



B Lab Statement on O'Connells' B Corp Certification

B Lab's independent Standards Advisory Council has rendered the following decision and guidance regarding eligibility for B Corp Certification for companies providing tax advisory services:

"Companies in the tax advisory industry are eligible for B Corp Certification if they are able to confirm that their tax philosophy, used to provide services and recommendations to clients, aligns with the company specific principles listed in B Lab's framework, specifically, 1) the tax advice provided appropriately reflects the actual amount of income generated by the client over time; and, 2) the tax advice provided to a client for a jurisdiction appropriately reflects the actual operations of the client in that jurisdiction."

O'Connells OBM is required to disclose a summary of how it complies with the above requirements as a part of its B Corp Certification. For more information on the review process, please refer to B Lab's position statement on Companies that Provide Tax Advisory Services and B Corp Certification [here](#).

Summary of Company

O'Connells OBM is a firm of chartered accountants and business advisers located in Brisbane, Australia. O'Connells OBM's tax department, which contributes approximately 70% to its annual revenue, provides expert tax compliance services and consulting advice. Compliance services include the preparation of financial statements, income tax returns, and associated documents required by law in Australia. Consultancy services includes, amongst others, forward planning for clients which includes tax planning, asset protection, and structuring advice. In terms of their fees, O'Connells OBM charges on a time basis or on an upfront fixed fee based on estimated hours, which means that they do not work on a success fee or take a percentage of any tax saved, for example. O'Connells OBM's clients include, but are not limited to, Small & Medium Enterprises, Self Managed Superannuation Funds, and High Net Worth individuals.

O'Connells' Policies and Practices

In alignment with the requirements and principles stated in B Lab's position statement for companies that provide tax advisory services, O'Connells OMB has a philosophy statement for the tax advice that they provide to their clients and their own engagement with governments and tax regulators, which has been shared with all their employees. The philosophy statement reads as follows:

"O'Connells OBM is proud of our status as a Certified B Corp. Aligned with such standards, and in recognition of the role that taxes play in contributing to a healthy society, we have developed the following tax philosophies which guide our tax advisory services."



We use our professional judgment to provide advice where there may be multiple potential interpretations regarding tax positions that accurately reflects the income and operations of our client in each jurisdiction for which our client seeks our advice based on the details of the client's income and operations provided to us.

We do not advise clients to take a position unless we believe it has at least a reasonable basis for being sustained by applicable tax authorities. If a client takes a tax position despite our advice to the contrary, we reserve the right to stop work for and terminate such client.

In accordance with this tax philosophy, we engage with government and tax authorities on a collaborative basis and limit our advocacy activities with such authorities to (a) work for specific clients in need of regulatory compliance assistance and (b) providing financial support to Chartered Accountants Australia and New Zealand (CAANZ), in the form of professional membership fees, which advocates for the interests of the accounting industry as a whole (which may sometimes include limited tax advocacy).

We maintain compliance with this policy through regular training of our employees and partners, internal policies on conduct, engagement documentation with our clients, and client retention reviews.”

The ability of O'Connells OBM to provide taxation advisory services in Australia is governed by the Tax Practitioners Board, the regulatory body in Australia that regulates tax practitioners to protect and assure consumers that tax practitioners meet appropriate standards of professional and ethical conduct. O'Connells OBM is a registered member of Chartered Accountants Australia and New Zealand, a professional membership body in Australia that provides education and advocacy to members providing accounting services to the public.

As members of Chartered Accountants Australia and New Zealand, O'Connells OBM complies with the professional and ethical standards of the [Accounting Professional and Ethical Standards Board](#). This includes [APES 110 Code of Ethics for Professional Accountants](#) (including Independence Standards), among other things contains provisions that apply if O'Connells OBM 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), O'Connells OBM may be required to disclose the matter to an appropriate authority. Failure of O'Connells OBM to comply with the standards set out in APES 110 may lead to disciplinary proceedings being initiated by the professional accounting body. There are also a number of standards that carry the force of law by virtue of being referenced in auditing standards that are legally enforceable. The Australian Securities and Investments Commission (ASIC) is responsible for monitoring compliance with auditing standards.



All work involving taxation strategies is completed in line with their documented internal workpapers which reflect the legal taxation requirements of the tax authority in the country within which O'Connells OBM operates - The Australian Taxation Office. Internally, employees at O'Connells OBM complete an ethical clearance checklist annually which requires them to indicate any behavior that may be in contravention to the company's ethical and professional standards. O'Connells OBM, the company, its directors, and its employees have never faced litigation or penalties from regulators including The Australian Taxation Office and The Australian Securities and Investments Commission.

O'Connells OBM have a documented Ideal Client and documented tax strategy philosophy that guides the types of clients the business engages with. As such, O'Connells OBM does not conduct any business or act for clients in low tax jurisdictions and does not have a specific policy in place for clients in those jurisdictions.

O'Connells OBM have documented their approach to handling conflicts of interest in their [Terms of Engagement](#) that all clients acknowledge annually. Annually, team members at O'Connells OBM complete an ethical clearance declaration that requires them to identify any known conflicts. In relation to hiring, internal hiring policies include considerations of any known conflicts of interest. Should any identified conflicts not be able to be managed in a way that protects the interest of the client or team member, services may not be provided or employment will be ceased as required.

In regards to advocacy and lobbying activities, O'Connells OBM will from time to time provide feedback to the membership body and other organizations on matters of advocacy, but is not directly involved in lobbying for the reform or development of tax legislation. O'Connells OBM may from time to time make public declarations via its newsletter or social media channels of the company's advocacy position in response to government announcement or in relevant areas of public interest.