CHARTERED ACCOUNTANTS
AUSTRALIA • NEW ZEALAND

Wednesday, 5 August 2026

Mr Ken Sion
Program and Senior Director
International Ethics Standards Board for Accountants
529 5th Avenue
New York, New York 10017

Submission by email:
jeanneviljoen@ethicsboard.org
kamleung@ethicsboard.org

Dear Ken

IESBA Post-Implementation Review (PIR) Survey: Responding to Non-Compliance with Laws and Regulations (NOCLAR).

Chartered Accountants Australia and New Zealand ('**CA ANZ**') appreciates the opportunity to provide comment on the above-mentioned survey issued by the International Ethics Standards Board for Accountants ('**IESBA'**).

CA ANZs responses to the survey are included in the document 'NOCLAR PIR survey CA ANZ July 2026.'

Appendix 1 provides more information about CA ANZ. Should you have any questions about the matters raised in CA ANZs response to this survey or wish to discuss it further, please contact Josephine Haste FCA, josephine.haste@charteredaccountantsanz.com

Sincerely,

Vanessa Chapman
Group Executive, General Counsel and Corporate Assurance

About Chartered Accountants Australia and New Zealand

Chartered Accountants Australia and New Zealand (CA ANZ) represents more than 142,000 members, supporting them to make a difference to the businesses, organisations and communities in which they work and live. Chartered Accountants are known as Difference Makers. The depth and breadth of their expertise helps them to see the big picture and chart the best course of action.

CA ANZ promotes the Chartered Accountant (CA) designation and high ethical standards, delivers world-class services and life-long education to members and advocates for the public good. We protect the reputation of the designation by ensuring members continue to comply with a code of ethics, backed by a robust discipline process. We also monitor Chartered Accountants who offer services directly to the public.

Our flagship CA Program, the pathway to becoming a Chartered Accountant, combines rigorous education with mentored practical experience. Ongoing professional development helps members shape business decisions and remain relevant in a changing world.

We actively engage with governments, regulators and standard-setters on behalf of members and the profession to advocate boldly in the public good. Our thought leadership promotes prosperity in Australia and New Zealand.

Our support of the profession extends to affiliations with international accounting organisations.

We are a member of the International Federation of Accountants and are connected globally through Chartered Accountants Worldwide and the Global Accounting Alliance. Chartered Accountants Worldwide brings together members of 15 chartered accounting institutes to create a community of more than 1.8 million Chartered Accountants and students in more than 190 countries. CA ANZ is a founding member of the Global Accounting Alliance which is made up of 10 leading accounting bodies that together promote quality services, share information and collaborate on important international issues.

We have a strategic alliance with the Association of Chartered Certified Accountants. The alliance represents more than 870,000 current and next generation accounting professionals across 179 countries and is one of the largest accounting alliances in the world providing the full range of accounting qualifications.

We employ more than 500 talented people across Australia, New Zealand, Singapore, Malaysia, Hong Kong and the United Kingdom.

IESBA™
International Ethics Standards Board for Accountants
AN IFEA BOARD

IESBA Post-Implementation Review (PIR) Survey

Responding to Non-Compliance with Laws and Regulations (NOCLAR®)

Introduction

This survey is only applicable to respondents that have adopted or use or benefit from the Responding to Non-Compliance with Laws and Regulations (NOCLAR) provisions in the International Code of Ethics for Professional Accountants (including International Independence Standards) (the Code). Sections 5260 and 5360 as contained in the International Ethics Standards for Sustainability Assurance (including International Independence Standards) (IESSA), and conforming amendments to Sections 260 and 360 arising from the development of the IESSA, are outside the scope of this survey and only become effective in December 2026.

1. The International Ethics Standards Board for Accountants (IESBA) is conducting a post-implementation review (PIR) of the NOCLAR provisions in Sections 260 and 360 of the Code.
2. This survey seeks to obtain input from a broad range of stakeholders to enable the IESBA to determine:
   (a) Whether the NOCLAR provisions have achieved their intended purpose by identifying:
      (i) Benefits from applying the provisions; and
      (ii) Any practical challenges or questions regarding their implementation, including whether they are being consistently understood and applied; and
   (b) What actions, if any, are needed by the IESBA to address identified matters.
3. The responses received will be analyzed for purposes of providing feedback to the IESBA and in developing recommendations for any actions.
4. Recognizing that some respondents may wish to discuss certain NOCLAR or NOCLAR-related matters on a confidential basis instead of documenting them in writing when responding to this survey, respondents are welcome to reach out to the IESBA Project Team (email jeanneviljoen@ethicsboard.org and kamleung@ethicsboard.org) to discuss such matters confidentially. In such circumstances, respondents are requested to discuss the matters on an anonymized basis.
5. The survey comment period starts on April 1 and ends on July 30.

Survey Responses to be Made Public

6. Unless confidentiality is specifically requested, respondents' submissions will be considered a matter of public record and will be posted to the IESBA's website. Where confidentiality is requested, respondents are nonetheless requested to provide any detailed input on an anonymized basis.
7. Some questions ask for details, examples or sharing of relevant reports or materials. Respondents are requested to provide such information on an anonymized basis.

Survey Instructions

8. Respondents to the survey are asked to provide their responses only on the questions applicable to

the stakeholder group to which they belong:

- Part A — Demographic Information (All Respondents)
- Part B — Jurisdictional Standard Setters (JSS)
- Part C — Professional Accountancy Organizations (PAOs)
- Part D — Regulators or Oversight Bodies
- Part E — Accounting Firms or Individual Professional Accountants in Public Practice (PAPPs)
- Part F — Professional Accountants in Business (PAIBs)
- Part G — Other Users or Beneficiaries of the Code

9. Respondents may respond to all questions or only selected questions or matters. All responses to this survey, whether complete or partial, will be accepted and considered as input for the IESBA Project Team's analysis.

Overview and Key Intended Outcomes of the IESBA NOCLAR Provisions

10. The IESBA NOCLAR provisions establish a response framework to guide auditors, other PAPPs, and PAIBs in deciding how best to act in the public interest when they become aware of NOCLAR or suspected NOCLAR.

