

# **CHAMBER OF ADVOCATES MALTA**

## **Report and financial statements**

31 December 2018

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# CHAMBER OF ADVOCATES MALTA

## Council Members' report

Year ended 31 December 2018

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<i>Council members:</i>	Dr. Louis de Gabriele	– President
	Dr. Vincent Galea	– Vice President
	Dr. Stefan Camilleri	– Secretary
	Dr Louis Bianchi	– Treasurer
	Dr Anna Mifsud Bonnici	– Member
	Dr Steve Tonna Lowell	– Member
	Dr Karl Briffa	– Member
	Dr Robert Thake	– Member
	Dr Jesmond Manicaro	– Member
	Dr Mario Spiteri	– Member
	Dr Leslie Cuschieri	– Member

*Registered office:* The Law Courts Republic Street, Valletta, VLT 2000, Malta.

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The Council Members of the Association present their annual report and the accounts for the year ended 31 December 2018.

### **Composition of the Board**

The Council is composed of 11 elected members.

### **Principal activities**

The Chamber of Advocates has been established with the main purpose of safeguarding and protecting the dignity, honour and reputation of the advocacy profession; to encourage and independent, strong, diverse and effective legal profession; to promote and maintain adherence to high professional principles and rules of ethical behaviour by advocates; to enhance the level and standard of competence and skill within the advocacy profession and to act as a professional body for the advocacy profession.

### **Results**

During the year under review the Association generated a surplus of *Eur5,859* (2017: *Eur6,930*).

# CHAMBER OF ADVOCATES MALTA

## Council Members' report (continued)

Year ended 31 December 2018

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### Council members' responsibilities

The Council Members'' are required to prepare financial statements in accordance with the Accountancy Profession (General Accounting Principles for Small and Medium-sized Entities) Regulations, 2015, and the Schedule accompanying and forming an integral part of those Regulations, which give a true and fair view of the state of affairs of the Association at the end of each financial year and of the income and expenditure of the Council for the year then ended. In preparing the financial statements, the Council Members'' should:

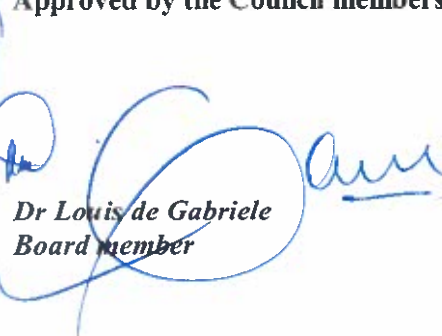
- select suitable accounting policies and apply them consistently;
- make judgements and estimates that are reasonable; and
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the Association will continue in its activity as a going concern.

The Council members are responsible for ensuring that proper accounting records are kept which disclose with reasonable accuracy at any time the financial position of the Association. This responsibility includes designing, implementing and maintaining such internal control as the Council members determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error. The Council members are also responsible for safeguarding the assets of the Association and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

### Likely future business developments

The Council Members' consider that the year-end financial position was satisfactory and that the Association is well placed to sustain the present level of activity in the foreseeable future.

Approved by the Council members and signed on its behalf on 25 June 2020 by:



*Dr Louis de Gabriele*  
Board member



*Dr Anna Mifsud Bonnici*  
Board member

# CHAMBER OF ADVOCATES MALTA

## Income and expenditure account

Year ended 31 December 2018

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	<i>Notes</i>	<b>2018</b> <b>Eur</b>	<b>2017</b> <b>Eur</b>
<b>Income</b>			
Membership fees		<b>107,328</b>	98,990
Other income		<b>14,657</b>	14,454
		<hr/>	<hr/>
		<b>121,985</b>	113,444
		<hr/>	<hr/>
<b>Expenditure</b>			
Activity expenses		<b>27,669</b>	6,044
Administrative expenses		<b>85,302</b>	96,739
		<hr/>	<hr/>
		<b>112,971</b>	102,783
		<hr/>	<hr/>
<b>Surplus before taxation</b>	3	<b>9,014</b>	10,661
Taxation	4	<b>(3,155)</b>	(3,731)
		<hr/>	<hr/>
<b>Surplus after taxation</b>		<b>5,859</b>	6,930
		<hr/> <hr/>	<hr/> <hr/>

