



# ICPAK REGULATORY ROLE: Reports in social media

Our attention has been drawn to a false story circulating in social media regarding our regulatory and licensing roles. The information and aspersions associated therewith are gross misrepresentation of the facts. ICPAK would like to assure its members, practitioners and stakeholders that we are guided by the law, regulations, policies, codes and international ethical standards when executing its mandate as per the Accountants Act.

In this regard, we would wish to set the record straight regarding regulatory activities which may include inspections on compliance status of firms in accordance with our statutory mandate.

The Institute pursuant to Section 8 of the Accountants Act mandates the Institute to among others: promote standards of professional competence and practice amongst members of the Institute; and carry out any other functions prescribed for it under any of the other provisions of this Act or any other written law.

To ensure that registered firms comply with the provisions of the Act, Section 13(2) establishes the Registration and Quality Assurance Committee with the mandate to:

- receive, consider and approve applications for registration as a trainee Accountant and Accountant and grant of Practicing Certificates and Annual Licenses in accordance with the provisions of the Act;
- monitor compliance with professional quality assurance and other standards published by the Council for observance by the members of the Institute;
- prescribe regulations to govern quality assurance programs, including actions necessary to rectify deviations from published standards;
- where appropriate and based on the results of a quality assurance review, recommend to the Council that a member's conduct be referred for inquiry under section 32; and
- advise the Council on matters pertaining to professional and other standards necessary for the achievement of quality assurance.



## Practising as an accountant

To actualize this intent, Section 18(1) as read together with Sec 4(2) of the Accountants Act seeks to buttress the profession from vagaries of unregulated practice by stating that **no person shall practice as an accountant unless he is the holder of a practicing certificate and a license to practice that are in force.** Any person who contravenes this section commits an offence and is liable on conviction to a fine not exceeding two million shillings and in the case of continuous offence, a further fine not exceeding two thousand shillings for each day on which the offence continues.

## The Role of the Institute in Implementing These Provisions

In furtherance of these provisions the Institute through the Registration and Quality Assurance Committee has been issuing practicing certificates to members who meet registration requirements as per Section 20 of the Act. So far, the Institute has issued 791 practicing firm licenses and 1,112 individual licenses this year. Firms Directory link : = <https://www.icpak.com/cpa-directory/>, Members Directory link : = <https://www.icpak.com/cpa-member-directory/> In its regulatory role, the Institute carries out inspections to weed out illegal and non-compliance practices. This is meant to insulate and protect users of accountancy services in Kenya.

## Complaints Handling Mechanisms

To ensure fairness in compliance and related activities, the Institute has an established framework for handling complaints and disciplinary matters through its Independent Disciplinary Committee. Section 30 to 35 of the Accountants Act prescribe the Disciplinary provisions. Members with any disciplinary matters regarding illegal practices and conducts are encouraged to write to the Disciplinary Committee for hearing and determination. We have continuously strived to resolve disciplinary issues as and when they arise.

I thank you for your continued support and reassure you of our vigilance while discharging this sacrosanct duty.

**CPA Rose Mwaura**  
**ICPAK Chairman**

