

ISSUES REGISTER FOR APESB PROFESSIONAL PRONOUNCEMENTS

Current as at 24 January 2019

Note to Stakeholders

The following is a summary of issues raised by stakeholders in relation to APESB pronouncements. Issues have been compiled by standard or guidance note, with the intended response and current status. Members of the professional accounting bodies, firms, professional bodies and other stakeholders are encouraged to report to APESB via the APESB website (www.apesb.org.au then Standards & Guidance/Issues Register) any new issues that need to be addressed by APESB when a pronouncement is next updated or reviewed.

Issues are entered into the register when brought to the attention of APESB by external stakeholders or through identification during internal reviews of the standard or guidance note. The issue remains on the register until it has been resolved to the satisfaction of the Board.

| APES 110 : Code of Ethics for Professional Accountants Issues Register | | | |
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| No. | Issue | Response | Current Status |
| 110.1 | Technical staff have identified an error in the numbering of paragraphs 120.13 A1, which should be 120.12 A2, and 120.12 A2, which should be 120.13 A1. | | APESB will incorporate this amendment into the next revision of the Code. |

APES 205 : Conformity with Accounting Standards Issues Register No. Issue Response **Current Status** Technical Staff have identified the need to consider any These issues have been noted. This matter will be considered in the next 205.1 potential implications of the AASB's differential reporting revision of APES 205. project on APES 205. The AASB's project and resulting changes will impact on the provisions in APES 205 relating to Members' financial reporting responsibilities and the references to AASB's conceptual framework. The Technical Staff have identified amendments required to Issue identified as part of the APESB will incorporate these editorials into 205.2 the Definitions section in APES 205 due to the previous the next revision of the standard. revision of APES 310. Auditing Standards (AUSs) being finally replaced by ASAs. This change affects the definitions of 'AuASB', 'Auditing and Assurance Guidance' and 'Auditing and Assurance Standards'. Technical Staff have identified the need to update the defined This matter will be considered in the next This issue has been noted in the 205.3 term, 'Statement of Accounting Concepts' by removing 2018 Annual Review of APES 205 revision of APES 205. reference to the withdrawn SAC 2 As part of the Code restructure project, pervasive changes The issue has been noted. This matter will be considered in the next 205.4 were made to the overall structure of the Code of Ethics. This revision of APES 205. has consequences for cross-references to the Code in all APESB pronouncements. The consequential amendments to APES 205 will be addressed as part of the revision of all APESB pronouncements in 2019.

APES 210: Conformity with Auditing and Assurance Standards Issues Register No. Issue Response **Current Status** The Technical Staff have identified amendments required to Issue identified as part of the The relevant amendments required to the 210.1 Definitions section are included in the APES the Definitions section in APES 210 due to the previous revision of APES 310. Auditing Standards (AUSs) being replaced by ASAs. This 210 ED which will be presented for the change affects the definitions of 'AuASB', 'Auditing and Board's consideration at the February 2019 Assurance Guidance' and 'Auditing and Assurance Board meeting. Standards'. As part of the Code restructure project, pervasive changes This issue has been noted. The relevant amendments are included in 210.2 were made to the overall structure of the Code of Ethics. This the APES 210 ED which will be presented has consequences for cross-references to the Code in all for the Board's consideration at the APESB pronouncements. The consequential amendments to February 2019 Board meeting. APES 210 will be addressed as part of the revision of all APESB pronouncements in 2019.

