

**IN THE MATTER OF** the Certified General Accountants of Ontario

**AND IN THE MATTER OF** a complaint against Kaaming Wa

**BETWEEN:**

**THE DISCIPLINE COMMITTEE**

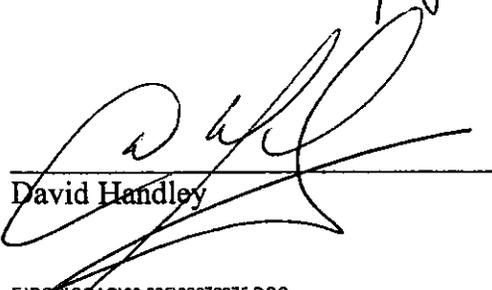
- and -

**KAAMING WA**

**DECISION OF THE CGAO PROFESSIONAL CONDUCT TRIBUNAL**

Pursuant to Article 9, s.9 of By Law Four, the Tribunal hereby accepts the resolution of the complaint proposed by the parties, as outlined in Frank Mensink's letter to Kaaming Wa dated May 26, 2006.

Dated this 15<sup>th</sup> day of August, 2006

  
\_\_\_\_\_  
David Handley



Certified General  
Accountants of Ontario

240 Eglinton Avenue East  
Toronto ON M4P 1K8  
Tel: 416-322-6520 1-800-668-1454  
Fax: 416-322-5594  
E-mail: [info@cga-ontario.org](mailto:info@cga-ontario.org)  
Web: [www.cga-ontario.org](http://www.cga-ontario.org)

May 26, 2006

Mr. Kaaming Wa  
c/o Ms. Carmen Belcredi  
LeDrew Laishley Reed LLP  
Barristers and Solicitors  
3 Church St  
Suite 505  
Toronto ON M5E 1M2

**File 2005/2006-012**  
**Registered Mail**  
**Regular Mail**

Dear Mr. Wa,

**Re Misappropriation of Fund from the Salvation Army**

The Discipline Committee met on April 5, 2006 and reviewed in its entirety the conduct matter pertaining to the allegation that you misappropriated money from the Salvation Army and the charges made under the *Criminal Code of Canada* in that regard. The committee found that the investigation discloses an apparent infraction of the *Code of Ethical Principles and Rules of Conduct*, and more specifically, the following Rules and principles found in the Code:

**R101 Discredit**

A member shall not permit the member's firm name or the member's name to be used with, participate in, or knowingly provide services, to any practice, pronouncement or act that would be of a nature to discredit the profession.

**R102 Unlawful Activity**

A member shall not permit the member's firm name or the member's name to be used with, participate in, or provide services to, any activity that the member knows, or which a reasonably prudent person would believe, to be unlawful.

**R606 Detrimental Actions**

- (a) A member shall not participate in any action that is detrimental to the Association or the profession.

- (b) A member shall, subject to Rules R201 and R105, report to the Association any situation of which the member has sufficient personal knowledge and that the member thinks may be detrimental to the Association or the profession.

#### R607 Evidence of Professional Misconduct

A member who has been found guilty or granted an absolute or conditional discharge of any criminal or similar offence, which may cast doubt as to that member's honesty, integrity or professional competency, shall promptly inform the Association of the conviction, finding of guilt or discharge, as the case may be, when the right of appeal has been exhausted or expired. In such cases, the member may be charged with professional misconduct by the discipline committee. A certificate of conviction by any competent court shall be sufficient evidence of the conviction and the perpetration of the offence.

##### R607.1 Criminal or Similar Offences

Criminal or similar offences include, but are not limited to, the following offences:

- (a) fraud, theft, forgery or income tax evasion
- (b) violation of the provisions of any securities legislation; or
- (c) any criminal or similar offence for conduct in, or related to, the member's professional capacity or for conduct in circumstances where there was reliance on their membership in, or association with, the Association.

This finding was made on the basis that:

1. You have been charged with fraud over \$5,000 under the *Criminal Code of Canada*.
2. The Salvation Army alleges that you misappropriated approximately \$2.3 million by way of receiving payments in relation to falsified invoices submitted by you.
3. You have admitted the misappropriation.

In accordance with By-Law Four, Article 9, Paragraph 7(b), the committee proposes the following resolution to the matter:

1. expulsion
2. a payment of costs to the Association in the amount of \$1,500
3. joint statement of fact
4. publication of the disciplinary action in *Statements* and *The Toronto Star*

The committee asks that you indicate whether or not you are prepared to accept this resolution by signing the enclosed copy of this letter and returning it by June 5, 2006. *If*

***you accept this resolution, it will be referred to a one-member professional conduct tribunal for ratification. If you reject the resolution, the matter will be referred to a professional conduct tribunal for a formal discipline hearing. At that time, the committee will seek disciplinary penalties, as well as the costs of the hearing, if a violation of the Code is proven. A non-response will be considered a rejection of this resolution.***

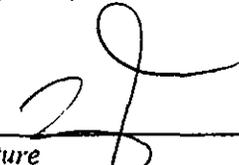
Please refer to By-Law Four, Article 9, for further information about the discipline process. A copy of Article 9 has been enclosed herein.

Yours truly

*for* 

Frank Mensink, CGA  
Chair, Discipline Committee

I accept the proposed resolution.

  
\_\_\_\_\_  
Signature

06/14/06  
\_\_\_\_\_  
Date

I reject the proposed resolution.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date