

ACCOUNTING AND FINANCIAL REPORTING COUNCIL

DECLARATION OF GOOD REPUTE FOR RECOGNITION APPLICATION OF OVERSEAS AUDITOR (FORM B-GR)

IMPORTANT:

Personal Data (Privacy) Ordinance: The information requested in this declaration form may include personal data as defined in the Personal Data (Privacy) Ordinance (Cap. 486). Please refer to the "[Personal Information Collection Statement](#)" which sets out the policies and practices of the Accounting and Financial Reporting Council ("AFRC") with regard to any personal data provided.

This good repute declaration form is required for the applications for the recognition of overseas auditor. The relevant requirements and procedures are set out in the "[Guide for the Recognition of Overseas Auditors](#)" ("Guide"). Please read the Guide before completing this declaration form.

NOTES:

Section 10 of Application Form B – Information of the Overseas Auditor requires an overseas auditor to assess, whether or not the overseas auditor, the engagement partner and the engagement quality control reviewer (the EQCR), are of good repute and to make a declaration accordingly.

This form is intended to assist the overseas auditor in assessing whether or not it can make such a declaration.

If the overseas auditor is unsure as to whether it meets the requirement in this form, it should not tick "Yes" or "No" at section 10 of Application Form B – Information of the Overseas Auditor but should submit all relevant information with its application to enable the AFRC to consider the case. The form includes:

- Part I Questions for the Overseas Auditor
- Part II Questions for the Engagement Partner
- Part III Questions for the EQCR

SUBMISSION OR ENQUIRIES:

The completed form should be sent to the AFRC together with the Application Form B – Information of the Overseas Auditor.

For any enquiry, please contact the AFRC at +852 3586 7800 or e-mail recognition@afrc.org.hk.

Accounting and Financial Reporting Council
Recognition of Overseas Auditors
Declaration of Good Repute
(To be filled in and submitted by the overseas auditor)

Part I Questions for the overseas auditor

The overseas auditor should complete the following questions in order to assess whether it is of good repute.

		Yes	No
Financial integrity and reliability			
1.	In the previous five years has the overseas auditor made any compromise or arrangement with its creditors, or otherwise failed to satisfy creditors in full?	<input type="checkbox"/>	<input type="checkbox"/>
2.	In the previous five years has the overseas auditor been the subject of any insolvency proceedings?	<input type="checkbox"/>	<input type="checkbox"/>
Civil liabilities			
3.	In the previous five years has the overseas auditor been the subject of any civil action relating to its professional or business activities which resulted in a judgement or finding against it by a court, or a settlement (other than a settlement consisting only of the dismissal of a claim against it and the payment of its costs) being agreed?	<input type="checkbox"/>	<input type="checkbox"/>
Good reputation and character			
4.	In the previous five years has the overseas auditor been:		
	• Convicted by a court of any criminal offence?	<input type="checkbox"/>	<input type="checkbox"/>
	• Refused or restricted in the right to carry on any trade, business or profession for which a specific licence, registration or other authority is required?	<input type="checkbox"/>	<input type="checkbox"/>
	• Refused entry to any professional body or trade association, or decided not to continue with an application?	<input type="checkbox"/>	<input type="checkbox"/>
	• Reprimanded, warned about future conduct, disciplined or publicly criticized by any professional or regulatory body?	<input type="checkbox"/>	<input type="checkbox"/>
	• Made the subject of a court order at the instigation of any professional or regulatory body	<input type="checkbox"/>	<input type="checkbox"/>
	• Investigated on allegations of misconduct or malpractice in connection with its professional or business activities which resulted in a formal complaint being proved but no disciplinary order being made?	<input type="checkbox"/>	<input type="checkbox"/>
5.	Is the overseas auditor currently undergoing any investigation or disciplinary procedures, as described in question 4 above?	<input type="checkbox"/>	<input type="checkbox"/>
<p>A ‘Yes’ response will require further explanation, including but not limited to the details of proceeding, filing date, docket/case number, name and address of court/tribunal and judgement/disciplinary order. Cross refer to where this explanation has been provided, if applicable.</p>			

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(To be filled in and submitted by the overseas auditor)

Signature	
Part I of this declaration should be completed and signed by an authorized person on behalf of the overseas auditor, and submitted to the AFRC together with the Application Form B.	
Full name of the overseas auditor	
Full name of the authorized person	
Title/ Position in the overseas auditor	
Date	
Signature of the authorized person	

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Part II Questions for the Engagement Partner

The overseas auditor should ask the Engagement Partner to complete the following questions in order to assess whether he/she is of good repute.

