
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

NATIONAL TREASURY

NO. 4234

5 January 2024

AUDITING PROFESSION ACT, 2005: PROPOSED WITHDRAWAL OF NOTICE AND DETERMINATION OF MAXIMUM FINES

1. The Minister of Finance, in terms of sections 51(2) and 51B(3)(b) of the Auditing Profession Act, 2005 (Act No. 26 of 2005 - "the Act"), and on the recommendation of the Independent Regulatory Board for Auditors ("the Board"), hereby publishes for comment the proposed withdrawal of Government Notice No. 3549 of 15 June 2023 ("the Notice").
2. The Minister of Finance, in terms of sections 51(2) and 51B(3)(b) of the Act, and on the recommendation of the Board, hereby publishes for comment—
 - (a) a proposed maximum amount of—
 - (i) R5 million per charge, as the amount envisaged in section 51(2) of the Act, which may be imposed on an individual registered auditor who admits guilt as contemplated in section 49(4)(a) of the Act; and
 - (ii) R15 million per charge, as the amount envisaged in section 51(2) of the Act, which may be imposed on a firm of auditors that admits guilt as contemplated in section 49(4)(a) of the Act; and
 - (b) a proposed maximum amount of—
 - (i) R10 million per charge, as the amount envisaged in section 51B(3)(b) of the Act, which may be imposed on an individual registered auditor who is charged and found guilty or if the registered auditor admits guilt to the charge; and
 - (ii) R25 million per charge, as the amount envisaged in section 51B(3)(b) of the Act, which may be imposed on a firm of auditors that is charged and found guilty or if the firm admits guilt to the charge.
3. It is proposed that the withdrawal of the Notice, referred to in paragraph 1, and the determination of the maximum amounts referred to in paragraph 2(a) and (b), which apply prospectively, will take effect on the same date.
4. The purpose of the proposed withdrawal of the Notice and a new determination of maximum amounts, is to provide for the maximum amounts for both sections 51(2) and 51B(3)(b) of the Act to apply per charge.
5. Written comments on the above proposals should be submitted to CommentDraftLegislation@treasury.gov.za within 30 days after the date of publication of this notice.