

# Saica inquiry on KPMG members ready to roll

The Ntsebeza Inquiry into the conduct of South African Institute of Chartered Accountants (Saica) members employed by KPMG is expected to start its hearings process on 19 February.



Advocate Dumisa Ntsebeza. Photo: Alchetron

After its call for submissions, the panel, which is chaired by Advocate Dumisa Ntsebeza SC, extended the submission period in response to requests for from various parties. Some asserted that the submission period was too short for them to submit meaningful statements to the panel. "We felt that it would be beneficial to the investigation to have all the facts that we could gather, rather than creating an insurmountable barrier as a result of a timeline set based on an estimation," said Ntsebeza.

## Fair start date

He is confident that now that the panel has combed through the voluminous submissions, it is ready to start the hearings. "We believe that 19th February 2018 is a fair start date as it will give those who we will call in to state their case, as well as the evidence leader, enough time to prepare".

It is important that both witnesses and respondents are given an opportunity to defend their statements and positions. "We want to ensure that the process is fair and that we are able to hand Saica a report that is as comprehensive as possible, and with findings that are defensible. We understand that members of the public would want to see swift action in this highly emotive matter, but it is important that we do not fall prey to hasty judgments that may prejudice individuals," he said.

## Sars first

The panel will systematically work through the different cases drawn from the submissions. In some instances the panel received multiple submissions on the same matter. The hearings will start on the South African Revenue Service (Sars) matter first. KPMG had on its own volition withdrawn their Sars report, further fanning allegations that the report was flawed. The Inquiry intends to determine whether there is evidence that the Saica members, involved in the investigation that led to the KPMG report, had breached the body's code professional of conduct.

The inquiry will first give those who lodged complaints with the panel an opportunity to state their case. Thereafter the implicated Saica members will be given an opportunity to respond. "We naturally hope that we will be able to confine the hearings within our timeline, but have to give individuals the opportunity to cross examine where appropriate," Ntsebeza says. This could add to the time allocated to the panel to conclude its investigation.

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