11. NOCLAR is any act of omission or commission, intentional or unintentional, committed by a client or employer, or by those charged with governance (TCWG), by management or by other individuals working for or under the direction of a client or employer which is contrary to the prevailing laws or regulations.

12. For a more detailed overview of the NOCLAR provisions of the Code, please access the following link here.

13. Key intended outcomes of the NOCLAR provisions in the public interest include:
    - Ensuring that PAs respond in a timely way to identified or suspected NOCLAR.
    - Rectifying, remediating, or mitigating the adverse consequences of identified or suspected NOCLAR to stakeholders and the general public.
    - Deterring the commission of NOCLAR.
    - Stimulating increased reporting of identified or suspected NOCLAR where required by law or regulation, or where determined appropriate under the Code in the public interest.

Part A – Demographic Information (All Respondents)

1. Please indicate if you are responding as an individual or on behalf of your organization?
    (a) If you are responding as an individual:
        (i) Please indicate your jurisdiction
        (ii) Approximate years of professional experience:
            - Less than 5 years

- 5–10 years
- 11–20 years
- More than 20 years

Not Applicable

(b) If you are responding on behalf of your organization, please indicate the jurisdictional profile which best represents your situation, i.e., from which jurisdictional perspective are you providing your responses?

- Global
- Regional *(Please specify)*
- Multiple jurisdictions *(Please specify)*
- Single jurisdiction *(Please specify)*

Regional – Asia Pacific, specifically, Australia and New Zealand

2. Please indicate the stakeholder category to which you belong, i.e., from which perspective are you providing your responses? *If you or your organization has one or more roles (e.g., JSS and Regulator), please respond to all relevant parts of the survey.*

- JSS **(Complete Part B)** *(Please indicate the users of your standards as a JSS, e.g., individual PAPPs, professional accountants in business (PAIBs) and/or accounting firms (including audit firms))*
- PAOs **(Complete Part C)** *(Please indicate whether your members are PAPPs and/or PAIBs)*
- Regulators or oversight bodies **(Complete Part D)** *(Please indicate which of the following you regulate or oversee (select all that apply): PAPPs (including auditors), PAIBs, accounting firms (including audit firms), none of the above)*
- Accounting firms and individual PAPPs **(Complete Part E)**
- PAIBs **(Complete Part F)**
- Other users or beneficiaries of the Code *(Please specify)* (e.g., investors or other users of financial statements, those charged with governance, academics) **(Complete Part G)**

Chartered Accountants Australia New Zealand belong to the PAO stakeholder group.

3. Please provide the following information (*Personal information will not be made public and will only be used by the Project Team to follow up if clarification on your responses is needed)*:

- Your organization's name, if any (if you are responding on behalf of an organization[1])
- Your name and job title / role

[1] If you respond on behalf of a global organization, the jurisdiction (or name of the country) in which you work. If you are responding on behalf of a global organization, please indicate "Global" as your jurisdiction.

- Your email address
- Your jurisdiction

Chartered Accountants Australia New Zealand

Josephine Haste FCA

Manager, Ethics and Professional Practice

Asia Pacific, specifically, Australia and New Zealand

Part B – Jurisdictional Standard Setters (JSS)

Adoption status and effective date

> *Note:*
>
> *Adoption (full or with modifications) refers to the formal acceptance and incorporation of the IESBA standards into a jurisdiction's national laws, regulations or professional requirements.*
>
> *Convergence is where a jurisdiction aligns its national ethics (including independence) standards or provisions with the IESBA standards through a process that seeks to eliminate or minimize differences between the IESBA and national standards or provisions. This includes a process where an IESBA standard is used as a basis to develop the local standard or provisions.*

4. Has your organization adopted the NOCLAR provisions of the Code (IESBA NOCLAR provisions)? *(Please choose the most representative answer*)

   (a) Yes, through full adoption with no modifications *(Please provide (i) information on the effective date, and (ii) links to the local NOCLAR provisions or the specific announcement of the adoption or issuance of the local NOCLAR provisions)*

   (b) Yes, through adoption with modifications *(Please (i) describe the nature of, and reasons for, the modifications, (ii) provide information on the effective date, and (iii) provide links to the local NOCLAR provisions or the specific announcement of the adoption or issuance of the local NOCLAR provisions)*

   (c) No, but the local NOCLAR provisions are converged with the IESBA NOCLAR provisions *(Please (i) provide information on the effective date, (ii) provide links to the local NOCLAR provisions or the specific announcement of the issuance of the local NOCLAR provisions, and (iii) describe any significant differences between the local NOCLAR provisions and the IESBA NOCLAR provisions)*

   (d) No, there are provisions in relevant law or regulation or a different ethical framework that address NOCLAR *(Please describe any significant differences between the relevant law or regulation or ethical framework and the IESBA NOCLAR provisions)*

   (e) Not adopted *(Please specify reasons. If there is a plan to adopt the IESBA NOCLAR provisions, please provide details, including timing)*

   If you have answered (a), (b) or (c), were the IESBA NOCLAR provisions translated into the local NOCLAR provisions? If yes, please indicate the language of translation.

Guidance and educational materials

5. What guidance or educational materials has your organization issued, or what programs has your organization developed, to support understanding of the local NOCLAR provisions in your jurisdiction? (*Select all that apply and provide links*)

   - Technical guidance (e.g., FAQs)
   - Education/training programs (e.g., webinars, CPD programs)

- Articles, publications or newsletters (e.g., updates about standards, case studies or illustrative examples)
- Other *(Please specify)*
- None

Other support

6. Does your organization provide guidance to individual professional accountants, accounting firms, or other users of your standards in the application of the local NOCLAR provisions if they seek such assistance, e.g., in dealing with a NOCLAR matter? (*Select all that apply)*
   - Ethics hotline or equivalent (e.g., for technical queries)
   - Discussion forum (e.g., for sharing knowledge)
   - Whistleblower hotline (e.g., to report actual or suspected NOCLAR)
   - Other *(Please specify)*
   - None

Inquiries and questions

7. Which specific provisions in the local NOCLAR provisions has your organization commonly received inquiries or questions about? *(Please provide details, including from which stakeholder groups the inquiries or questions arose)*

Level of understanding

8. Do users of your organization's standards have an overall understanding of the local NOCLAR provisions? *(Please explain the basis for your response, including how your organization evaluates the overall understanding of the local NOCLAR provisions by users of your standards)*
   - Yes
   - Somewhat
   - No
   - Not known or no data available

Legal protection

9. In your jurisdiction, does legislation or regulation exist (e.g., under whistleblowing laws or regulations) that provides protection from civil, criminal or professional liability, or from retaliation, when NOCLAR or suspected NOCLAR is disclosed to an appropriate authority? Please provide details.

