PUBLIC ACCOUNTANCY SUPERVISORY COMMITTEE (PASC)

STANDARDS OF OPERATING \PROCEDURES

THIS POLICY SHALL ADOPT THE PRINCIPLES AND GUIDELINES PROVIDED UNDER SCHEDULE 2 OF ACT 1058 AND L.I. 2476, IESBA CODE OF ETHICS AND OTHER POLICIES AND DIRECTIVES OF COUNCIL.

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1. Purpose

This Standard Operating Policy ("SOP") establishes the procedures, standards, and controls governing the establishment, operation, and reporting of the Public Accountancy Supervisory Committee ("the Investigative Committee"). It is intended to ensure that all investigations are conducted lawfully, fairly, independently, efficiently, confidentially, and in accordance with the Committee's enabling statute, regulations, terms of reference, and applicable laws.

2. Scope

This SOP applies to:

a. Members of the Committee;
b. The Secretariat staff assigned to the Committee;
c. External advisers, experts, investigators, interpreters, record officers, and any other persons engaged by or assisting the Committee;
d. All matters, complaints, allegations, referrals, incidents, or events placed before the Committee for investigation.

3. Legal and Institutional Basis

The Committee shall exercise its functions strictly within the scope of the enabling law; Institute of Chartered Accountants, Ghana, 2020 Act 1058, its Regulations, L.I 2476, International Ethics Standard Board of Accountants (IESBA) Code of Ethics as adopted by ICAG, appointment instrument, terms of reference, and any lawful directives issued by the President of the Republic of Ghana, the Sector Ministers, and the Council of the Institute. Where this SOP conflicts with the enabling statute or any mandatory legal requirement, the statute or mandatory requirement shall prevail.

4. Guiding Principles

The Committee shall be guided by the following principles:

a. Lawfulness;
b. Independence and impartiality;
c. Procedural fairness and natural justice;
d. Confidentiality and data protection;
e. Objectivity and evidence-based decision-making;
f. Timeliness and efficiency;
g. Integrity and accountability;
h. Respect for the dignity, rights, and safety of all persons involved;
i. Proper custody and preservation of records and evidence.

5. Definitions

For the purpose of this SOP:

a. **Committee** means the Public Accountancy Supervisory Committee established under the Second Schedule of Act 1058.

b. **Chairperson** means the member appointed to preside over the Committee.

c. **Secretariat** means the administrative support from the Institute assigned to the Committee.

d. **Matter** means any complaint, allegation, referral, incident, or issue referred by the Council for investigation.

e. **Evidence** means any document, record, electronic data, physical exhibit, statement, expert report, or other material relevant to the investigation.

f. **"Friend of the Institute**" means any person who, by virtue of their association, support, goodwill, or contribution, seeks to promote and advance the interests, objectives, and values of the Institute.

g. **"The Institute"** means ICAG

h. **Witness** means any person invited or required to provide information, evidence, or testimony by the Institute, or by the Compliant or by the Respondent or a friend of the Institute.

i. **Party** means any complainant, respondent, subject, or other person directly affected by the investigation.

6. Constitution and Membership

6.1 The Committee shall be constituted in accordance with the clause 1 of the Part Two of Act 1058.

6.2 Membership shall be documented in writing and shall state:

a. The names and designations of members;

b. The chairperson;

c. The tenure of the Committee;

d. Any quorum requirement;

e. Any restrictions on participation due to conflicts of interest.

6.3 Members shall be persons of integrity, competence, and independence, and shall not participate where they have a conflict of interest, bias, or reasonable apprehension of bias.

7. Roles and Responsibilities

7.1 Chairperson

The Chairperson shall:

a. Preside over meetings and hearings;
b. Ensure fair and orderly proceedings;
c. Rule on procedure, subject to the Committee’s mandate;
d. Assign tasks and manage the work plan;
e. Ensure that findings and recommendations are properly considered and recorded;
f. Sign approved minutes, reports, and correspondence as required.

7.2 Members

Members shall:

a. Attend meetings and hearings punctually;
b. Review records and evidence assigned to them;
c. Investigate cases before the Committee and share findings with evidence to the Committee;
d. Question witnesses where appropriate;
e. Maintain confidentiality;
f. Declare conflicts of interest promptly;
g. Participate in deliberations and decision-making.

7.3 Secretariat

The Secretariat shall:

a. Maintain the Committee’s records, correspondence, and evidence register;
b. Schedule meetings, hearings, and interviews;
c. Issue notices and invitations;
d. Prepare minutes, summaries, and administrative memoranda;
e. Manage document control and secure storage;
f. Support drafting of reports and administrative communications.

7.4 Legal Adviser

The Legal Advisor shall:

a. Advise on legal procedure, admissibility, powers, and risks;
b. Assist with drafting notices, reports, and determinations;
c. Support compliance with natural justice and statutory requirements.