APES 215: Forensic Accounting Services Issues Register No. Issue Response **Current Status** This issue was considered during Paragraph 3.1 of APES 215 currently requires Members to 215.1 The relevant amendment is included in the comply with Section 100 of the Code and relevant law. This the 2016 Annual Review of APES APES 215 ED which will be presented for paragraph could be updated to refer to both laws and 215. Board consideration at the February 2019 regulations. meeting. Technical Staff has identified the need to consider the This issue has been noted. The relevant amendment is included in the 215.2 APES 215 ED which will be presented for implications of the NOCLAR provisions of the Code to APES 215. the Board consideration at the February 2019 meeting. 215.3 As part of the Code restructure project, pervasive changes The relevant amendments are included in This issue has been noted. were made to the overall structure of the Code of Ethics. This the APES 215 ED which will be presented has consequences for cross-references to the Code in all for the Board's consideration at the APESB pronouncements. The consequential amendments will February 2019 Board meeting. be addressed as part of the revision of all APESB pronouncements in 2019.

| | APES 220 : Taxation Services Issues Register | | | |
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| No. | Issue | Response | Current Status | |
| 220.1 | As part of the Code restructure project, pervasive changes were made to the overall structure of the Code of Ethics. This has consequences for cross-references to the Code in all APESB pronouncements. The consequential amendments will be addressed as part of the revision of all APESB pronouncements in 2019. | | The relevant amendments are included in the APES 220 ED which will be presented for consideration at the February 2019 Board meeting. | |

APES 225: Valuation Services Issues Register No. Issue Response **Current Status** 225.1 A Stakeholder queried whether the Valuation Services examples in This issue has been noted. A proposed amendment is included in the APES 225 ED which will be presented for Appendix 1 should include additional guidance in respect of circumstances in which a Member in Public Practice should hold an the Board's consideration at the February AFSL. 2019 meeting. 225.2 As part of the Code restructure project, pervasive changes were This issue has been noted. The relevant amendments are included in made to the overall structure of the Code of Ethics. This has the APES 225 ED which will be presented consequences for cross-references to the Code in all APESB for consideration at the February 2019 pronouncements. The consequential amendments to APES 225 Board meeting. will be addressed as part of the revision of all APESB pronouncements in 2019.

| | APES 230 : Financial Planning Services Issues Register | | | |
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| No. | Issue | Response | Current Status | |
| 230.1 | Members in Public Practice who provide credit advice are regulated under the <i>National Consumer Credit Protection Act</i> and not the <i>Corporations Act 2001</i> . APES 230 requires Members to act in the best interests of their Client, which is defined in the standard as Division 2 of Part 7.7A of the Corporations Act. While Members in Public Practice providing credit advice can comply with the general obligation to act in their Client's best interest, they cannot comply with the remaining obligations defined in Division 2. However, ASIC has stated in RG 175.239 that satisfying the safe harbor of Section 961B in Division 2 is not the only way to demonstrate an individual is acting in their Client's best interest. | This matter has been raised in the Six Month Review of APES 230. | APESB has released a consultation paper on the post-implementation review of APES 230, which included questions relating to application of best interest duty requirements. APESB has reviewed submissions to the consultation paper and has undertaken further engagement with key stakeholders to inform this review. APESB is also awaiting the issue of the final report by the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry to ascertain the impact of the recommendations on Financial Planning Services. The report is expected to be issued on 1 February 2019. | |
| 230.2 | The Technical Staff review identified editorial amendments to the definition of "Member in Public Practice". | The required change has been raised in the Six Month Review of APES 230. | APESB will incorporate the editorials in the next revision of APES 230. | |
| 230.3 | Some stakeholders continue to raise issues in respect of the professional fees requirements in APES 230 and their effectiveness in practice. | The Board discussed this issue and determined to engage with key stakeholders to explore the issues. | APESB has released a consultation paper on the post-implementation review of APES 230, which included questions relating to application of best interest duty requirements. APESB has reviewed submissions to the consultation paper and has undertaken further engagement with key stakeholders. APESB is also awaiting the issue of the final report by the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry to ascertain the impact of the recommendations on Financial Planning Services. The report is expected to be issued on 1 February 2019. | |
| 230.4 | Technical Staff has identified the need to consider the potential implications on APES 230 of the planned Code of Ethics for professional planners to be developed by the Financial Adviser Standards and Ethics Authority (FASEA). | This issue has been noted. | APESB will monitor any developments by FASEA and will consider the impacts, if any, to APES 230. APESB has made a submission to the FASEA ED on the planned Code of ethics. | |
| 230.5 | As part of the Code restructure project, pervasive changes were made to the overall structure of the Code of Ethics. This has consequences for cross-references to the Code in all APESB pronouncements. The consequential amendments to APES 230 will be addressed as part of the revision of all APESB pronouncements in 2019. | This issue has been noted in the 2018 Annual Review of APES 225. | This matter will be considered in the next revision of APES 230. | |