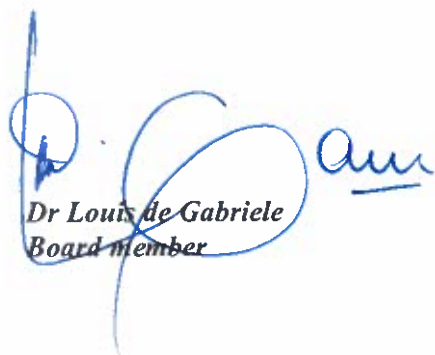
# CHAMBER OF ADVOCATES MALTA

## Statement of affairs

31 December 2018

	Notes	2018 Eur	2017 Eur
<b>ASSETS</b>			
<b>Non-current assets</b>			
Property, plant and equipment	4	17,119	16,699
<b>Current assets</b>			
Trade and other receivables	5	44,543	46,371
Cash and cash equivalents		43,122	46,679
		87,665	93,050
<b>Total assets</b>		<b>104,784</b>	<b>109,749</b>
<b>EQUITY AND LIABILITIES</b>			
<b>Equity</b>			
Other equity		66,658	66,658
Retained earnings		12,789	6,930
<b>Total equity</b>		<b>79,447</b>	<b>73,588</b>
<b>LIABILITIES</b>			
<b>Current liabilities</b>			
Trade and other payables	6	25,337	36,161
<b>Total liabilities</b>		<b>25,337</b>	<b>36,161</b>
<b>Total equity and liabilities</b>		<b>104,784</b>	<b>109,749</b>

These financial statements were approved by the Council members, authorised for issue on 25 June 2020 and signed on its behalf by:



*Dr Louis de Gabriele*  
Board member



*Dr Anna Mifsud Bonnici*  
Board member

# CHAMBER OF ADVOCATES MALTA

## Notes to the financial statements

31 December 2018

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### 1. Basis of preparation

#### *Basis of measurement and statement of compliance*

CHAMBER OF ADVAOCATES MALTA (“the Association”) is an Association registered as an Association under Civil Code (Second Schedule) (Register of Beneficial Owners – Associations) Regulations, registered at The Law Courts Republic Street, Valletta, VLT 2000, Malta. The principal activity of the Association is the safeguarding and protecting the dignity, honour and reputation of the advocacy profession; to encourage and independent, strong, diverse and effective legal profession; to promote and maintain adherence to high professional principles and rules of ethical behaviour by advocates; to enhance the level and standard of competence and skill within the advocacy profession and to act as a professional body for the advocacy profession.

The financial statements of the Association have been prepared in accordance with the Accountancy Profession (General Accounting Principles for Small and Medium-Sized Entities) Regulations, 2015 and the Schedule accompanying and forming an integral part of those Regulations (“GAPSME”). The financial statements have been prepared on the historical.

### 2. Significant accounting policies

#### *Property, plant and equipment*

#### *Recognition and measurement*

The cost of an item of property, plant and equipment is recognised as an asset when it is probable that the future economic benefits that are associated with the asset will flow to the entity and the cost can be measured reliably. Property, plant and equipment are initially measured at cost comprising the purchase price, any costs directly attributable to bringing the assets to a working condition for their intended use, and the initial estimate of the costs of dismantling and removing the item and restoring the site on which it is located. Subsequent expenditure is capitalised as part of the cost of property, plant and equipment only if it enhances the economic benefits of an asset in excess of the previously assessed standard of performance, or it replaces or restores a component that has been separately depreciated over its useful life.

After initial recognition, property, plant and equipment may be carried under the cost model, that is at cost less any accumulated depreciation and any accumulated impairment losses.

# CHAMBER OF ADVOCATES MALTA

## Notes to the financial statements

31 December 2018

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### 2. Significant accounting policies (continued)

#### *Property, plant and equipment (continued)*

##### *Depreciation*

Depreciation is calculated to write down the carrying amount of the asset on a systematic basis over its expected useful life. Depreciation of an asset begins when it is available for use and ceases at the earlier of the date that the asset is classified as held for sale (or included in a disposal group that is classified as held for sale) or the date that the asset is derecognised. The depreciation charge for each period is recognised in profit or loss.

Furniture, fixtures and other equipment	-	25% per annum
Computer software	-	25% per annum

##### *Depreciation method, useful life and residual value*

The depreciation method applied, the residual value and the useful life are reviewed on a regular basis and when necessary, revised with the effect of any changes in estimate being accounted for prospectively.