8. Committee Authority

8.1 The Committee shall exercise only those powers conferred by law or its terms of reference.

8.2 Unless expressly authorised, the Committee shall not:

a. Exercise judicial powers;
b. Issue binding determinations beyond its mandate;
c. Compel production of information outside lawful authority;
d. Make public statements on matters under active investigation without authorisation.

8.3 The Committee may, where lawfully permitted:

a. Request documents and information;
b. Summon or invite Parties in a cases for questioning;
c. Conduct interviews and hearings;
d. Engage technical experts;
e. Inspect records and relevant premises;
f. Make findings and recommendations.

9. Conflicts of Interest and Recusal

9.1 Every member shall disclose any actual, potential, or perceived conflict of interest immediately upon becoming aware of it.

9.2 A member with a conflict shall recuse themself from participation in the matter unless the Council of the Institute directs otherwise.

9.3 All disclosures and recusals shall be recorded in the minutes or in the proceedings.

10. Confidentiality and Information Security

10.1 All information obtained by the Committee shall be treated as confidential unless disclosure is authorised by law, the Committee, or the Council of the Institute.

10.2 Members and staff shall not disclose:

a. The identity of witnesses or complainants, except as necessary for the investigation;
b. Deliberations of the Committee;
c. Documents, evidence, or draft findings;

d. Any sensitive or personal data, except in accordance with lawful requirements.

10.3 Electronic and physical records shall be stored securely and access shall be limited to authorised persons only.

10.4 A confidentiality undertaking may be required from all persons assisting the Committee.

11. Receipt and Registration of Matter

11.1 A matter may be received by complaint, referral, motion, directive, or any other lawful means through the Council of the Institute.

11.2 Upon receipt of a complaint, the Institute shall, within five (5) working days, acknowledge receipt thereof in writing to the Complainant.

11.3 The Secretariat shall within ten (10) working days upon receipt of a complaint:

a. Assign a reference number;
b. Record the date and source of document (s);
c. Briefly describe the subject matter;
d. Log the initial document(s) received;
e. Present the matter to the Committee for preliminary consideration.

11.4 The Committee shall determine whether the matter falls within its jurisdiction and mandate.

12. Preliminary Assessment

12.1 The Committee shall conduct a preliminary assessment to determine: a. Jurisdiction;

b. Mandate;
c. Timeliness;
d. Sufficiency of information;
e. Whether the matter is frivolous, vexatious, duplicative, or outside scope;
f. Whether interim protective measures are required.

12.2 The Committee may decline, defer, consolidate, or reframe a matter where appropriate and lawful.

12.3 Any decision to discontinue or decline a matter shall be recorded with reasons.

13. Work Plan and Investigation Strategy

13.1 Where a matter is admitted for investigation, the Committee shall adopt a work plan stating: a. Objectives;

b. Key issues to be investigated;
c. Evidence required;
d. Witnesses to be interviewed;
e. Timelines;
f. Assigned responsibilities;
g. Reporting milestones.

13.2 The investigation strategy may include document review, interviews, site visits, forensic examination, analysis of electronic records, and expert consultation.

14. Notice to Parties and Fair Hearing

14.1 Where the law or fairness requires, persons against whom adverse findings may be made shall be informed in writing of:

a. The substance of the allegations or issues;
b. The opportunity to respond;
c. Any hearing date and deadline;
d. Their right to submit documents, call witnesses, or appear with counsel or a representative.

14.2 The Committee shall ensure that no adverse finding is made without giving the affected person a reasonable opportunity to be heard, except where the law expressly permits otherwise.

15. Collection of Evidence

15.1 The Committee shall collect evidence in a systematic manner and shall seek to ensure relevance, reliability, and completeness.

15.2 Evidence may be collected by:

a. Written requests for documents;
b. Interviews and recorded statements;
c. Formal hearings;
d. Site inspections;
e. Expert reports;
f. Review of electronic records, audio, video, or other digital materials.

15.3 Every item of evidence shall be logged in an evidence register showing:

a. Reference number;
b. Description;
c. Source;
d. Date received;
e. Chain of custody details;
f. Storage location;
g. Person responsible for custody.

15.4 Original records shall not be altered. Where copies are taken, their provenance shall be noted.

16. Witness Management

16.1 Witnesses shall be treated respectfully and fairly.

16.2 The Secretariat shall issue witness notices or invitations as authorised five (5) days before the next hearing date.

16.3 Prior to giving evidence, witnesses may be requested to confirm the truthfulness of their statements or take an oath/affirmation if the so required by the Committee.

16.4 The Committee may regulate the attendance of witnesses to prevent collusion, intimidation, or contamination of testimony.

16.5 A witness who refuses to attend or cooperate shall be have its evidence stuck out and the Respondent may not have the opportunity to call any additional witness.

