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

(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)* ✓(Uganda)**

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) -* ✓ ***(The Institute of Certified Public Accountants of*** **Uganda has both PAPPs and 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)**

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]) - **Institute of Certified Public Accountants of Uganda (ICPAU)**
- Your name and job title/role - **Charles Lutimba, Director of Standards and Regulation**
- Your email address – **standards@icpau.co.ug**
- Your jurisdiction – **Uganda**

[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.

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 *effective July 2017.*

(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)** ***We are also planning to incorporate these in the Institute's Disciplinary Regulations***
- None

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

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)*

Our Response:

The most commonly received NOCLAR inquiries or questions include the following:

- **The tax and social security laws and regulations. ICPAU receives many complaints regarding non-compliance of some entities and professional accountants.**
- **Anti-Money Laundering laws and regulations during the provision of accountancy services. Many accountants are not able to demonstrate that they fulfilled their obligations under the Anti-Money Laundering laws and regulations.**
- **The hierarchy in resolution of a NOCLAR**

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. The basis for our response is the extensive guidance and awareness created around the NOCLAR provisions among our members, and the nature of related inquiries that sometimes come through from members.**
- 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, (ii) details such as disciplinary cases against members (the information may be anonymized), and (iii) links to relevant published reports*)

ICPAU has enforced the local NOCLAR provisions since the effective date of 2017. Disciplinary reports are not yet publicly available, but ICPAU developed guidelines and Q&A to create awareness and support its members in implementing the requirements of the NOCLAR provisions.

- 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*)

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))*

ICPAU has the authority to investigate NOCLAR or suspected NOCLAR matters that are reported to it. The Institute occasionally receives matters of this nature, and these are majorly handled through the ICPAU Disciplinary Committee. For example, cases of non-remittance of employees' social security funds by accounting firms even when funds have been withheld from the employees, or non-filing of taxes liable by accounting firms.

- 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 or regulation perceived to be effective? Please explain your response.

Our Response:

Yes, Uganda has the Whistleblowers Protection Act Cap. 34. Under this Act "protected disclosure" means a disclosure made to—(a) an authorized officer; (b) an employer; (c) a nominated disclosure officer; In the Act a person is not to be subjected to any victimization by their employer or by any other person on account of or partly on account of having made a protected disclosure. However, in number of times whistle blowers may be exposed and this has made some professional accountants often failing to comply with some NOCLAR

provisions, especially those that require reporting of violations under the NOCLAR provisions. Sometimes, professional accountants will not disclose actual or suspected NOCLAR violations due to fear of job loss or of persecution by politically connected individuals who may be affected by such reports.

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.

Our Response:

ICPAU is increasingly receiving reports regarding non-compliance with tax, social security, anti-money laundering as well as data protection obligations as many entities increasingly embrace digital technologies.

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*)

Our Response:

While there is notable increased awareness of the NOCLAR provisions among professional accountants in Uganda, there is no empirical evidence to prove the effectiveness of the NOCLAR provisions in deterring the commission or rectifying the consequences of NOCLAR.

Besides, the effectiveness of the NOCLAR provisions is also dependent on other aspects beyond the professional accountants' control. For example, the willingness of management and those charged with governance in different organisations to deal with NOCLAR actions reported to them as well as the existence of laws and regulations to protect the professional accountants who make NOCLAR-related disclosures in the public interest.

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)*

Our Response:

ICPAU has observed the following challenges in the application of the local NOCLAR provisions:

- **Possibility of civil and criminal consequences due to disclosure of NOCLAR actions**
- **Lack of clarity regarding obligations related to the NOCLAR provisions**
- **Determining when a matter is significant to warrant further action**
- **Difficulty in obtaining evidence regarding the nature and extent of NOCLAR actions**

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 ✓

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)*

Our Response:

ICPAU recommends that IESBA undertakes serious education and training programs, such as webinars and CPDs, to enhance awareness of the NOCLAR provisions in the Code. We believe that this will go a long way to promote compliance with these provisions.

We also recommend establishing a NOCLAR Discussion Forum to enable professional accountants from different jurisdictions, as well as those within Uganda, to share knowledge and experience about the NOCLAR provisions.

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)?

Our Response:

IESBA should consider engaging different jurisdictions to secure legal protection from civil liability for professional accountants who disclose NOCLAR actions.

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.