

**21 NCAC 08N .0205      CONFIDENTIALITY**

(a) Nondisclosure. A CPA shall not disclose any confidential information obtained in the course of employment or a professional engagement except with the consent of the employer or client.

(b) Exceptions. This Rule shall not be construed:

- (1) to relieve a CPA of any reporting obligations pertaining to Section .0400 of this Subchapter;
- (2) to affect in any way the CPA's compliance with an order of a court or a validly issued subpoena by this Board;
- (3) to preclude the CPA from responding to any inquiry made by the AICPA Ethics Division or Trial Board, by a duly constituted investigative or disciplinary body of a state CPA society, or under state statutes;
- (4) to preclude the disclosure of confidential client information necessary for the peer review process;
- (5) to preclude the CPA from assisting the Board in enforcing the accountancy statutes and rules;
- (6) to affect a CPA's disclosure of confidential information to state or federal authorities when the CPA concludes in good faith based upon professional judgment that a crime is being or is likely to be committed;
- (7) to affect a CPA's disclosure of confidential information when such disclosure is required by state or federal laws or regulations; or
- (8) to prohibit a CPA from revealing information:
  - (A) in order to establish a claim or defense on behalf of the CPA in a controversy between the CPA and a client;
  - (B) to establish a defense to a criminal charge or civil claim against the CPA based upon conduct in which the client was involved; or
  - (C) to respond to allegations in any proceeding concerning the CPA's professional services to the client.

*History Note: Authority G.S. 55B-12; 57D-2-02; 93-12(9);  
Eff. April 1, 1994;  
Amended Eff. February 1, 2004; April 1, 2003;  
Readopted Eff. February 1, 2016;  
Amended Eff. September 1, 2023.*