   If yes, is the protection under the relevant law or regulation perceived to be effective? Please explain your response.

Observed outcomes (benefits and challenges)

10. Has your organization observed any trend in instances of NOCLAR reported or escalated?

If so, please describe the trend and indicate the period for which this trend has been observed, as well as the general nature of the NOCLAR commonly observed.

11. Based on your organization's observations, has the application of the local NOCLAR provisions been effective in deterring the commission of NOCLAR, or rectifying, remediating or mitigating the consequences of NOCLAR? (*Please explain the basis for your response and provide any relevant details, including any supporting materials or reports*)

12. Has your organization observed any challenges in the application of the local NOCLAR provisions? *(Please provide details, including specific provisions that caused particular challenges and why, as well as any actions taken to address them)*

13. Has your organization observed any trends where professional accountants or accounting firms encountered NOCLAR or suspected NOCLAR but did not apply the local NOCLAR provisions in whole or in part?

    - Yes, the provisions were not applied in whole *(Please explain why the provisions were not applied (e.g., lack of evidence for suspected NOCLAR, confidentiality issues, etc.)*
    - Yes, the provisions were only partially applied *(Please explain which provisions were not applied and why (e.g., lack of evidence for suspected NOCLAR, confidentiality issues, etc.)*
    - No, not observed

Other comments

14. From your perspective, what further efforts should IESBA pursue to enhance the effectiveness of implementation of the IESBA NOCLAR provisions globally? *(Please explain your response)*

15. Do you have any other comments or specific matters the IESBA should consider as part of this PIR on the IESBA NOCLAR provisions (including on any benefits arising from using the local NOCLAR provisions, or on matters of translation)?

Part C – Professional Accountancy Organizations (PAOs)

Adoption status and effective date

> *Note:*
>
> *Adoption (full or with modifications) refers to the formal acceptance and incorporation of the IESBA standards into a jurisdiction's national laws, regulations or professional requirements.*
>
> *Convergence is where a jurisdiction aligns its national ethics (including independence) standards or provisions with the IESBA standards through a process that seeks to eliminate or minimize differences between the IESBA and national standards or provisions. This includes a process where an IESBA standard is used as a basis to develop the local standard or provisions.*

4. Has your organization adopted the NOCLAR provisions of the Code (IESBA NOCLAR provisions)? *(Please choose the most representative answer*)

   (a) Yes, through full adoption with no modifications *(Please provide (i) information on the effective date and (ii) links to the local NOCLAR provisions or the specific announcement of the adoption or issuance of the local NOCLAR provisions)*

   (b) Yes, through adoption with modifications *(Please (i) describe the nature of, and reasons for the modifications, (ii) provide information on the effective date, and (iii) provide links to the local NOCLAR provisions or the specific announcement of the adoption or issuance of the local NOCLAR provisions)*

   (c) No, but the local NOCLAR provisions are converged with the IESBA NOCLAR provisions *(Please (i) provide information on the effective date, (ii) provide links to the local NOCLAR provisions or the specific announcement of the issuance of the local NOCLAR provisions, and (iii) describe any significant differences between the local NOCLAR provisions and the IESBA NOCLAR provisions)*

   (d) No, there are provisions in relevant law or regulation or a different ethical framework that address NOCLAR *(Please describe any significant differences between the relevant law or regulation or ethical framework and the IESBA NOCLAR provisions)*

   (e) Not adopted *(Please specify reasons. If there is a plan to adopt the IESBA NOCLAR provisions, please provide details, including timing)*

   (a) Full adoption with no modifications.

   If you have answered (a), (b) or (c), were the IESBA NOCLAR provisions translated into the local NOCLAR provisions? If yes, please indicate the language of translation.

   Yes, *English.*

Guidance and educational materials

5. What guidance or educational materials has your organization issued, or what programs has your organization developed, to support understanding of the local NOCLAR provisions in your

jurisdiction? (*Select all that apply and provide links*)

- Technical guidance (e.g., FAQs)
- Education/training programs (e.g., webinars, CPD programs)
- Articles, publications or newsletters (e.g., updates about standards, case studies or illustrative examples)
- Other *(Please specify)*
- None

Technical guidance, education and training programs, articles and Q&As including:

- *Guidance: Responding to non-compliance with laws and regulations including the impact of whistleblower legislation in Australia*
- *Auditors and NOCLAR: Q&A: Auditors and NOCLAR*
- *On responding to Non-Compliance with Laws and Regulations Guidance: Information sheet on responding to Non-Compliance with Laws and Regulations*
- *Guidance: How to use the Code of Ethics when you're an accountant in business.*
- *Access to the Chartered Accountants Advisory Group (CAAG). In Australia this includes access to up to 1 hour of complimentary, independent legal advice.*
- *Dedicated Professional Standards telephone support service staffed by senior, experienced members of CA ANZ.*
- *Guidance: The Quarterly Ethics Digest (QED) is a newsletter dedicated to ethics distributed to all members of CA ANZ every quarter. The newsletter is themed each quarter and addresses the fundamental principles, threats to the principles, the conceptual framework and ethics issues such as NOCLAR and Conflicts of Interest.*

Other support

6. Does your organization provide guidance to individual members and accounting firms in the application of the local NOCLAR provisions if they seek such assistance, e.g., in dealing with a NOCLAR matter? (*Select all that apply)*

- Ethics hotline or equivalent (e.g., for technical queries, application questions on the local NOCLAR provisions)
- Discussion forum (e.g., for sharing knowledge)
- Whistleblower hotline (e.g., to report actual or suspected NOCLAR)
- Other *(Please specify)*
- None

CA ANZ provides both a Professional Standards telephone support service and an ethics consultation service. Please refer to the response provided in Question 5.

