm be undertaken by 8 June 2026.

The Tribunal also ordered that details of this finding and orders be published on the legacy CPA Ireland website([www.cpaireland.ie](http://www.cpaireland.ie)), without reference to the Member or Member Firm by name as well as in the register of findings and orders in accordance with bye law 6.49.

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