| | APES 305 : Terms of Engagement Issues Register | | | |
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| No. | Issue | Response | Current Status | |
| 305.1 | A stakeholder noted that section 4 of APES 305 could refer to legal requirements such as the Financial Services Guide. Technical Staff note that Members are required to include details of relevant legislation in paragraph 4.4(c). To ensure all legal requirements are captured this paragraph could be amended to include a specific reference to regulations. | This issue was raised and considered during the 2016 Annual Review of APES 305. | The relevant amendments are included in the APES 305 ED which will be presented for the Board's consideration at the February 2019 Board meeting. | |
| | Paragraph 4.8 of APES 305 provides guidance on specifying fees and billing agreements in an Engagement Document. A stakeholder suggested that the guidance could be clarified by including references to how fees are calculated, and the need to disclose referral fees or commissions. | Review of APES 305. | The relevant amendments are included in the APES 305 ED which will be presented for the Board's consideration at the February 2019 Board meeting. | |
| | Technical Staff identified that the definition of Engagement Document in APES 305 refers to it being in a written form. Paragraph 3.5 outlines that the terms of engagement can be in the form of an electronic communication. Including a definition of the term 'Writing' will assist in clarifying that written form may include electronic formats. The definition would be consistent with the definition of 'Writing' in APES 220 <i>Taxation Services</i> . | This issue was considered during the 2016 Annual Review of APES 305. | The relevant amendments are included in the APES 305 ED which will be presented for the Board's consideration at the February 2019 Board meeting. | |
| | Technical Staff have identified the need to consider potential revisions to APES 305 relating to the NOCLAR provisions of the Code, including appropriate amendments to engagement letters to address NOCLAR provisions. | This issue has been noted. | The relevant amendments are included in the APES 305 ED which will be presented for the Board's consideration at the February 2019 Board meeting. | |
| | As part of the Code restructure project, pervasive changes were made to the overall structure of the Code of Ethics. This has consequences for cross-references to the Code in all APESB pronouncements. The consequential amendments to APES 305 will be addressed as part of the revision of all APESB pronouncements in 2019. | This issue has been noted in the 2018 Annual Review of APES 305. | The relevant amendments are included in the APES 305 ED which will be presented for the Board's consideration at the February 2019 Board meeting. | |

APES 310: Dealing with Client Monies Issues Register Response **Current Status** No. Issue A Stakeholder noted that the revised APES 310 does not have an The issue has been noted. APESB will consider this issue in the next 310.1 example of a limited assurance engagement report revision of APES 310. Currently members are able to utilise the example of a limited assurance engagement report in ASAE 3100 Compliance Engagements available here if they require an example. As part of the Code restructure project, pervasive changes were made This issue has been noted. This matter will be considered in the next 310.2 to the overall structure of the Code of Ethics. This has consequences revision of APES 310. for cross-references to the Code in all APESB pronouncements, including APES 310, and this will be addressed as part of the revision of all APESB pronouncements in 2019.

APES 315 : Compilation of Financial Information Issues Register Current Status No. Issue Response APESB will consider this matter at the next revision of APES 315.1 Technical Staff have identified the need to consider This issue has been noted. the implications of the NOCLAR provisions of the 315. Code to APES 315, including the need to update the guidance relating to engagement letters for compilation engagements. This matter will be considered in the next revision of APES As part of the Code restructure project, pervasive 315.2 This issue has been noted. changes were made to the overall structure of the 315. Code of Ethics. This has consequences for crossreferences to the Code in all APESB pronouncements. The consequential amendments to APES 315 will be addressed as part of the revision of

all APESB pronouncements in 2019.