Inquiries and questions

7. Which specific provisions in the local NOCLAR provisions has your organization commonly received inquiries or questions about? *(Please provide details, including from which stakeholder groups the inquiries or questions arose)*

CA ANZ's Professional Standards Support Team has reported, on an anecdotal basis, that enquiries relating to NOCLAR are received more frequently from Members in Business (PAIBs) than from Members in Practice (PAPPs). These enquiries are generally not focused on specific provisions of the Code or the NOCLAR framework. Rather, members typically present a set of circumstances and seek guidance on how the relevant ethical and professional obligations apply, often requiring consideration of multiple provisions of the Code including, and in addition to, the NOCLAR framework provisions.

The Support Team in Australia has also observed that many enquiries that may previously have been considered through a NOCLAR lens are now addressed through mandatory reporting obligations established under legislation and overseen by relevant Australian government authorities. As a result, members are often required to consider the interaction between their ethical obligations under the Code and their legal reporting responsibilities.

Level of understanding

8. Do your organization's members have an overall understanding of the local NOCLAR provisions? *(Please explain the basis for your response, including how your organization evaluates the overall understanding of the local NOCLAR provisions by its members)*

- Yes
- Somewhat
- No
- Not known or no data available

Somewhat. *CA ANZ has observed that member enquiries relating to NOCLAR most commonly concern the scope of the provisions, particularly in determining whether specific circumstances fall within or outside their application. Members also frequently seek guidance on matters of materiality and the exercise of professional judgement, reflecting concerns about appropriately assessing the significance of an issue and the corresponding obligations under the NOCLAR framework.*

CA ANZ has also observed a tendency among members with a general awareness of the NOCLAR requirements to initially assume that any instance of non-compliance with a law or regulation automatically falls within the scope of NOCLAR. In practice, however, the circumstances must first be assessed against the relevant scope criteria set out in paragraphs 260.3 and 360.3 of the Code. Members often require assistance in determining whether the matter meets the threshold for application of the NOCLAR provisions; being the potential to materially affect the Financial Statements or Sustainability information and the likelihood of causing substantial harm. Further, in determining whether sufficient credible evidence exists to support a belief that non-compliance has *occurred or is likely to occur. These threshold assessments can present practical challenges and are a common source of enquiries received by CA ANZ.*

Enforcement

9. Does your organization enforce the local NOCLAR provisions?

- Yes (*Please specify (i) when enforcement started, (ii) details such as disciplinary cases against members (the information may be anonymized), and (iii) links to relevant published reports*)
- No (*Please specify (i) why your organization does not enforce the local NOCLAR provisions, (ii) which organization enforces the local NOCLAR provisions, and (iii) whether your organization receives reports from them*)

  Yes*, the NOCLAR provisions in Australia had an effective date of January 1st, 2018. Enforcement commenced on that date. The NOCLAR provisions in New Zealand came into effect on 15 July 2017.*

  The CA ANZ Professional Conduct Team has reported that it receives relatively few complaints concerning members' compliance with the NOCLAR provisions. This may reflect a combination of factors, including limited public awareness and understanding of the requirements. Furthermore, instances of non-compliance may be less likely to result in complaints where the member's actions (non-compliance with NOCLAR requirements) are perceived to benefit or protect the interests of the client.

  CA ANZ has not recorded in its systems any complaints where NOCLAR was the primary issue. However, from time-to-time NOCLAR does come up in complaints as a matter to be considered.

Appropriate authority

10. Does your organization have the authority to investigate NOCLAR or suspected NOCLAR that is reported to it and take any necessary action?

- Yes *(Please provide details, including the (i) nature of the NOCLAR matters that have been reported to your organization, and the (ii) actions taken (the information may be anonymized))*
- No

  Yes*, CA ANZ has the authority to investigate matters involving reported or suspected non-compliance with the NOCLAR provisions. Where appropriate, the matter will be considered under CA ANZ's Conduct and Discipline Framework, with any resulting action determined based on the circumstances of the case and the findings of the investigation.*

Legal protection

11. In your jurisdiction, does legislation or regulation exist (e.g., under whistleblowing laws or regulations) that provide protection from civil, criminal, or professional liability, or from retaliation, when NOCLAR or suspected NOCLAR is disclosed to an appropriate authority? Please provide details.

    If yes, is the protection under the relevant law or regulation perceived to be effective? Please explain your response.

Australia's whistleblower laws offer legal protections for individuals who report misconduct, by application of the Corporations Act 2001 and the Tax Administration Act 1953 for the corporate sector and the Public Interest Disclosure Act 2013 for the public sector. Eligibility, rules, and reporting requirements differ significantly between these legal frameworks. Importantly, in Australia, CA ANZ is not designated as a reporting authority for the purpose of receiving third party NOCLAR or whistleblower disclosures

Given that partnerships are currently not covered by Australia's whistleblower protection framework, but tend to have policies that apply similar protections, CA ANZ considers that members working within accounting practices structured as partnerships may not have access to statutory protections when raising concerns. In recognition of broader issues relating to whistleblower protections, the Australian Treasury has recently commenced a consultation on Australia's tax and corporate whistleblowing regimes. The consultation paper can be accessed here.

In New Zealand, the Protected Disclosures (Protection of Whistleblowers) Act 2022 provides protection from civil, criminal and professional (disciplinary) liability and retaliation and victimisation against whistleblowers when serious allegations are disclosed in good faith to an appropriate authority (or through proper internal channels). New Zealand's protected disclosure regime is designed to allow individual disclosures from employees, contractors, board members and volunteers in both the public and private sectors to enable reporting of serious wrong doing in the workplace without fear of being subjected to detrimental treatment. NZICA is an authority for the purpose of receiving disclosures.

