

## **Annex F - Consent Order Template**

**Member name: Bernadette Cook**

**Case reference: 2025-01**

# CONSENT ORDER

**(pursuant to Reg. 8.2 of the Taxation Disciplinary Scheme regulations 2024)**

## **INVESTIGATION COMMITTEE DECISION – 28 March 2025**

Having considered the allegations, the Member's submissions and the Indicative Sanctions Guidance the Investigation Committee determined to make the following order with the agreement of Bernadette Cook, that Bernadette Cook be:

- Censured;
- Fined in the sum of £7,000;
- Required to pay £1,005 by way of costs.

The Investigation Committee ordered publication of the order made against the member with respect to a complaint that:

The Member was late to register for Anti-Money Laundering (AML) supervision, failed to put Professional Indemnity Insurance (PII) in place and failed to provide information on her Annual Returns. The Member began bookkeeping services in 2002 and therefore should have been registered for AML supervision from 2007 onwards. The Member did not have PII in place and failed to meet membership requirements as this was not in place when she became a Member in 2007.

The allegations involve the following breaches of the **Professional Rules and Practice Guidelines (PRPG) 2018**:

### **2.6 Professional Behaviour**

2.6.1 Professional behaviour encompasses a member's business dealing and in certain circumstances as set out below in 2.6.3, conduct in a member's personal life or private capacity.

#### **2.6.2 A member must:**

Uphold the professional standards of the CIOT and ATT as set out in the Laws of the CIOT and ATT;

- Take due care in their professional conduct and professional dealings.

#### **2.6.3 A member must not:**

- Perform their professional work, or conduct their practice or business relationships, or perform the duties of their employment improperly inefficiently, negligently or incompletely to such an extent or on such number of occasions as to be likely to bring discredit to themselves, to the CIOT or ATT or to the tax profession;
- Breach the Laws of the CIOT or ATT.

## Members Obligations

### 2.7 Professional Indemnity Insurance (PII) and Personal Responsibility

- 2.7.1 A member in practice must protect their clients, their practice and themselves by having PII cover that complies with the CIOT/ATT PII Regulations as they have a duty of care to their clients when carrying out their professional work. A member is responsible for their own work and that of their employees and subcontractors. A member may be liable to pay damages for loss caused by their own professional negligence and that of their employees and subcontractors.

### 2.10 Compliance with Anti Money Laundering legislation and registration

- 2.10.1 A member must comply with the UK's AML legislation in force from time to time. A member must act in accordance with the Consultative Committee of Accountancy Bodies ('CCAB') anti money laundering guidance including the appendix for tax practitioners.
- 2.10.2 A member in practice must either be registered with the CIOT or ATT for AML supervision or, if requested, advise the CIOT and ATT of their Supervisory Authority under The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017.

## **ATT Anti-Money Laundering Scheme Rules**

### Registration

- 3.1 Members who are sole proprietors and firms comprising members at least one of whom is an equity partner, member of an LLP or company director listed at Companies House, whose business includes the provision of tax advice to clients should apply for registration under the Scheme, using the form issued by the Institute for this purpose.

### Rights and obligations

5.4 A registrant must comply with the requirements of the Institute as set out in or issued in pursuance of the Scheme. In particular, a registrant must:

- (a) where a sole proprietor, obtain and disclose to the Institute a criminal history check in support of the application for registration;
- (c) complete and submit an annual AML return in a form to be issued by the Institute;
- (e) pay the registration and annual retention fee as determined from time to time by the Association;
- (h) conduct their practice in accordance with the laws of the Institute and in particular the Professional Rules and Practice Guidelines and Professional Conduct in Relation to Taxation applicable to members.

- 5.5 Registrants must comply where appropriate with their direct obligations under the 2017 Regulations and other relevant legislation and registration under the Scheme shall not reduce or qualify any such direct obligations.
- 5.6 A registrant is responsible for ensuring that all of its principals and staff, whether they are or are not members, comply, as appropriate, with the Scheme and any requirements of the PCRT.

#### Discipline

- 6.1 The Scheme is part of the laws of the Institute and a registrant who fails to comply with its terms is liable to disciplinary action under those laws. A complaint against a registrant alleging failure to comply with the Scheme shall be referred for action by the TDB, which may apply any appropriate sanction in accordance with its powers from time to time.
- 6.2 For the avoidance of doubt, a registrant alleged to have failed to comply with paragraph 5.6 shall be liable to disciplinary action by or on behalf of the Institute, and it shall not be a defence that a failure of compliance was an act or omission of a principal or member of staff who is not a member.
- 6.3 A registrant may not withdraw, or apply to be removed, from, the register whilst subject to disciplinary action under or in pursuance of paragraph 6.1.

**28 April 2025**

**Taxation Disciplinary Board  
30 Monck Street  
London  
SW1P 2AP**