APES 320: Quality Control for Firms Issues Register Response No. Issue **Current Status** Technical Staff have noted that as part of its Audit Quality APESB will continue to monitor the progress 320.1 This issue has been noted. initiative, the IAASB is currently undertaking a project that aims of this IAASB project, and assess its implications on APES 320. to enhance ISQC1 and develop the proposed new standard ISQC2. ISQC1 remains as the standard for managing Quality Control at the Firm level. The proposed new standard ISQC2 is intended to strengthen the requirements and guidance in respect of engagement quality reviews, including clarifying the criteria for selecting engagement quality reviewers and their responsibilities. APES 320 conforms with ISQC1, with some changes to accommodate Australian legislation and environment and fit within the structure of APESB standards. As part of the Code restructure project, pervasive changes were This issue has been noted. 320.2 This matter will be considered in the next made to the overall structure of the Code of Ethics. This has revision of APES 320. consequences for cross-references to the Code in all APESB pronouncements. The consequential amendments to APES 320 will be addressed as part of the revision of all APESB pronouncements in 2019.

APES 325: Risk Management for Firms Issues Register Response **Current Status** No. Issue 325.1 Technical Staff has identified the need to consider the APESB will consider this matter in the next These issues have been noted. implications of the NOCLAR provisions of the Code and the revision of APES 325. impact of changes to ISQC 1 noted in Issue 320.1 to APES 325. 325.2 As part of the Code restructure project, pervasive changes This issue has been noted. This matter will be considered in the next were made to the overall structure of the Code of Ethics. This revision of APES 325. has consequences for cross-references to the Code in all APESB pronouncements. The consequential amendments to APES 325 will be addressed as part of the revision of all APESB pronouncements in 2019.

APES 330: Insolvency Services Issues Register No. Issue Response **Current Status** In February 2016, new legislation affecting insolvency services This matter has been noted during In November 2018 APESB issued an 330.1 was issued - the Insolvency Law Reform Act 2016 (Cth). the 2016 Annual Review of APES Exposure Draft 04/18 incorporating 330. amendments to address these changes. The Act will become effective in two tranches in 2017 - from 1 Comments close on 1 March 2019. March in respect of promoting competency and professionalism among insolvency practitioners, and from 1 September in respect of enhancing insolvency administration processes. Shortly APESB will need to review APES 330 to ensure the standard reflects the new legislation. Paragraph 3.1 of the standard currently requires Members to This issue was noted during the This amendment has been addressed in the 330.2 2016 Annual Review of APES 330. current Exposure Draft 04/18. comply with Section 100 of the Code and relevant law. This paragraph could be updated to refer to both laws and regulations to ensure consistency with other APESB standards. 330.3 The definition of Professional Bodies in APES 330 needs to be This issue was noted during the This amendment has been addressed in the 2016 Annual Review of APES 330. current Exposure Draft 04/18. updated to replace the reference to the Institute of Chartered Accountants Australia with Chartered Accountants Australia and New Zealand. 330.4 Technical Staff have identified the need to consider the This issue has been noted. This amendment has been addressed in the implication of the NOCLAR provisions of the Code to APES current Exposure Draft 04/18. 330. As part of the Code restructure project, pervasive changes This issue has been noted. These amendments have been addressed 330.5 were made to the overall structure of the Code of Ethics. This in the current Exposure Draft 04/18. has consequences for cross-references to the Code in all APESB pronouncements. The consequential amendments to APES 330 will be addressed as part of the revision of all APESB pronouncements in 2019.

APES 345: Reporting on Prospective Financial Information Prepared in Connection with a Public Document **Issues Register Current Status** Response No. Issue Technical Staff have identified the need to remove the 345.1 This issue has been noted in the The relevant amendment is included in the 2018 Annual Review of APES 345 APES 345 ED which will be presented for duplicated word, 'action,' in Paragraph 8.5 Board consideration at their 18 February 2019 meeting. As part of the Code restructure project, pervasive changes 345.2 This issue has been noted. The relevant amendments are included in were made to the overall structure of the Code of Ethics. This the APES 345 ED which will be presented has consequences for cross-references to the Code in all for consideration at the February 2019 APESB pronouncements. The consequential amendments to Board meeting. APES 345 will be addressed as part of the revision of all APESB pronouncements in 2019.