Observed outcomes (benefits and challenges)

12. Has your organization observed any trend in instances of NOCLAR reported or escalated?

If so, please describe the trend and indicate the period for which this trend has been observed, as well as the general nature of the NOCLAR commonly observed.

Yes, to a limited extent. *Based on anecdotal observations and member enquiries received by CA ANZ, fraud-related matters appear to be among the most commonly encountered instances of actual or suspected NOCLAR. CA ANZ has also observed matters involving tax evasion, companies trading while insolvent, money laundering, and failures by employers to meet employee entitlement obligations under workplace legislation.*

While CA ANZ has not collected sufficient data to identify definitive trends or quantify changes in reporting volumes over a specific period, these categories of non-compliance have featured prominently in matters brought to the attention of CA ANZ through member enquiries and professional standards support activities.

Consistent with the risk areas addressed by the NOCLAR provisions, the matters most commonly observed generally involve suspected unlawful conduct with potential implications for financial reporting, taxation compliance, creditor protection, anti-money laundering requirements, and employment law obligations. However, the volume of reported matters remains insufficient to draw broader conclusions regarding trends in the frequency or nature of NOCLAR incidents.

13. Based on your organization's observations, has application of the local NOCLAR provisions been effective in deterring the commission of NOCLAR, or rectifying, remediating or mitigating the consequences of NOCLAR? (*Please explain the basis for your response and provide any relevant details, including any supporting materials or reports*)

CA ANZ has not collected evidence that would enable a definitive assessment of the effectiveness of the local NOCLAR provisions in deterring instances of non-compliance with laws and regulations. However, CA ANZ's engagement letter toolkit includes guidance on communicating and explaining members' obligations under the NOCLAR provisions to clients. While the deterrent effect of these communications has not been formally evaluated, they may contribute, at least anecdotally, to raising awareness of NOCLAR obligations and discouraging non-compliant behaviour.

For example, an excerpt from CA ANZs Engagement Letter Toolkit (Australia) addressing NOCLAR:

Professional obligations

We will comply with the professional and ethical standards of the Accounting Professional and Ethical Standards Board, available at apesb.org.au. This includes APES 110 Code of Ethics for Professional Accountants (including Independence Standards), which among other things contains provisions that apply if we become aware of any actual or potential 'non-compliance with governing laws or regulations' (NOCLAR). Where any such non-compliance poses substantial harm (such as serious adverse consequences to investors, creditors, employees, auditor, group auditor or the public), we may be required to disclose the matter to an appropriate authority.

14. Has your organization observed any challenges in the application of the local NOCLAR provisions? *(Please provide details, including specific provisions that caused particular challenges and why, as well as any actions taken to address them)*

CA ANZ has observed that members can encounter challenges in reconciling the requirements of the NOCLAR provisions with the fundamental principle of confidentiality. Members have also reported difficulties in determining whether a matter falls within the scope of NOCLAR, particularly when assessing the potential materiality of the issue and whether it could have a significant impact on the entity's financial statements or its stakeholders. The application of professional judgement in these circumstances can present practical challenges and may affect the consistent application of the provisions.

15. Has your organization observed any trends where members or accounting firms encountered NOCLAR or suspected NOCLAR but did not apply the local NOCLAR provisions in whole or in part?

- Yes, the provisions were not applied in whole *(Please explain why the provisions were not applied (e.g., lack of evidence for suspected NOCLAR, confidentiality issues, etc.)*
- Yes, the provisions were only partially applied *(Please explain which provisions were not applied, and why (e.g., lack of evidence for suspected NOCLAR, confidentiality issues, etc.)*

- No, not observed

  No. *CA ANZ has not observed any discernible trends indicating that members or accounting firms encountered actual or suspected instances of NOCLAR but elected not to apply the local NOCLAR provisions, either in whole or in part. Given the limited number of matters reported to CA ANZ in relation to NOCLAR, there is insufficient evidence to identify any patterns or trends regarding the non-application of the provisions.*

Other comments

16. From your perspective, what further efforts should IESBA pursue to enhance the effectiveness of implementation of the IESBA NOCLAR provisions globally? *(Please explain your response)*

    CA ANZ considers that IESBA could further enhance the effectiveness and consistency of the implementation and application of the NOCLAR provisions globally by expanding the range of practical implementation resources available to professional accountants.

    While the NOCLAR provisions establish a robust principles-based framework, members often seek additional guidance on their practical application, particularly in relation to scoping matters, assessing materiality, exercising professional judgement, and balancing NOCLAR obligations with the fundamental principle of confidentiality.

    CA ANZ encourages IESBA to continue developing and promoting application material in a variety of accessible formats to support different learning preferences and professional contexts. This could include:

    - *Implementation guides that explain key concepts and decision-making processes in a practical manner;*
    - *Technical staff questions and answers (Q&As) addressing common issues and emerging areas of uncertainty;*
    - *Recorded webinars and other on-demand learning resources that illustrate the application of the provisions in real-world scenarios; and*
    - *Case studies and examples covering a range of jurisdictions, sectors, and fact patterns, including both straightforward and complex situations.*

    Greater availability of practical, scenario-based guidance would assist members in applying the provisions consistently and with greater confidence. It would also support PAOs and firms in their educational and implementation efforts, thereby promoting a more consistent global understanding and application of the NOCLAR framework.

17. Do you have any other comments or specific matters the IESBA should consider as part of this PIR on the IESBA NOCLAR provisions (including on any benefits arising from using the local NOCLAR provisions, or on matters of translation)?

    CA ANZ supports the objectives of the NOCLAR provisions and considers that they provide an *important ethical framework for professional accountants when responding to identified or suspected non-compliance with laws and regulations. A key benefit of the provisions is that they reinforce the public interest role of the profession by making it clear that professional accountants cannot simply ignore, or "turn a blind eye" to, information that may indicate non-compliance with laws and regulations. The requirements and application material establish a structured framework for evaluating concerns, taking appropriate action, and exercising professional judgement in the public interest.*

CA ANZ encourages the IESBA to continue considering the interaction between the NOCLAR provisions and local legislative frameworks by retaining a principles-based approach to the NOCLAR framework. In the Australian context, members may encounter challenges in navigating the relationship between NOCLAR obligations, statutory reporting requirements, whistleblower protections, and the fundamental principle of confidentiality. While these frameworks are generally complementary, their interaction can create uncertainty in practice, particularly where disclosure obligations or protections are not aligned.

