

## IFIAR 2023 Member Profile - IRBA

1. Jurisdiction	1.1 Insert the name of the jurisdiction in English:
	Republic of South Africa
2. Member <sup>1</sup>	2.1 Insert the name of the Member, both in the local language and in English:
	Independent Regulatory Board for Auditors (IRBA)
	2.2 Include relevant contact information, including postal address, telephone number(s), a general email address (if any) and a link to the Member's website:
	Building 2, Greenstone Hill Office Park,
	Emerald Boulevard, Greenstone Hill, 1616 (Street address)
	P.O. Box 8237, Greenstone, 1616 (Postal address)
	Tel.: +27 10 496 0600   Fax: +27 86 482 3250
	Email: Board@irba.co.za
	Website: www.irba.co.za
	2.3 Include the basis for establishment of the Member, as well as the legislation or regulations which provide the Member the authority/mandate with respect to audit regulation. Please describe with an appropriate level of detail the mission and responsibilities of the Member with respect to audit regulation:
	The Independent Regulatory Board for Auditors (IRBA) was established in terms of Section 3 of the Auditing Profession Act, 2005 (Act 26 of 2005 - the APA) and came into effect on 1 April 2006. The objects of the Act as set out in Section 2 of the Act are as follows:
	<ul> <li>To protect the public in the Republic by regulating audits performed by registered auditors;</li> <li>To provide for the establishment of an Independent Regulatory Board for Auditors;</li> <li>To improve the development and maintenance of internationally comparable ethical standards and auditing standards for auditors that promote investment and as a consequence, employment in</li> </ul>

<sup>&</sup>lt;sup>1</sup> In the case where there are two or more regulators from the same jurisdiction that have been approved according to Section 2.3 of the IFIAR Charter, they together are considered as one Member. In that case, regulators are requested to include information for <u>both organizations</u> in the Member Profile.

www.ifiar.org

1



- ➤ To set out measures to advance the implementation of appropriate standards of competence and good ethics in the auditing profession; and
- ➤ To provide for procedures for disciplinary action in respect of improper conduct.
- 2.4 Please indicate whether the Member has responsibility for the following tasks within the area of Audit Oversight:
- ☑ Licensing
- ☑ Registration
- ☑ Audit and/or Ethics Standard Setting
- ☑ Permanent Education / Continous Training of Auditors
- **☑** Inspection
- **☑** Enforcement

□ Other:		

## 3. Governing Body Composition and members

3.1 Describe with an appropriate level of detail the current composition of the Member's governing body, including, where possible, the names, the organization they represent (if any) and brief backgrounds of the governing body members, or provide a link to a page on your website where this information is provided.

The Auditing Profession Act, 2005, requires that the Board consists of not less than six but not more than 10 members who are appointed by the Minister of Finance. The current IRBA Board comprises of 10 members, all of whom are independent of the auditing profession.

The Auditing Profession Amendment Act No.5 of 2021 (APAA) now prohibits registered auditors (RAs) from being appointed as members of the IRBA Board, the Investigating Committee, and the Disciplinary Committee. Previously a maximum of 40% of the members of the Board could be RAs.

The Auditing Profession Amendment Act No. 5 of 2021 (APAA) requires competent persons with auditing knowledge but prohibits registered auditors or members who directly or indirectly share[s] in profits of, or receive[s] payment from, or conduct[s] business with audit firms. The amendments further require the appointment of persons with at least 10 years' experience in auditing and who were formerly registered as auditors and the mandatory appointment of legal practitioners with at least 10 years' experience in practicing law.

Names and links to profiles of the IRBA Board members:

Mr. Fulvio Tonelli (Chairman) - <a href="https://www.irba.co.za/about-us/who-is-the-irba/board-members">https://www.irba.co.za/about-us/who-is-the-irba/board-members</a>