APES 350 : Participation by Members in Public Practice in Due Diligence Committees in Connection with a Public Document Issues Register

| No. | Issue | Response | Current Status | |
|-------|--|--|---|--|
| 350.1 | The Technical Staff have identified amendments required to the Definitions section in APES 350 due to the previous Auditing Standards (AUSs) being finally replaced by ASAs. This change affects the definitions of 'AuASB', 'Auditing and Assurance Guidance' and 'Auditing and Assurance Standards'. | Issue identified as part of the revision of APES 310. | The relevant amendment is included in the APES 350 ED which will be presented for the Board's consideration at the February 2019 meeting. | |
| 350.2 | Technical Staff have identified the need to include a definition for the term, 'written,' to improve the technology neutrality of the Standard | Issue noted as part of the 2018 Annual Review of APES 350 | The relevant amendment is included in the APES 350 ED which will be presented for the Board's consideration at the February 2019 meeting. | |
| 350.3 | As part of the Code restructure project, pervasive changes were made to the overall structure of the Code of Ethics. This has consequences for cross-references to the Code in all APESB pronouncements. The consequential amendments to APES 350 will be addressed as part of the revision of all APESB pronouncements in 2019. | This issue has been noted. | The relevant amendments are included in the APES 350 ED which will be presented for the Board's consideration at the February 2019 Board meeting. | |

APES GN 20: Scope and Extent of Work for Valuation Services **Issues Register** No. Issue Response **Current Status** As part of the Code restructure project, pervasive changes 20.1 This issue has been noted in the The relevant amendments are included in were made to the overall structure of the Code of Ethics. This 2018 Annual Review of APES GN the APES GN 20 ED which will be has consequences for cross-references to the Code in all presented for the Board's consideration at APESB pronouncements. The consequential amendments to the February 2019 Board meeting. APES GN 20 will be addressed as part of the revision of all APESB pronouncements in 2019. APESB has determined to include an interpretation paragraph 20.2 This issue has been noted in the The relevant amendments are included in in section 1 Scope and application of all pronouncements, that 2018 Annual Review of APES GN the APES GN 20 ED which will be clarifies the use of similar words which should have equal 20. presented for the Board's consideration at application (i.e. singular includes plural, one gender includes the February 2019 Board meeting. another and words referring to persons includes corporations or organisations). APES GN 20 does not contain this interpretation paragraph. Technical Staff's review of APES GN 20 has identified the These issues have been noted in 20.3 The relevant amendments are included in the 2018 Annual Review of APES the APES GN 20 ED which will be need to process minor amendments that are editorial in nature, including enhancements to the Scope and application GN 20. presented for the Board's consideration at paragraph to incorporate: the February 2019 Board meeting. · A paragraph which sets out the Objectives for the guidance note (to be consistent with other APESB pronouncements); and · A cross-reference to the recently released APES GN 21

Valuation Services for Financial Reporting.

| APES GN 21 : Valuation Services for Financial Reporting Issues Register | | | |
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| No. | Issue | Response | Current Status |
| | As part of the Code restructure project, pervasive changes were made to the overall structure of the Code of Ethics. This has consequences for cross-references to the Code in all APESB pronouncements. The consequential amendments to APES GN 21 will be addressed as part of the revision of all APESB pronouncements in 2019. | This issue has been noted in the 2018 Annual Review of APES GN 21. | The relevant amendments are included in the APES GN 21 ED which will be presented for the Board's consideration at the February 2019 Board meeting. |