CA ANZ encourages the IESBA to develop further practical guidance and case studies addressing the interaction between the NOCLAR provisions and the confidentiality requirements of the Code. Such guidance would assist professional accountants in navigating situations where these obligations may appear to be in tension and promote greater consistency in the application of professional judgement. In turn, PAOs would be well placed to build on this guidance by providing jurisdiction-specific resources that address the interaction of NOCLAR and confidentiality requirements with local whistleblower protection regimes, statutory reporting obligations, and other relevant legal requirements. This would support professional accountants in applying the provisions consistently and confidently across different legal and regulatory environments.

Overall, CA ANZ considers that the NOCLAR provisions continue to provide an important public interest safeguard and a valuable framework for supporting ethical decision-making when professional accountants encounter actual or suspected non-compliance with laws and regulations.

Part D – Regulators or Oversight Bodies

Adoption status and effective date

> *Note:*
>
> *Adoption (full or with modifications) refers to the formal acceptance and incorporation of the IESBA standards into a jurisdiction's national laws, regulations or professional requirements.*
>
> *Convergence is where a jurisdiction aligns its national ethics (including independence) standards or provisions with the IESBA standards through a process that seeks to eliminate or minimize differences between the IESBA and national standards or provisions. This includes a process where an IESBA standard is used as a basis to develop the local standard or provisions.*

4. Has your organization adopted the NOCLAR provisions of the Code (IESBA NOCLAR provisions)? *(Please choose the most representative answer*)

(a) Yes, with no modifications *(Please (provide (i) information on the effective date and (ii) links to the local NOCLAR provisions or the specific announcement of the adoption or issuance of the local NOCLAR provisions)*

(b) Yes, with modifications *(Please (i) describe the nature of, and reasons for the modifications, (ii) provide information on the effective date, and (iii) provide links to the local NOCLAR provisions or the specific announcement of the adoption or issuance of the local NOCLAR provisions)*

(c) No, but the local NOCLAR provisions are converged with the IESBA NOCLAR provisions *(Please (i) provide information on the effective date, (ii) provide links to the local NOCLAR provisions or the specific announcement of the issuance of the local NOCLAR provisions, and (iii) describe any significant differences between the local NOCLAR provisions and the IESBA NOCLAR provisions)*

(d) No, there are provisions in relevant law or regulation or a different ethical framework that address NOCLAR *(Please describe any significant differences between the relevant law or regulation or ethical framework and the IESBA NOCLAR provisions)*

(e) Not adopted *(Please specify reasons. If there is a plan to adopt the IESBA NOCLAR provisions, please* provide *details including timing)*

If you have answered (a), (b) or (c), were the IESBA NOCLAR provisions translated into the local NOCLAR provisions? If yes, please indicate the language of translation.

Guidance and educational materials

5. What guidance or educational materials has your organization issued, or what programs has your organization developed, to support understanding of the local NOCLAR provisions in your jurisdiction? (*Select all that apply and provide links*)

- Technical guidance (e.g., FAQs)
- Education/training programs (e.g., webinars, CPD programs)
- Articles, publications or newsletters (e.g., updates about standards, case studies or illustrative examples)
- Other *(Please specify)*
- None

Other support

6. Does your organization provide guidance to individual professional accountants or accounting firms in the application of the local NOCLAR provisions if they seek such assistance, e.g., in dealing with a NOCLAR matter? (*Select all that apply)*

- Ethics hotline or equivalent(e.g., for technical queries, application questions on the local NOCLAR provisions)
- Discussion forum (e.g., for sharing knowledge)
- Whistleblower hotline (e.g., to report actual or suspected NOCLAR)

- Other (Please specify)
- None

Inquiries and questions

7. Which specific provisions in the local NOCLAR provisions has your organization commonly received inquiries or questions about? *(Please provide details including which stakeholder groups the inquires or questions arose)*

Level of understanding

8. Do the professional accountants or accounting firms that your organization regulates or oversees have an overall understanding of the local NOCLAR provisions? *(Please explain the basis for your response, including how your organization evaluates the overall understanding of the local NOCLAR provisions by professional accountants or accounting firms you regulate or oversee)*

   - Yes
   - Somewhat
   - No
   - Not known or no data available

Enforcement

9. Does your organization enforce the local NOCLAR provisions?

   - Yes (*Please specify (i) when enforcement started, provide (ii) details such as disciplinary cases against professional accountants/accounting firms (information may be anonymized if not public), and (iii) links to relevant published reports*)
   - No (*Please specify (i) why your organization does not enforce the local NOCLAR provisions, (ii) which organization enforces the local NOCLAR provisions, and (ii) whether your organization receives reports from them*)

Authority to investigate

10. Does your organization have the authority to investigate NOCLAR or suspected NOCLAR that is reported to it and take any necessary action?

    - Yes *(Please provide details, including the (i) nature of the NOCLAR matters that have been reported to your organization, and the (ii) actions taken (the information may be anonymized if not public))*
    - No

Legal protection

11. In your jurisdiction, does legislation or regulation exist (e.g., under whistleblowing laws or regulations) that provides protection from civil, criminal, or professional liability, or from retaliation, when NOCLAR or suspected NOCLAR is disclosed to an appropriate authority? Please provide details.

If yes, is the protection under the relevant law and regulation perceived to be effective? Please explain your response.

Observed outcomes (benefits and challenges)

12. Has your organization observed any trend in instances of NOCLAR reported or escalated?

    If so, please describe the trend and indicate the period for which this trend has been observed, as well as the general nature of the NOCLAR commonly observed.