- Ms. Naidene Ford-Hoon (Deputy Chairman)
   <a href="https://www.irba.co.za/about-us/who-is-the-irba/board-members">https://www.irba.co.za/about-us/who-is-the-irba/board-members</a>
- Ms. Ruth Benjamin-Swales <a href="https://www.irba.co.za/about-us/who-is-the-irba/board-members">https://www.irba.co.za/about-us/who-is-the-irba/board-members</a>
- Ms. Thabiso Kutumela <a href="https://www.irba.co.za/about-us/who-is-the-irba/board-members">https://www.irba.co.za/about-us/who-is-the-irba/board-members</a>
- Ms. Nalini Maharaj <a href="https://www.irba.co.za/about-us/who-is-the-irba/board-members">https://www.irba.co.za/about-us/who-is-the-irba/board-members</a>
- Mr. Protas Phili <a href="https://www.irba.co.za/about-us/who-is-the-irba/board-members">https://www.irba.co.za/about-us/who-is-the-irba/board-members</a>
- Ms. Zine Mshengu <a href="https://www.irba.co.za/about-us/who-is-the-irba/board-members">https://www.irba.co.za/about-us/who-is-the-irba/board-members</a>
- Sir Richard Hawkins <a href="https://www.irba.co.za/about-us/who-is-the-irba/board-members">https://www.irba.co.za/about-us/who-is-the-irba/board-members</a>

Please note that there are currently 2 vacancies on our Board and therefore only names for 8 members have been disclosed instead of 10 members.

3.2 What are the eligibility criteria / requirements and composition requirements for the members of the governing body? E.g. Does national legislation require representatives on the governing body from certain organizations, or with specific experience, etc.

The Auditing Profession Amendment Act No. 5 of 2021 (APAA) requires competent persons with auditing knowledge, but prohibits registered auditors or members who directly or indirectly share[s] in profits of, or receive[s] payment from, or conduct[s] business with audit firms.

The amendments further require the appointment of the following persons:

- two persons with at least 10 years' experience in auditing who were formerly registered as auditors; and
- two advocates or attorneys with at least 10 years' experience in practicing law.

members of the governing body of the Member who are current or former auditors/practitioners?	
☑ Yes	□ No
Does this include a	"cooling-off" period for former auditors?
□ Yes	☑ No
If yes to either of th	ne above, please describe:

3.3 Is there a restriction or recusal process that is applicable to



Declaration of conflicts of interest for all members is a standing agenda item at all Board meetings and members who are conflicted or potentially conflicted are recused. 4. Independence 4.1 Please describe the national independence requirements for the safeguards governing body and its members, and legal or regulatory requirements/provisions in place that safeguard their independence from the audit profession. The Auditing Profession Amendment Act No.5 of 2021 (APAA) prohibits registered auditors (RAs) from being appointed as members of the IRBA Board, the Investigating Committee and the Disciplinary Committee. Furthermore, no member of the IRBA Board may: share, directly or indirectly, in any of the profits or interests of a registered auditor or any person related to a registered auditor; receive payments, excluding pension benefits, from a registered auditor. Are employees of the Member covered by the same or separate set of independence requirements? ☑ Same set of requirements ☐ Different set of requirements If there are separate independence requirements for employees, please describe: 4.2 Are there any additional safeguards in place that provide for the Member's overall independence from the audit profession? E.g. through the appointment process, specific Board actions, etc. ☑ Yes □ No If yes, please describe: The IRBA is a Schedule 3A Public Entity and is therefore independent of the private sector or audit firms in South Africa. The IRBA's Board is required to be independent of the profession and specific vetting and screening processes are involved to confirm they are independent of the profession. Employees employed by the IRBA are also vetted and screened to ensure that they are independent from the audit profession. Inspectors that join the IRBA who were previously employed by audit firms are required to observe a 2-year cooling off period