##### *Derecognition of property, plant and equipment*

Property, plant and equipment are derecognised on disposal or when no future economic benefits are expected from their use or disposal. Gains and losses arising from derecognition represent the difference between the net proceeds (if any) and the carrying amount and are included in profit or loss in the period of derecognition.

##### *Financial assets, financial liabilities and equity*

A financial asset or a financial liability is recognised on the Association's balance sheet when the Association becomes a party to the contractual provisions of the instrument.

Financial assets and financial liabilities are initially recognised at their fair value plus in the case of financial assets and financial liabilities not classified as held for trading and subsequently measured at fair value, transaction costs attributable to the acquisition or issue of the financial assets and financial liabilities.

Financial assets and financial liabilities are derecognised if and to the extent that, it is no longer probable that any future economic benefits associated with the item will flow to or from the entity.



# CHAMBER OF ADVOCATES MALTA

An equity instrument is any contract that evidences a residual interest in the assets of the Association after deducting all of its liabilities. Equity instruments are recorded at the proceeds received, net of direct issue costs.

## Notes to the financial statements

31 December 2018

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### 2. Significant accounting policies (continued)

#### *Financial assets, financial liabilities and equity (continued)*

A financial instrument, or its component parts, is classified as a financial liability, financial asset or an equity instrument in accordance with the substance of the contractual arrangement rather than its legal form.

#### *(i) Trade and other receivables*

Trade and other receivables are stated at their nominal value unless the effect of discounting is material in which case trade and other receivables are measured at amortised cost using the effective interest method. Appropriate allowances for estimated irrecoverable amounts are recognised in profit or loss when there is objective evidence of impairment.

#### *(ii) Trade and other payables*

Trade and other payables are stated at their nominal value unless the effect of discounting is material, in which case trade and other payables are measured at amortised cost using the effective interest method.

#### *Impairment*

The Association's property, plant and equipment, and financial assets are tested for impairment.

#### *(i) Property, plant and equipment*

The carrying amounts of the Association's property, plant and equipment and investment in associate are reviewed at each balance sheet date to determine whether there is any indication of impairment. If any such indication exists, the asset's recoverable amount is estimated. The recoverable amount of an asset is the higher of its fair value less costs to sell and its value in use.

Whenever the carrying amount of an asset exceeds its recoverable amount, an impairment loss is recognised and the carrying amount of the asset is reduced to its recoverable amount. Impairment losses are recognised immediately in profit or loss, unless they relate to an asset which is carried at revalued amount, in which case they are treated as a revaluation decrease to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that asset.

# CHAMBER OF ADVOCATES MALTA

## Notes to the financial statements

31 December 2018

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### 2. Significant accounting policies (continued)

#### *Impairment (continued)*

##### *(i) Property, plant and equipment (continued)*

The carrying amounts of Association's assets are also reviewed at each balance sheet date to determine whether there is any indication that an impairment loss recognised in prior periods may no longer exist or may have decreased. If any such indication exists, the asset's recoverable amount is estimated. An impairment loss previously recognised is reversed only if there has been a change in the estimates used to determine the asset's recoverable amount since the last impairment loss was recognised. When an impairment loss subsequently reverses, the carrying amount of the asset is increased to the revised estimate of its recoverable amount, to the extent that it does not exceed the carrying amount that would have been determined had no impairment loss been recognised for the asset in prior years. Impairment reversals are recognised immediately in profit or loss, unless they relate to an asset which is carried at revalued amount, in which case they are treated as a revaluation increase unless an impairment loss on the same asset was previously recognised in profit or loss.

##### *(ii) Financial assets*

A financial asset or a group of financial assets is impaired and impairment losses are incurred if, and only if, there is objective evidence of impairment as a result of one or more events that occurred after the initial recognition of the asset (a 'loss event') and that loss event (or events) has an impact on the estimated future cash flows of the financial asset or group of financial assets that can be reliably estimated.

If there is objective evidence that an impairment loss on financial assets carried at amortised cost or cost has been incurred, the amount of the loss is measured as the difference between the asset's carrying amount and the present value of estimated future cash flows (excluding future credit losses that have not been incurred) discounted at the financial asset's original effective interest rate. The amount of the loss is recognised in profit or loss. If, in a subsequent period, the amount of the impairment loss decreases and the decrease can be related objectively to an event occurring after the impairment was recognised, the previously recognised impairment loss is reversed. The reversal does not result in a carrying amount of the financial asset that exceeds what the amortised cost/cost would have been had the impairment not been recognised at the date the impairment is reversed. The amount of the reversal is recognised in profit or loss.