APES GN 30: Outsourced Services Issues Register No. Issue Response **Current Status** 30.1 A Professional Body has raised the issue of whether This issue was noted and At its November 2017 meeting, the Board approved the project APES GN 30 is effective and used by Members in Public considered during the 2017 plan to undertake a review of APES GN 30 to assess its annual review of APES GN 30. Practice in a proper manner. effectiveness and use by Members. The Professional Body has suggested that APESB In accordance with the project plan, APESB sought engagement conduct a survey of its use and consider whether from a wide range of stakeholders including clients, the transforming it into a Standard would make it more professional bodies, regulators, outsourced service providers, and effective. accounting firms. The majority of stakeholders preferred to retain APES GN 30 as a guidance note. The Board considered a suggestion that it should be a requirement to obtain client approval on the use of outsourced services. It was noted that this would impose a higher level of obligation than set out for all services under APES 305 Terms of Engagement. The Board will consider this suggestion further once consultation is completed. The Board requested that further consultation be undertaken, in particular with the clients' needs in mind. 30.2 As part of the Code restructure project, pervasive This issue has been noted. This matter will be considered in the next revision of APES GN 30. changes were made to the overall structure of the Code of Ethics. This has consequences for cross-references to the Code in all APESB pronouncements. The consequential amendments to APES GN 30 will be addressed as part of

the revision of all APESB pronouncements in 2019.

| APES GN 31 : Professional and Ethical Considerations relating to Low Doc Offering Sign-offs Issues Register | | | |
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| No. | Issue | Response | Current Status |
| 31.1 | As part of the Code restructure project, pervasive changes were made to the overall structure of the Code of Ethics. This has consequences for cross-references to the Code in all APESB pronouncements. The consequential amendments to APES GN 31 will be addressed as part of the revision of all APESB pronouncements in 2019. | This issue has been noted in the 2018 Annual Review of APES GN 31. | The relevant amendments are included in the APES GN 31 ED which will be presented for the Board's consideration at the February 2019 Board meeting. |

APES GN 40: Ethical Conflicts in the Workplace - Considerations for Members in Business **Issues Register** Response No. Issue **Current Status** Technical Staff have noted the need to revise APES GN 40 to At its August 2017 meeting, the APESB 40.1 This issue was noted and Board approved the proposal to undertake a incorporate amendments relating to the NOCLAR standard and considered during the 2017 annual whistleblower protections legislation. review of APES GN 40. project in 2018 for the revision of APES GN 40, to incorporate amendments in respect of APESB issued the NOCLAR amending standard in May 2017 the NOCLAR provisions of the Code and and will become effective from 1 January 2018, with early whistleblower protections legislation. adoption permitted. The project has been delayed. As of 24 The Government intends to enact whistleblower protections January 2019, whistleblower legislation is legislation by mid-2018. before Senate and has not yet been legislated. As part of the Code restructure project, pervasive changes were This issue has been noted. This matter will be considered in the next 40.2 made to the overall structure of the Code of Ethics. This has revision of APES GN 40. consequences for cross-references to the Code in all APESB pronouncements. The consequential amendments to APES GN 40 will be addressed as part of the revision of all APESB pronouncements in 2019.

APES GN 41: Management representations Issues Register Response **Current Status** No. Issue Technical Staff has noted the need to revise APES GN 41 to At its November 2017 meeting, the APESB 41.1 This issue was noted and incorporate amendments relating to the NOCLAR standard. considered during the 2017 annual Board approved the proposal to undertake a review of APES GN 41. project in 2018 for the revision of APES GN APESB issued the NOCLAR amending standard in May 2017 41, to incorporate amendments in respect of and will become effective from 1 January 2018, with early the NOCLAR provisions of the Code and adoption permitted. whistleblower protections legislation. The project has been delayed. As of 24 January 2019, whistleblower legislation is before Senate and has not yet been legislated. As part of the Code restructure project, pervasive changes were This matter will be considered in the next This issue has been noted in the 41.2 made to the overall structure of the Code of Ethics. This has 2018 Annual Review of APES GN revision of APES GN 41. consequences for cross-references to the Code in all APESB pronouncements. The consequential amendments to APES GN 41 will be addressed as part of the revision of all APESB pronouncements in 2019.