	before they are allowed to perform inspections on their previous employer.	
5. Funding Arrangements	5.1 Describe the main funding arrangements of the Member, including the setting and approval of the budget:	
	The IRBA is funded by:	
	the collection of prescribed fees and levies from Registered Auditors and firms;	
	all other monies which may accrue to the IRBA from any other legal source, including sanctions imposed by the IRBA; and	
	monies appropriated for that purpose by Parliament through the National Treasury	
	The budget is approved by the Board and tabled in Parliament. The IRBA reports annually to the Minister of Finance, who then tables the report in Parliament.	
	5.2 Is the funding free from undue influence by the profession?	
	☑ Yes □ No	
	Please describe with an appropriate level of detail the safeguards in place to prevent undue influence by the profession:	
	The IRBA Board comprise of completely independent members who are not in public practice. Furthermore, the governing legislation provides the Board with powers to prescribe any rules with regards to any matters that is permitted by the act, which also includes license fees paid by auditors. The auditors are required to pay over a fraction of their assurance fees charged to clients to the IRBA annually. Secondly, audit firms are required to pay an annual license fee to operate and practice as auditors. Failure to pay annual fees will result in a license to practice as an auditor being revoked by the regulator. The auditors do not influence how they should be regulated as they are not part of the governing structure. The IRBA is also partly funded by the government. We receive approximately 1/3 of our funding from a government grant and the balance are fees payable by registered auditors that are not linked to the activities of the regulator.	
6. Audit Market	6.1 Provide the number of audit firms subject to inspections. Include	
o. Addit Market	an indication of the number of public interest audits (PIEs) and other audits that fall under the Member's oversight or mandate.	
	Number of audit firms subject to inspections –Approximately 1500	
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Auditors subject to inspection – Approximately 2700 Number of other audits - N/A 6.2 Please describe the sizes (in terms of revenue / number of listed entity clients / number of partners and audit staff / etc. - whichever measure is commonly used and available in your jurisdiction) and market shares of each of the largest audit firms in the Member's iurisdiction. Largest firms % of market share for Public Interest Entities audit fees **PWC** 30% Deloitte & Touché 14% KPMG 10% **Ernst & Young** 15% **BDO** 8% SNG Grant Thornton 4% 7. Inspection System 7.1 Does the Member have the responsibility for recurring inspections of audit firms undertaking audits of public interest entities (PIEs)? ☑ Yes П № 7.2 Is this responsibility undertaken directly or through oversight of inspection conducted by another organization? **☑** Directly ☐ Through Oversight If directly, please describe the responsibility, including the follow-up and reporting process, and the regulatory measures available to be taken as a result of inspections (if described in Question 11 Enforcement, please reference that section for details on such measures). If through oversight of another organization, please describe with an appropriate level of detail the other organization, its relation to the Member, its role, and the arrangements for oversight by the Member: Inspections are performed by the IRBA Inspections Department, in terms of section 47 of the Auditing Profession Act of 2005 (APA). Refer to the following link for an overview of the IRBA's Inspections process. Link to Inspections Process and the inspections guided proactive monitoring process https://www.irba.co.za/upload/IRBA%208th%20Inspection%20Cycle%20 Project.pdf.

6



Furthermore, the Inspections Committee refers specific firms who fail to adequately address reported deficiencies over an extended period to the IRBA Board. These firms are then placed on a 'watchlist' and firm leadership is required to present a turnaround strategy and plan to the Board and report on progress either quarterly or 6 monthly depending on the nature of the deficiencies. The reports are reviewed and assessed by the Director Inspections. Network firms are required to involve their international leadership for support and local and international leadership are requested to meet with the Board where deemed necessary to present their support and plans to improve audit quality within the local firm.

## 7.3 Please describe with an appropriate level of detail the requirements and practices regarding the frequency of inspections:

Section 47(1)(b) of the Auditing Profession Amendment Act no. 2 of 2015 requires the IRBA to at least every three years inspect or review the practice of a registered auditor that audits a public company as defined in section 1 of the Companies Act no. 71 of 2008. The risk-based approach further focuses the IRBA's attention on audit firms and auditors who perform statutory assurance work, and the IRBA allocates its resources accordingly over a three-year cycle. The IRBA adopted the International Forum of Independent Audit Regulators (IFIAR) Core Principles for Inspections. These principles seek to promote effective independent audit oversight globally, thereby contributing to IFIAR members' overriding objectives of serving the public interest and enhancing investor protection by promoting high audit quality. All firms that have clients that are listed on the stock exchange should be visited at least once in a three cycle. The large firms auditing PIE clients are inspected annually.

More information on our Inspections can be accessed on the IRBA website - Link to the Inspections Strategy and Process.

7.4 Does the Member have its own inspection staff, use reviewers
from the professional body or sub-contract to third parties,
independent contractors, etc. for the conduct of inspections? Please
tick the boxes that apply: (multiple responses allowed) Note that there is
no need to tick a box if non-employee reviewers are used very occasionally
and are not a core staffing approach.

and are not a core stanning approach.	
☑ Employees of the Member	☐ Professional body
☐ Third Parties	□ Other
Please explain below:	
nspections are performed by the IRBA Inspections Department, in terms of section 47 of the Auditing Profession Act of 2005 (APA).	



## 8. Licensing

8.1 If the Member has the responsibility for <u>Licensing</u>, please indicate whether this responsibility is undertaken directly or through oversight of Licensing conducted by another organization?