# CHAMBER OF ADVOCATES MALTA

## Notes to the financial statements

31 December 2018

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### 2. Significant accounting policies (continued)

#### *Cash and cash equivalents*

Cash comprises cash on hand and demand deposits.

#### *Taxation*

Income tax expense comprises current and deferred tax. Income tax expense is recognised in profit or loss except to the extent that the tax arises from a transaction or event which is recognised directly in equity, in which case it is recognised in equity.

Current tax is based on the taxable profit for the year, as determined in accordance with tax laws, and measured using tax rates, which have been enacted or substantively enacted by the balance sheet date.

Deferred tax is measured at the tax rates that are expected to apply to the period when the asset is realised or the liability is settled, based on tax rates and tax laws that have been enacted or substantively enacted by the balance sheet date.

Deferred tax is recognised on temporary differences arising from differences between the carrying amount of assets and liabilities in the financial statements and the corresponding tax bases used in the computation of taxable profit. The Company recognises a deferred tax liability in respect of all taxable temporary differences and a deferred tax asset in respect of all deductible temporary differences except to the extent that such deferred tax liability arises from the initial recognition of goodwill or the deferred tax asset/liability arises from the initial recognition of an asset or liability which is not a business combination and at the time of the transaction, affects neither accounting profit nor taxable profit (loss). Recognition of a deferred tax asset is however limited to the extent that it is probable that taxable profit will be available against which the deductible temporary difference can be utilised. The Company re-assesses any unrecognised deferred tax asset at each balance sheet date to determine whether future taxable profit has become probable that allows the deferred tax asset to be recovered.

# CHAMBER OF ADVOCATES MALTA

## Notes to the financial statements

31 December 2018

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### *Revenue recognition*

Revenue is measured at the fair value of the consideration received or receivable for services provided in the normal course of business, net of value added tax and discounts, where applicable. Revenue is recognised to the extent that it is probable that future economic benefits will flow to the Association and these can be measured reliably. The following specific recognition criteria must also be met before revenue is recognised:

(i) Membership fees

The fee is recognised as revenue when no significant uncertainty as to its collectability exists.

(ii) Provision of services

Revenue from the provision of services is recognised in the period in which the services are rendered.

### *Employee benefits*

The Association contributes towards the state pension in accordance with local legislation. The only obligation of the Association is to make the required contributions. Costs are expensed in the period in which they are incurred.

### *Foreign currencies*

Transactions denominated in foreign currencies are converted to the functional currency at the rates of exchange ruling on the dates on which the transactions first qualify for recognition. Monetary assets and monetary liabilities denominated in foreign currencies at balance sheet date are translated at [year] end closing rates of exchange. Any exchange differences arising on the settlement of monetary assets and monetary liabilities, or on translating foreign denominated monetary assets and liabilities at the balance sheet date at rates different from those at which they were previously translated, are recognised in profit or loss.

# CHAMBER OF ADVOCATES MALTA

## Notes to the financial statements

31 December 2018

### 3. Surplus / (deficit) before taxation

Total remuneration paid to the Association's auditors during the year amounts:

	<b>2018</b>	2017
	<b>Eur</b>	Eur
<i>This is stated after charging:</i>		
Audit fee	<b>1,770</b>	1,770

The average number of persons employed by the Association during the year was as 2 (2017: 2)

### 4. Income tax

During the financial year ending 31 December 2019, the Association applied for the tax exemption from the Ministry of Finance.

### 5. Property, plant and equipment

	<b>Computer equipment Eur</b>	<b>Fixture and fittings Eur</b>	<b>Total Eur</b>
<b>Cost</b>			
At 01.01.2018	14,279	7,987	22,266
Additions for the year	-	7,981	7,981
At 31.12.2018	14,279	15,968	30,247
<b>Accumulated depreciation</b>			
At 01.01.2018	3,570	1,997	5,567
Provision for the year	3,569	3,992	7,561
At 31.12.2018	7,139	5,989	13,128
<b>Net book value</b>			
At 31.12.2017	10,709	5,990	16,699
<b>At 31.12.2018</b>	<b>7,140</b>	<b>9,979</b>	<b>17,119</b>

# CHAMBER OF ADVOCATES MALTA

## Notes to the financial statements

31 December 2018

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### 6. Trade and other receivables

	2018 Eur	2017 Eur
Trade receivables	38,541	27,610
Other receivables	-	13,754
Receivable from related party	6,002	5,007
	<u>44,543</u>	<u>46,371</u>

The amounts receivable from related party as unsecured, interest-free and repayable upon demand.