17. Hearings and Interviews

17.1 Hearings and interviews shall be conducted in a manner that is orderly, respectful, and conducive to truth-finding.

17.2 The Chairperson may regulate:

a. Opening and closing of sessions;
b. The order of witnesses;
c. Questioning procedures;
d. Admission of documents;
e. Adjournments;

17.3 The Committee may permit counsel, interpreters, or support persons where appropriate and needed.

17.4 Material issues arising during hearings shall be fairly put to any affected person before the Committee relies upon them in its findings.

18. Meeting Procedure

18.1 The Committee shall, within a maximum period of Three (3) months from the date a matter is referred to it, and in any event not later than its third (3rd) meeting convened to consider the matter, finalise its consideration thereof and render its decision.

18.2 Notice of meetings shall be issued within Ten (10) working days to the meeting date, except in urgent circumstances.

18.3 A quorum of three (3) Committee members shall be required to start a meeting.

18.4 Decisions shall be made by consensus where possible, and otherwise by majority vote unless the Committee requires unanimity.

18.5 Dissenting views, if any, shall be recorded.

19. Minutes and Records

19.1 Minutes shall be kept for all formal meetings and hearings and shall record:

a. Date, time, and venue;
b. Persons present and absent;
c. Conflicts disclosed;
d. Matters discussed;
e. Decisions made;
f. Tasks assigned;
g. Adjournments and next steps.

19.2 Draft minutes shall be prepared promptly and submitted for review and approval at the next meeting or as directed.

19.3 All records shall be retained in an organized and secure manner according to the applicable records retention policy or legal requirement.

20. Deliberations and Decision-Making

20.1 Deliberations shall be held in private.

20.2 The Committee shall assess evidence objectively and shall base findings on a rational evaluation of the record as a whole.

20.3 Findings should distinguish between:

a. Facts established by evidence;
b. Inferences drawn from facts;
c. Opinions or expert conclusions;
d. Matters not proved.

20.4 Any recommendation or finding that may adversely affect a person or entity shall be supported by sufficient evidence and reasoning.

21. Interim Measures

21.1The Committee may recommend or request interim measures to prevent:

a. Destruction of evidence;
b. Interference with witnesses;
c. Ongoing harm;
d. Prejudice to the investigation.

21.2 Such measures shall be proportionate and limited to what is necessary.

22. Drafting the Report

22.1 The final report shall be drafted in a clear, factual, and structured manner and shall ordinarily include:

a. Composition of the Committee;
b. Methodology adopted;
c. Summary of proceedings;
d. Issues considered;
e. Findings of fact;
f. Analysis;
g. Conclusions;
h. Recommendations;
i. Any dissenting opinion, if applicable.

22.2 The report shall use plain language while maintaining legal and professional precision.

22.3 The report shall not exceed the Committee's mandate and shall avoid speculative assertions.

23. Review and Clearance

23.1 The draft report shall be reviewed internally for accuracy, consistency, completeness, and compliance with the mandate.

23.2 Where required, affected persons may be afforded a final opportunity to comment on any proposed adverse findings consistent with law and fairness.

23.3 The final report shall be approved in the manner required by the Committee's procedures.

24. Submission of Report

24.1 The final report shall be submitted only to the Council through the Chief Executive Officer.

24.2 The submission shall be accompanied by any required cover memorandum, signatory page, annexures, and record of adoption.

24.3 No member or staff shall independently alter the final report after approval.

25. Retention and Archiving

25.1 Upon completion of its mandate, the Committee shall hand over all records, evidence, and final materials to the designated custodian.

25.2 Records shall be archived in a manner that preserves confidentiality, integrity, and traceability.

25.3 Destruction of records may occur only in accordance with law and approved retention schedules.

26. Ethics and Conduct

26.1 Members and staff shall at all times act with integrity, independence, courtesy, and professionalism.

26.2 Bribery, inducement, intimidation, undue influence, or misuse of information is strictly prohibited.

26.3 Gifts or hospitality from interested persons shall not be accepted except as permitted by the applicable code of conduct.

27. Non-Compliance

27.1 A breach of this SOP may result in removal, disciplinary action, reporting to the Council, or any other lawful consequence.

27.2 Non-compliance shall be documented and addressed promptly.

28. Review and Amendment

28.1 This SOP shall be reviewed periodically, and whenever necessary, to reflect changes in law, mandate, practice, or operational need.

28.2 Amendments shall be approved by the competent authority.

29. Transitional Provision

This SOP shall apply to all matters pending before the Committee as at its effective date, subject to any contrary directive of the enabling law or appointing authority.

This Policy was approved by Council of the Institute on 5th August 2026.

AUGUSTINE ADDO

PRESIDENT

ICAG

INTEGRITY

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