**☑** Directly

☐ Through Oversight

If directly, please describe the responsibility, including any changes, with an appropriate level of detail.

If through oversight, please indicate the name of the other organization and its composition. Also, give a description of the powers of the other organization and procedure applied, as well as the role of the Member in these procedures.

The current route for an individual to become a registered auditor (RA) in South Africa involves the following:

- Complete a recognized academic program accredited by the South African Institute of Charted Accountants (SAICA).
- Complete SAICA's core assessment program known as the Initial Test of Competency.
- Complete a professional development program which has 3 components:
  - Complete a SAICA recognized training program with an audit firm.
  - o Complete SAICA's final assessment of professional competence.
  - On successful completion of the above the candidate is eligible to enter into the Audit Development Program (ADP) facilitated by the IRBA.
- The ADP is the joint responsibility of the IRBA and Audit Firms and candidates on the program are required to complete the following:
  - A minimum of 18 months in an advanced assurance environment;
  - o A minimum of 1500 productive hours in audit and assurance;
  - Successful demonstration of the competencies outlined in the competency framework prescribed by the IRBA.
- The final assessment for candidates on the ADP is the submission of a portfolio of evidence together with evidence of the completion of the minimum period of 18 months and 1 500 productive hours in audit and assurance.
- On successful completion of the ADP program a candidate will be eligible to register as an RA.
- In the above process the IRBA is responsible for the following:
  - Accrediting a professional accounting organization's (currently only SAICA) academic and training program for a candidate to progress toward an RA.



	<ul> <li>Monitoring the professional accounting organization's (currently only SAICA) compliance with the IRBA requirements for continued accreditation.</li> <li>Setting the specialist RA competency framework and ADP programs for licensing of a RA.</li> </ul>
9. Registration	9.1 If the Member has the responsibility for <u>Registration</u> , please indicate whether this responsibility is undertaken directly or through oversight of Registration conducted by another organization?
	☑ Directly ☐ Through Oversight
	If directly, please describe the responsibility, including any changes, with an appropriate level of detail.
	If through oversight, please indicate the name of the other organization and its composition (i.e. whether practitioners from the audit profession are involved in decision-making). Also, give a description of the powers of the other organization and procedure applied, as well as the role of the Member in these procedures.
	The IRBA's mandate is to protect the financial interests of the public and its goal is to create an ethical value-driven financial sector that encourages investment, creates confidence in the financial markets and promotes sound financial practices. This is done through several functions including the registration of auditors who meet the registration requirements. Candidates should meet a strict criterion including the educational and practical requirements. The registration process includes a fit and proper assessment and successful completion of the IRBA's ADP program (refer to 8.1 above) to ensure that only suitable candidates are registered with the IRBA and to practice as Registered Auditors.
10. Audits and/or Ethics Standard Setting	10.1 If the Member has the responsibility for <u>Audit and/or Ethics Standard Setting</u> , please indicate whether this responsibility is undertaken directly or through oversight of Audit and/or Ethics Standard Setting conducted by another organization?
	☑ Directly ☐ Through Oversight
	If directly, please describe the responsibility, including any changes, with an appropriate level of detail.
	If through oversight, please indicate the name of the other organization and its composition (i.e. whether practitioners from the audit profession are involved in decision-making). Also, give a description of the powers of the other organization and procedures applied, as well as the role of the Member in these procedures.
	The IRBA Committee for Auditing Standards (CFAS) continues to apply its prioritization process, using a scoring model to identify the high priority projects that arise from a range of stakeholder requests. This has allowed