### 7. Trade and other payables

	2018 Eur	2017 Eur
Other payables	14,911	30,660
Accruals	10,426	5,501
	<u>25,337</u>	<u>36,161</u>

No interest is charged on trade and other payables

### 8. Other equity

This amount represents the net surplus which the Chamber of Advocates has recorded since constitution which were reported prior to the preparation financial statements requirement introduced in the last statute dated 07 February 2017.

## **Independent auditor's report**

to the Council Members and of

### **CHAMBER OF ADVOCATES MALTA**

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We have audited the financial statements of CHAMBER OF ADVOCATES MALTA (the "Association"), set out on pages 3 to 11, which comprise the balance sheet as at 31 December, 2018, Income and expenditure account, and notes to the financial statements, including significant accounting policies.

In our opinion, the accompanying financial statements give a true and fair view of the Balance sheet of the Association as at 31 December, 2018, and of its financial performance for the period then ended in accordance with the Accountancy Profession (General Accounting Principles for Small and Medium-sized Entities) Regulations, 2015 and the Schedule accompanying and forming an integral part of those Regulations(GAPSME) and have been properly prepared in accordance with the requirements of the statute of the Association and the Second schedule of the Civil Code.

#### **Basis for Opinion**

We conducted our audit in accordance with International Standards on Auditing (ISAs). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the Association in accordance with the International Ethics Standards Board for Accountants' Code of Ethics for Professional Accountants (IESBA Code) together with the ethical requirements that are relevant to our audit of the financial statements in accordance with the Accountancy Profession (Code of Ethics for Warrant Holders) Directive issued in terms of the Accountancy Profession Act (Cap. 281) in Malta, and we have fulfilled our other ethical responsibilities in accordance with these requirements and the IESBA Code. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

## **Independent auditor's report**

to the Council Members and of

## **CHAMBER OF ADVOCATES MALTA**

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### **Other information**

The Council Members are responsible for the other information. The other information comprises the General information on page 1 and the statement of Council Members' responsibilities on page 2.

Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit, or otherwise appears to be materially misstated. If, based on the work we have performed, we conclude that there is a material misstatement of this other information; we are required to report that fact. We have nothing to report in this regard.

### ***Council Members' responsibility for the financial statements***

As explained more fully in the statement of Council Members' responsibilities on page 2, the Council Members' are responsible for the preparation of financial statements that give a true and fair view in accordance with GAPSME and the requirements of the Voluntary Organisations (Annual Returns and Annual Accounts) Regulations, and for such internal control as the Council Members determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Council Members' are responsible for assessing the Association's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Council Members' either intends to liquidate the Association or to cease operations, or has no realistic alternative but to do so.

### **Auditor's Responsibilities for the Audit of the Financial Statements**

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.



## **Independent auditor's report**

to the Council Members and of

### **CHAMBER OF ADVOCATES MALTA**

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#### **Auditor's Responsibilities for the Audit of the Financial Statements (continued)**

As part of an audit in accordance with ISAs, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Association's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Council Members'.
- Conclude on the appropriateness of the Council Members' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Association's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Association to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the Council Members' regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

## **Independent auditor's report**

to the Council Members and of

## **CHAMBER OF ADVOCATES MALTA**

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### **Report on Other Legal and Regulatory Requirements**

Under statute of the Association and the Second schedule of the Civil Code, we have responsibilities to report to you if in our opinion:

- proper accounting records have not been kept.
- proper returns adequate for our audit have not been received from branches not visited by us
- the financial statements are not in agreement with the accounting records and returns; or
- we have been unable to obtain all the information and explanations which, to the best of our knowledge and belief, are necessary for the purpose of our audit

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We have nothing to report to you in respect of these responsibilities.



James Spiteri Staines  
Registered auditor  
Valletta, Malta  
25 June 2020