		Yes	No
Financial integrity and reliability			
1.	In the previous five years has the Engagement Partner made any compromise arrangements with his/her creditors or otherwise failed to satisfy creditors in full?	<input type="checkbox"/>	<input type="checkbox"/>
2.	Has the Engagement Partner ever been declared bankrupt or been the subject of a bankruptcy court order or has a bankruptcy petition ever been served on him/her?	<input type="checkbox"/>	<input type="checkbox"/>
3.	Has the Engagement Partner ever signed a trust deed for a creditor, made an assignment for the benefit of creditors, or made any arrangements for the payment of a composition to creditors?	<input type="checkbox"/>	<input type="checkbox"/>
Civil liabilities			
4.	In the previous five years has the Engagement Partner been the subject of any civil action relating to his/her professional or business activities which has resulted in a judgement or finding against him/her by a court, or a settlement (other than a settlement consisting only of the dismissal by consent of a claim against it and the payment of its costs) being agreed?	<input type="checkbox"/>	<input type="checkbox"/>
Good reputation and character			
5.	Has the Engagement Partner at any time been convicted of any criminal offence?	<input type="checkbox"/>	<input type="checkbox"/>
If so, give details of the court which convicted him/her, the offence, the sentence imposed and date of conviction.			
6.	Has the Engagement Partner ever been disqualified by a court from being a director, or from acting in the management or conduct of the affairs of any company?	<input type="checkbox"/>	<input type="checkbox"/>
7.	In the previous five years has the Engagement Partner been:		
	<ul style="list-style-type: none"> Refused the right, or been restricted in the right, to carry on any trade, business or profession for which a specific licence, registration or other authority is required? 	<input type="checkbox"/>	<input type="checkbox"/>
	<ul style="list-style-type: none"> Investigated about allegations of misconduct or malpractice in connection with his/her professional activities which resulted in a formal complaint being proved but no disciplinary order being made? 	<input type="checkbox"/>	<input type="checkbox"/>

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	<ul style="list-style-type: none"> The subject of disciplinary procedures by a professional body or employer resulting in a finding against him/her? 	<input type="checkbox"/>	<input type="checkbox"/>
	<ul style="list-style-type: none"> Reprimanded, excluded, disciplined or publicly criticized by any professional body to which he/she belongs or has belonged? 	<input type="checkbox"/>	<input type="checkbox"/>
	<ul style="list-style-type: none"> Refused entry to, or excluded from, membership of any profession or vocation? 	<input type="checkbox"/>	<input type="checkbox"/>
	<ul style="list-style-type: none"> Dismissed from any office (other than as auditor) or employment or requested to resign from any office, employment or partnership? 	<input type="checkbox"/>	<input type="checkbox"/>
	<ul style="list-style-type: none"> Reprimanded, warned about future conduct, disciplined, or publicly criticized by any regulatory body, or any officially appointed enquiry concerned with the regulation of a financial, professional or other business activity? 	<input type="checkbox"/>	<input type="checkbox"/>
	<ul style="list-style-type: none"> The subject of a court order at the instigation of any regulatory body, or any officially appointed enquiry concerned with the regulation of a financial, professional or other business activity? 	<input type="checkbox"/>	<input type="checkbox"/>
8.	Is the Engagement Partner currently undergoing any investigation or disciplinary procedures as described in question 7 above?	<input type="checkbox"/>	<input type="checkbox"/>

A ‘Yes’ response will require further explanation, including but not limited to the details of proceeding, filing date, docket/case number, name and address of court/tribunal, and judgement/disciplinary order. Cross refer to where this explanation has been provided, if applicable.