13. Based on your organization's observations, has the application of the local NOCLAR provisions been effective in deterring the commission of NOCLAR, or rectifying, remediating or mitigating the consequences of NOCLAR? (*Please explain the basis for your response and provide any relevant details including any supporting materials or reports*)

14. Has your organization observed any challenges in the application of the local NOCLAR provisions? *(Please provide details, including specific provisions that caused particular challenges and why, as well as any action taken to address them)*

15. Has your organization observed any trends where professional accountants or accounting firms your organization oversees encountered NOCLAR or suspected NOCLAR but did not apply the local NOCLAR provisions in whole or in part?

    - Yes, the provisions were not applied in whole *(Please explain why the provisions were not applied (e.g., lack of evidence for suspected NOCLAR, confidentiality issues, etc.)*
    - Yes, the provisions were only partially applied *(Please explain which provisions were not applied, and why (e.g., lack of evidence for suspected NOCLAR, confidentiality issues, etc.)*
    - No, not observed.

Other comments

16. From your perspective, what further efforts should IESBA pursue to enhance the effectiveness of implementation of the IESBA NOCLAR provisions globally? *(Please explain your response)*

17. Do you have any other comments or specific matters the IESBA should consider as part of this PIR on the IESBA NOCLAR provisions (including on any benefits arising from using the local NOCLAR provisions, or on matters of translation)?

Part E – Accounting Firms or individual PAPPs

Adoption status and effective date

> *Note:*
>
> *Adoption (full or with modifications) refers to the formal acceptance and incorporation of the IESBA standards into a jurisdiction's national laws, regulations or professional requirements or, if your firm belongs to a network, your network's policies and methodologies.*
>
> *Convergence is where a jurisdiction aligns its national ethics (including independence) standards with the IESBA standards through a process that seeks to eliminate or minimize differences between the IESBA and national standards or provisions. This includes a process where an IESBA standard is used as a basis to develop the local standards or provisions.*

4. Has your firm implemented global, regional or local policies and methodologies that adopt the NOCLAR provisions of the Code (IESBA NOCLAR provisions) or the locally adopted version of the IESBA NOCLAR provisions, as applicable? *(Please choose the most representative answer)*

   (a) Yes, through full adoption with no modifications *(Please provide (i) information on the effective date and (ii) details of your firm's NOCLAR policies and methodologies)*

   (b) Yes, through adoption with modifications *(Please (i) describe the nature of, and reasons for the modifications, (ii) provide information on the effective date and (iii) provide details of your firm's NOCLAR policies and methodologies)*

   (c) No, our firm's policies and methodologies implement local NOCLAR provisions that are converged with the IESBA NOCLAR provisions *(Please (i) provide information on the effective date, (ii) provide details of your firm's NOCLAR policies and methodologies, and (iii) describe any significant differences between your firm's NOCLAR policies and methodologies and the IESBA NOCLAR provisions)*

   (d) No, our firm's policies and methodologies are based on law or regulation or a different ethical framework that address NOCLAR *(Please describe any significant differences between your firm's NOCLAR policies and methodologies and the IESBA NOCLAR provisions)*

   (e) Not adopted *(Please specify reasons. If there is a plan to adopt the IESBA or local NOCLAR provisions, please provide details, including timing)*

   If you have answered (a), (b) or (c), were the IESBA NOCLAR provisions translated into the local NOCLAR provisions? If yes, please indicate the language of translation.

5. This question is for global networks.

   Where an individual firm is part of a global network and the network has adopted the IESBA NOCLAR provisions, how are these provisions implemented across network firms in the following situations:

   - The jurisdiction in which the individual firm is based has not adopted the IESBA NOCLAR provisions *(Please describe the circumstances and how this interacts with the network policies)*

- The jurisdiction in which the individual firm is based has provisions in relevant law or regulation or another ethical framework that address NOCLAR *(Please describe the circumstances and how this interacts with the network policies)*

Guidance and Educational Materials

6. What guidance or educational materials has your firm or network issued, or what programs has your firm or network developed, to support understanding of the NOCLAR policies and methodologies of the firm or network? (*Select all that apply and provide links*)
   - Technical guidance (e.g., FAQs)
   - Education/training programs (e.g., webinars)
   - Articles, publications or newsletters (e.g., updates about standards, case studies or illustrative examples)
   - Other *(Please specify)*
   - None

Other support

7. If your firm is part of a network, does the network provide guidance to network firms in the application of the network's NOCLAR policies and methodologies? *(Select all that apply)*
   - Ethics hotline or equivalent(e.g., for technical queries, application questions on the network's NOCLAR policies and methodologies)
   - Discussion forum (e.g., knowledge sharing)
   - Other *(Please specify)*
   - None

Level of understanding by auditors

8. Do audit partners and staff within your firm have an overall understanding of your firm's NOCLAR policies and methodologies? *(Please explain the basis for your response, including how your organization evaluates the overall understanding of the local NOCLAR provisions by its audit personnel)*
   - Yes
   - Somewhat
   - No
   - Not known or no data available

Level of understanding by non-auditors (i.e., consulting/advisory)

9. Do non-audit partners and staff within your firm have an overall understanding of your firm's NOCLAR policies and methodologies? *(Please explain the basis for your response, including how your organization evaluates the overall understanding of the local NOCLAR provisions by its non-audit*

personnel)

- Yes
- Somewhat
- No
- Not known or no data available

Practical experience (benefits and challenges)

10. Have you or your firm encountered any NOCLAR or suspected NOCLAR (i) at a client, or (ii) within the firm?

    - Yes, *(Where possible, please provide details such as (i) general nature of the NOCLAR or suspected NOCLAR, (ii) whether the client was an audit or non-audit client, (iii) to whom it was communicated, and (iv) how the matter has been addressed (information provided may be anonymized))*
    - No

11. Have you or your firm observed any trend in instances of NOCLAR reported or escalated?

    If so, please describe the trend and indicate the period for which this trend has been observed, as well as the general nature of the NOCLAR commonly observed.

