

Denise Silva Ferreira Juvenal

[rio1042370@terra.com.br](mailto:rio1042370@terra.com.br)

Accountant

Commentary individual

Rio de Janeiro / Brazil

Technical Manager

International Ethics Standards Board for Accountants

International Federation of Accountants

Ken Siong IESBA Technical Director at [kensiong@ethicsboard.org](mailto:kensiong@ethicsboard.org)

09 September, 2015

### **Responding to NonCompliance with Laws and Regulations**

I am Denise Juvenal this is pleased to have the opportunity to comment on this consultation Responding to NonCompliance with Laws and Regulations. This is my individual commentary for IFAC/IESBA - International Ethics Standards Board for Accountants, I agree with this proposal.

I suggest for the Board's if agrees, that observes the discussion about "The Government as Regulator and/or Shareholder - The Impact on Director Duties The Effect of Regulatory Mandates on Financial Institutions and Other Regulated Corporations in the Post Dodd-Frank Era<sup>1</sup>". I understand that this point do not have direct impact in this discussion, but can improve some suggestions with others experiences for this standard.

#### **IX. Guide for Respondents**

**141. The Board has carefully considered the responses to the August 2012 ED, which have resulted in many substantive changes to the original proposals. The Board therefore welcomes comments on all matters addressed in this re-ED, but especially those identified in the Request for Specific Comments below.**

**142. Comments are most helpful when they refer to specific paragraphs, include the reasons for the comments, and, where appropriate, make specific suggestions for any proposed changes to wording. When a respondent agrees with proposals in this re-ED, it will be helpful for the Board to be made aware of this view.**

---

<sup>1</sup> <http://www.lerner.udel.edu/centers/weinberg>

**Request for Specific Comments 143. The Board welcomes views from respondents on the following matters.**

### **General Matters**

**1. Where law or regulation requires the reporting of identified or suspected NOCLAR to an appropriate authority, do respondents believe the guidance in the proposals would support the implementation and application of the legal or regulatory requirement?**

Yes, I believe that the proposals would support the implementation and application of the legal or regulatory requirement, considering the point 24 that cited: "... the Board believes that aligning the scope of laws and regulations covered by the revised proposals with that of ISA 250 is an appropriate way forward for the reasons noted above."

I think that is important development the expertise for identify NOCLAR, training for executives understand the laws and international standards, users need observe the principal characteristics that organizations improve yearly, and the international key regulators require new methodology for internal control by region independent, if, public or private sectors.

**2. Where there is no legal or regulatory requirement to report identified or suspected NOCLAR to an appropriate authority, do respondents believe the proposals would be helpful in guiding PAs in fulfilling their responsibility to act in the public interest in the circumstances?**

Yes, I believe the proposals would be helpful in guiding PAs in fulfilling their responsibility to act in the public interest in the circumstances. I understand that the Board's, if agrees, observe the public sector in this fact, because public interest is more complex considering regulator and user of information.

**3. The Board invites comments from preparers (including TCWG), users of financial statements (including regulators and investors) and other respondents on the practical aspects of the proposals, particularly their impact on the relationships between: (a) Auditors and audited entities; (b) Other PAs in public practice and their clients; and (c) PAIBs and their employing organizations.**

### **Specific Matters**

**4. Do respondents agree with the proposed objectives for all categories of PAs?**

Yes, I agree with the proposed objectives for all categories of PAs.

**5. Do respondents agree with the scope of laws and regulations covered by the proposed Sections 225 and 360?**

Yes, I agree with the scope of laws and regulations covered by the proposed Sections 225 and 360.

**6. Do respondents agree with the differential approach among the four categories of PAs regarding responding to identified or suspected NOCLAR?**

Yes, I agree with the differential approach among the four categories of PAs regarding to identified or suspected NOCLAR.

**7. With respect to auditors and senior PAIBs:**

**(a) Do respondents agree with the factors to consider in determining the need for, and the nature and extent of, further action, including the threshold of credible evidence of substantial harm as one of those factors?**

Yes. I agree with the factors to consider in determining the need for, and the nature and extent of, further action, including the threshold of credible evidence of substantial harm as one of those factors.

**(b) Do respondents agree with the imposition of the third party test relative to the determination of the need for, and nature and extent of, further action?**

Yes, I agree with the imposition of the third party test relative to the determination of the need for, and nature and extent of, further action.

**(c) Do respondents agree with the examples of possible courses of further action? Are there other possible courses of further action respondents believe should be specified?**

Yes, I agree with the examples of possible courses of further action. No, there are not other possible courses of further action respondents believe should be specified.

**(d) Do respondents support the list of factors to consider in determining whether to disclose the matter to an appropriate authority?**

Yes, I support the list of factors to consider in determining whether to disclose the matter to an appropriate authority.

**8. For PAs in public practice providing services other than audits, do respondents agree with the proposed level of obligation with respect to communicating the matter to a network firm where the client is also an audit client of the network firm?**

Yes, I agree with the proposed level of obligation with respect to communicating the matter to a network firm where the client is also an audit client of the network firm, I suggest for the Board's, if agrees, observes the complexity for the public sector, for this the knowledge of International Public Sector Standards Board - IPSASb by International Federation on Accountants - IFAC, Eurostat by European Commission, International Accounting Standards Board - IASB, International Valuation of Standards Council - IVSC, Government Accounting Standards Board - GASB and Financial Accounting Standards Board - FASB are very important for network.

**9. Do respondents agree with the approach to documentation with respect to the four categories of PAs?**

Yes, I agree with the approach to documentation with respect to the four categories of PAs.

**Request for General Comments 144.** In addition to the request for specific comments above, the Board is also seeking comments on the matters set out below:

**(a) PAIBs working in the public sector— Recognizing that many PAIBs work in the public sector, the Board invites respondents from this constituency to comment on the revised proposals and, in particular, on their applicability in a public sector environment.**

I agree with PAIB working in the public sector recognizing that many PAIBs work in the public sector.

**Developing Nations—Recognizing that many developing nations have adopted or are in the process of adopting the Code, the Board invites respondents from these nations to comment on the proposals, and in particular, on any foreseeable difficulties in applying them in their environment.**

I agree with Development Nations - recognizing that many developing nations have adopted or are in the process of adopting the Code.

**(b) Translations—Recognizing that many respondents may intend to translate the final pronouncement for adoption in their environments, the Board welcomes comment on potential translation issues respondents may note in reviewing the revised proposals.**

I agree with Translations - recognizing that many respondents may intend to translate the final pronouncement for adoption in their environments.

Thank you for opportunity for comments this proposal, if you have questions do not hesitate contact to me, [rio1042370@terra.com.br](mailto:rio1042370@terra.com.br).

Best Regards,

Denise Silva Ferreira Juvenal

[rio1042370@terra.com.br](mailto:rio1042370@terra.com.br)

5521993493961