



Solomon Nordine
Business Phone: 855-541-4703

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PBABC Update on the March 2nd, 2017 Court of Appeal Ruling on the BC CPA Act
Organization of Chartered Professional Accountants' of British Columbia v. Nordine

Vancouver, BC: On May 5, 2017 the Public Business Accountants' Society of British Columbia (PBABC) successfully received an important modification of the Appeals Court order allowing members to use the designation "PBA" signifying "Public Business Accountant". While CPABC contested the modification of the order, the Court Registrar sided with PBABC counsel and granted the request to narrow the restriction to the following:

- a. *The designation "Professional Business Accountant", or*
- b. *The initials "PBA" signifying "Professional Business Accountant";*

While an application for leave to appeal to the Supreme Court of Canada has been made, PBABC has instructed members to use Public Business Accountant – PBA until the matter is resolved.

The PBABC protects the public by regulating PBA members through education, exam, entrance, ethics, experience, continuing professional education, errors and omissions insurance, and practice review requirements. In a competitive free market the public should have the right to choose what type of designated accountant they believe is the right fit for their career or business.

"We are pleased that the Registrar modified the order to allow us to use the "PBA" designation. Ideally the Supreme Court of Canada will allow our appeal and reverse the restriction on "Professional Business Accountant". We will also seek a solution with the Ministry of Advanced Education that protects the public, and hopefully, at the same time appeases CPABC." says Solomon Nordine, President of the PBABC.

The PBABC will continue to defend its right to practise public accountancy for businesses across BC and the Yukon.

COURT OF APPEAL

BETWEEN:

ORGANIZATION OF CHARTERED PROFESSIONAL
ACCOUNTANTS OF BRITISH COLUMBIA

Appellant
(Petitioner)

AND:

SOLOMON NORDINE and MUNEEB EHSAN

Respondents
(Respondents)

ORDER

BEFORE

The Honourable Mr. Justice Tysoe
The Honourable Mr. Justice Groberman
The Honourable Madam Justice Dickson

Vancouver, British Columbia, March 2, 2017

THE APPEAL from the Order of the Honourable Mr. Justice Kelleher of the Supreme Court of British Columbia at Vancouver, British Columbia dated July 11, 2016, coming on for hearing on February 9, 2017, AND ON HEARING Allen A. Soltan and Jason K. Herbert, counsel for the Appellant, and Robert A. Kasting, counsel for the Respondents, AND ON READING the materials filed herein, AND ON JUDGMENT BEING RESERVED TO THIS DATE;

THIS COURT ORDERS that the appeal is allowed, and the Order of Mr. Justice Kelleher is set aside;

AND THIS COURT FURTHER ORDERS that an injunction is granted under section 58(1) of the *Chartered Professional Accountants Act*, S.B.C. 2015, c. 1 restraining the Respondents, Solomon Nordine and Muneeb Ehsan, from using or displaying:

- a. the designation "Professional Business Accountant"; or
- b. the initials "PBA" signifying "Professional Business Accountant";

AND THIS COURT FURTHER ORDERS that the Appellant, Organization of Chartered Professional Accountants of British Columbia, do recover the costs of the appeal and of the proceedings in the Supreme Court of British Columbia from the Respondents, Solomon Nordine and Muneeb Ehsan, promptly after assessment.

APPROVED AS TO FORM:

BY THE COURT

D. Tysse J.A.

Counsel for the Appellant

Deputy Registrar

M. Littlejohn

Counsel for the Respondents

*Settled before the
Registrar
[Signature]
27 - April - 2017*

ENTERED

MAY 05 2017

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