



Professional Conduct Committee – 21 February 2019

Adverse Finding – Mr Eric Sze Ning Lau FCA

At a meeting of the Professional Conduct Committee (PCC) of Chartered Accountants Australia and New Zealand (Chartered Accountants ANZ) held in private on 21 February 2019 in Melbourne Australia in respect of Mr Eric Lau FCA of Victoria, the Committee decided that the Member breached By-Law 40(2.1)(e), in that the Federal Circuit Court of Australia and the Full Court of the Federal Court of Australia made a number of adverse findings against him (*Fair Work Ombudsman v Blue Impression Pty Ltd & Ors* [2017] FCCA 810 and *EZY Accounting 123 Pty Ltd v Fair Work Ombudsman* [2018] FCAFC 134). As a result, the PCC considers that this matter is sufficiently serious to warrant referral to the Disciplinary Tribunal.

The PCC noted the serious nature of this matter and decided to propose that a consent agreement be made with the Member. Accordingly, with the written consent of Mr Lau, the Committee made the following determinations:

- he receive a reprimand;
- the PCC will publish:
 - details of these sanctions on the website of Chartered Accountants ANZ; and
 - a notice in the digital and print magazine “Acuity”, disclosing the Member’s name and location, with a link to the published decision.

In making its decision it took into account the following:

- the findings of the Courts regarding the Member and Ezy 123, which are a Breach of By-Law 40(2.1)(e);
- the novel set of facts considered by the Courts in the proceedings;
- that the Member’s breach was a one-off occurrence and that the Member has confirmed that his firm no longer provides the service to clients which led to the adverse findings.

The PCC considers that it is in the public interest for this sanction to be published in the terms set out in the proposed Consent Agreement and that there are special circumstances for disclosing the Member’s name, given the Member’s name has already been publicly disclosed in the court proceedings and the media.

Professional Conduct Committee Chartered Accountants Australia and New Zealand

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