Signature

Part II of this declaration should be completed and signed by the Engagement Partner, and submitted to the AFRC together with the Application Form B.

Full name of the overseas auditor	
Full name of the Engagement Partner	
Date	
Signature of the Engagement Partner	

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Part III Questions for the EQCR

The overseas auditor should ask the EQCR to complete the following questions in order to assess whether he/she is of good repute.

		Yes	No
Financial integrity and reliability			
1.	In the previous five years has the EQCR made any compromise arrangements with his/her creditors or otherwise failed to satisfy creditors in full?	<input type="checkbox"/>	<input type="checkbox"/>
2.	Has the EQCR ever been declared bankrupt or been the subject of a bankruptcy court order or has a bankruptcy petition ever been served on him/her?	<input type="checkbox"/>	<input type="checkbox"/>
3.	Has the EQCR ever signed a trust deed for a creditor, made an assignment for the benefit of creditors, or made any arrangements for the payment of a composition to creditors?	<input type="checkbox"/>	<input type="checkbox"/>
Civil liabilities			
4.	In the previous five years has the EQCR been the subject of any civil action relating to his/her professional or business activities which has resulted in a judgement or finding against him/her by a court, or a settlement (other than a settlement consisting only of the dismissal by consent of a claim against it and the payment of its costs) being agreed?	<input type="checkbox"/>	<input type="checkbox"/>
Good reputation and character			
5.	Has the EQCR at any time been convicted of any criminal offence?	<input type="checkbox"/>	<input type="checkbox"/>
	If so, give details of the court which convicted him/her, the offence, the sentence imposed and date of conviction.		
6.	Has the EQCR ever been disqualified by a court from being a director, or from acting in the management or conduct of the affairs of any company?	<input type="checkbox"/>	<input type="checkbox"/>
7.	In the previous five years has the EQCR been:		
	<ul style="list-style-type: none"> Refused the right, or been restricted in the right, to carry on any trade, business or profession for which a specific licence, registration or other authority is required? 	<input type="checkbox"/>	<input type="checkbox"/>
	<ul style="list-style-type: none"> Investigated about allegations of misconduct or malpractice in connection with his/her professional activities which resulted in a formal complaint being proved but no disciplinary order being made? 	<input type="checkbox"/>	<input type="checkbox"/>

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	<ul style="list-style-type: none"> The subject of disciplinary procedures by a professional body or employer resulting in a finding against him/her? 	<input type="checkbox"/>	<input type="checkbox"/>
	<ul style="list-style-type: none"> Reprimanded, excluded, disciplined or publicly criticized by any professional body to which he/she belongs or has belonged? 	<input type="checkbox"/>	<input type="checkbox"/>
	<ul style="list-style-type: none"> Refused entry to, or excluded from, membership of any profession or vocation? 	<input type="checkbox"/>	<input type="checkbox"/>
	<ul style="list-style-type: none"> Dismissed from any office (other than as auditor) or employment or requested to resign from any office, employment or partnership? 	<input type="checkbox"/>	<input type="checkbox"/>
	<ul style="list-style-type: none"> Reprimanded, warned about future conduct, disciplined, or publicly criticized by any regulatory body, or any officially appointed enquiry concerned with the regulation of a financial, professional or other business activity? 	<input type="checkbox"/>	<input type="checkbox"/>
	<ul style="list-style-type: none"> The subject of a court order at the instigation of any regulatory body, or any officially appointed enquiry concerned with the regulation of a financial, professional or other business activity? 	<input type="checkbox"/>	<input type="checkbox"/>
8.	Is the EQCR currently undergoing any investigation or disciplinary procedures as described in question 7 above?	<input type="checkbox"/>	<input type="checkbox"/>

A ‘Yes’ response will require further explanation, including but not limited to the details of proceeding, filing date, docket/case number, name and address of court/tribunal, and judgement/disciplinary order. Cross refer to where this explanation has been provided, if applicable.

Signature

Part III of this declaration should be completed and signed by the EQCR, and submitted to the AFRC together with the Application Form B.

Full name of the overseas auditor	
Full name of the EQCR	
Date	
Signature of the EQCR	