	both the CFAS and the secretariat to have a two-year activity plan, with a balance between tracking and the implementation of international standard-setting initiatives and local priorities, as well as matching these projects to the available time among CFAS members and the secretariat's resources.
	The Committee for Auditor Ethics focuses on matters that affect and impact the ethics of auditors. The committee continues to research emerging ethics issues and developing guidance for auditors on a number of topics including the Code of Professional Conduct for Registered Auditors.
11. Permanent Education / Continuous Training of Auditors	11.1 If the Member has the responsibility for Permanent Education / Continuous Training of Auditors, please indicate whether this responsibility is undertaken directly or through oversight of Permanent Education / Continuous Training of Auditors conducted by another organization?
	☑ Directly ☐ Through Oversight
	If directly, please describe the responsibility, including any changes, with an appropriate level of detail.
	If through oversight, please indicate the name of the other organization and its composition (i.e. whether practitioners from the audit profession are involved in decision-making). Also, give a description of the powers of the other organization and procedures applied, as well as the role of the Member in these procedures.
	Audit Development Programme (ADP)
	The ADP is an 18-month specialization program undertaken by professional accountants who want to become registered auditors (RAs). The ADP became effective in 2015. All aspirant RAs who qualify as professional accountants through a professional body accredited by the IRBA, and wish to become RAs, must undertake the ADP to obtain eligibility to register as RAs. The South African Institute of Chartered Accountants (SAICA) is currently the only professional body accredited by the IRBA. The ADP is premised on the fact that professional competence is best developed and assessed on the job. Registered candidate auditors (RCAs) will therefore be required to demonstrate professional competence on the job and develop a portfolio of evidence that supports their application to become RAs.
12. Enforcement	12.1 If the Member has the responsibility for <u>Enforcement</u> , please indicate whether this responsibility is undertaken directly or through referral to other organization(s)?
	☑ Directly ☐ Through Referral



If directly, please describe the responsibility and procedures applied (including investigations, disciplinary actions or sanctions), as well as the reporting process for disciplinary action.

If through referral, please indicate the name of the other organization and its composition (i.e. whether practitioners from the audit profession are involved in decision-making). Also, give a description of the enforcement powers of the other organization and procedures applied, as well as the role of the Member in these procedures.

An investigation is initiated either once a complaint is received from an external party or it has been initiated from within the IRBA. Externally originated complaints are lodged by a member of the public or are matters referred by a court or other regulator. Internally originated complaints are raised by the IRBA itself, such as those arising out of the inspection process, or matters where investigations are initiated by the IRBA as a result of information that comes to its attention through the media.

Complaints lodged with the IRBA are required (as per the Disciplinary Rules) to be on an affidavit. This requirement is an indication of the seriousness of lodging a complaint. Furthermore, this is essential when the information is solely within the knowledge of the complainant. If the information that forms the subject of the investigation is a matter of public record, it is not necessary for this to be on an affidavit. The Disciplinary Rules also stipulate that the affidavit should set out clearly what is being complained of.

Once a complaint is received and it is verified that the respondent was a registered auditor at the time of the transgression and the alleged transgression falls within the definition of improper conduct, the complaint is opened. The respondent is sent the complaint and asked to respond to the allegations in writing. The complainant is informed that the complaint has been initiated. The matters are allocated to investigators who analyze and collate the information on the matter. They request any further information required from the respondent, the complainant, or any person who has information directly related to the matter. The investigators where required, prepare draft schedules of charges of improper conduct relating to non-compliance with the professional standards and the code of professional conduct.

The matter is then tabled at the Investigating Committee for deliberation and recommendation on the outcome of the investigation. Thereafter, the matter is tabled at the Enforcement Committee for deliberation and decision on the outcome of the matter.

The outcome of the matter can either be:

a) The matter is dismissed because there is no evidence of improper conduct by the registered auditor; or



<ul><li>b) The registered auditor is found guilty of improper conduct and a monetary sanction is imposed; or</li><li>c) The matter is referred for a disciplinary hearing in instances where the committee deems this necessary in the public interest.</li></ul>
The respondent and the complainant are notified of the outcome of the matter.
Matters referred for a disciplinary hearing are dealt with by the IRBA Legal Department.
13.1 If the Member has the responsibility for <u>other tasks within the area</u> of <u>Audit Oversight or Audit Regulation</u> , please describe with an appropriate level of detail:  N/A
14.1 Please describe with an appropriate level of detail, the responsibility of the Member for tasks outside the area of audit oversight or audit regulation such as supervision of financial reporting or securities regulation:  N/A
15.1 Are there any major news, activities, events or updates (on audit matters, the Member's organization, the governing legislation or the authority/responsibilities) that you wish to keep the public informed of since completing last year's Member Profile?
☑ Yes □ No
If yes, please describe these changes with an appropriate level of detail:
<ul> <li>On 7 September 2022 the IRBA Board announced Mr. Imre Nagy as the new CEO of the IRBA (Mr Nagy had been the acting CEO since February 2021).</li> <li>In September 2022 the IRBA also unveiled its new brand and logo.</li> <li>On 31 October 2022 the CEO announced Ms Ntlambi Gulwa as the new Director: Inspections at the IRBA (Ms Gulwa had been the acting Director: Inspections since February 2021).</li> </ul>