12. What benefits have you or your firm experienced as a result of the implementation of its NOCLAR policies and methodologies? *(Please explain the basis for your response, e.g., do partners and staff feel better equipped to hold a conversation on a NOCLAR matter with their client; the standard helpful in guiding partners and staff as to how to respond to a NOCLAR or suspected NOCLAR matter?)*

13. Which aspects of the IESBA NOCLAR provisions or the local NOCLAR provisions has your firm found most challenging to apply when responding to a NOCLAR or suspected NOCLAR? *(Please provide details, including whether the challenges were for (i) audit partners and staff, and (ii) non-audit partners and staff)*

14. Has your firm's whistleblowing policy been used by personnel within the firm to respond to a NOCLAR or suspected NOCLAR? If so, why was this used instead of escalating the matter to a supervisor or above? *(Please provide details (information provided may be anonymized))*

Legal protection

15. In your jurisdiction, does legislation or regulation exist (e.g., under whistleblowing laws or regulations) that provides protection from civil, criminal, or professional liability, or from retaliation, when NOCLAR or suspected NOCLAR is disclosed to an appropriate authority? Please provide details.

    If yes, is the protection under the relevant law and regulation perceived to be effective? *(Please explain your response)*

Other comments

16. From your perspective, what further efforts should IESBA pursue to enhance the effectiveness of implementation of the IESBA NOCLAR provisions globally? *(Please explain your response)*

17. Do you have any other comments or specific matters the IESBA should consider as part of this PIR on the IESBA NOCLAR provisions (including on matters of translation)?

Part F – Professional Accountants in Business (PAIBs)

This section refers to the "local NOCLAR provisions" issued by your professional accountancy organization, a regulator or the local standard setter responsible for promulgating ethics standards for PAIBs, where those local provisions are based on the NOCLAR provisions in the IESBA Code.

Guidance and educational materials

4. What guidance or educational materials have you received or accessed on the local NOCLAR provisions? (*Select all that apply and provide links*)
    - Technical guidance (e.g., FAQs)
    - Education/training programs (e.g., webinars, CPD programs)
    - Articles, publications or newsletters (e.g., updates about standards, case studies or illustrative examples)
    - Other *(Please specify)*
    - None
5. From which organizations have you received guidance or educational materials on the local NOCLAR provisions? *(Select all that apply)*
    - Professional Accounting Organization (PAO)
    - Regulator or oversight body
    - Accounting firms
    - Other
    - None

Other support

6. Do you have access to guidance on the application of the local NOCLAR provisions if you seek such assistance, e.g., in dealing with a NOCLAR or suspected NOCLAR? (*Select all that apply)*
    - Ethics hotline or equivalent (e.g., for technical queries, application questions on the local NOCLAR provisions)
    - Discussion forum (e.g., for sharing knowledge)
    - Whistleblower hotline (e.g., to report actual or suspected NOCLAR)
    - Other *(Please specify)*
    - None

Inquiries and questions

7. Which specific provisions in the local NOCLAR provisions have you inquired or raised questions about? *(Please provide details)*

Integration into internal framework

8. Has your employing organization made changes to its governance mechanisms, ethics policies and procedures, or internal code of conduct in response to the issuance of the local NOCLAR provisions?
   - Yes *(Please describe)*
   - No
   - Not known

Level of understanding

9. Do you have an overall understanding of the local NOCLAR provisions?
   - Yes
   - Somewhat
   - No

Practical experience (benefits and challenges)

10. Have you encountered any NOCLAR or suspected NOCLAR in your work?
    - Yes, *(Where possible, please provide details such as (i) general nature of the NOCLAR, (ii) to whom it was communicated, and (iii) how the matter has been addressed (information provided may be anonymized))*
    - No
11. What benefits have you experienced as a result of the application of the local NOCLAR provisions? *(Please explain the basis for your response, e.g., you feel better equipped to hold a conversation on a NOCLAR matter with management or those charged with governance of your employing organization; the standard was helpful in guiding you as to how to respond to a NOCLAR or suspected NOCLAR matter?)*
12. Which of the local NOCLAR provisions have you found most challenging to apply when responding to a NOCLAR or suspected NOCLAR? (*Please provide details)*
13. Have you used your employing organization's whistleblowing policy in responding to a NOCLAR or suspected NOCLAR? If so, why did you use this whistleblowing policy instead of escalating the matter to a supervisor or above? *(Please provide details (information provided may be anonymized))*

Legal protection

14. In your jurisdiction, does legislation or regulation exist (e.g., under whistleblowing laws or regulations) that provides protection from civil, criminal, or professional liability, or from retaliation, when NOCLAR or suspected NOCLAR is disclosed to an appropriate authority? Please provide details.

    If yes, is the protection under the relevant law and regulation perceived to be effective? Please explain your response.

Other comments

15. From your perspective, what further efforts should IESBA pursue to enhance the effectiveness of

implementation of the IESBA NOCLAR provisions globally? *(Please explain your response)*

16. Do you have any other comments or specific matters the IESBA should consider as part of this PIR on the IESBA NOCLAR provisions (including on any benefits arising from using the local NOCLAR provisions)?

Part G – Other Users or Beneficiaries of the Code

4. *This section refers to the "local NOCLAR provisions" issued by the local professional accountancy organization, a regulator or the local standard setter responsible for promulgating ethics standards for PAPPs and/or PAIBs, where those local provisions are based on the NOCLAR provisions in the IESBA Code.* Has implementation of the local NOCLAR provisions enhanced your confidence in professional accountants and accounting firms responding to NOCLAR or suspected NOCLAR? *(Please explain your response)*

5. From your perspective, what further efforts should IESBA pursue to enhance the effectiveness of implementation of the IESBA NOCLAR provisions globally? *(Please explain your response)*

6. In your jurisdiction, does legislation or regulation exist (e.g., under whistleblowing laws or regulations) that provides protection from civil, criminal, or professional liability, or from retaliation, when NOCLAR or suspected NOCLAR is disclosed to an appropriate authority? (*Please provide details*)

   If yes, is the protection under the relevant law or regulation perceived to be effective? *(Please explain your response)*

7. Do you have any other comments or specific matters the IESBA should consider as part of this PIR on the IESBA NOCLAR provisions?

End of survey

Thank you for your valuable input. Your input will inform the IESBA's Post-Implementation Review and help the IESBA develop clear, robust and practical ethics standards that reinforce public trust in the profession and effectively serve the public interest.