

ACCOUNTANTS (CHARTERED) ACT

CHAPTER 2

Institute continued

1. (1) The corporation known as the Institute of Chartered Accountants of British Columbia is continued. Membership in the corporation consists of those persons whose qualifications and fitness are approved by the council.

(2) The head office of the institute shall be at the City of Vancouver.

RS1960-51-2.

Property and fund

2. (1) The institute, for its purposes and no other, may acquire and dispose of any rights or property.

(2) The institute may receive, manage and invest contributions and donations from members or others as a benevolent fund for the benefit of needy members or their families and the families of deceased members.

RS1960-51-3; 1972-12-1.

Objects

3. The objects of the institute shall be to promote and increase the knowledge, skill and proficiency of its members in all things relating to the business or profession of an accountant, and to that end to establish classes, lectures and examinations, and to prescribe terms of service and tests of competency, fitness and moral character thought expedient to qualify for admission to membership.

RS1960-51-4.

Council

4. There shall be a council of the institute (the "council") consisting of not less than 9 or more than 22 members of which

(a) one person, who need not be a member of the institute, may be appointed by the Lieutenant Governor in Council; and

(b) the remainder, who shall be members of the institute residing in the Province, shall be elected by the members.

1972-12-2.

Annual meeting and elections

5. (1) An annual meeting shall be held for the election of the council, and for such other business as may be brought before the meeting, at the time and place and under regulations and after notices determined by the bylaws of the institute, and in default of the election being held at the proper time, the existing council shall continue to act until its successors are elected.

(2) Nominations of candidates for election to the council shall be in writing, signed by 2 members and shall be lodged with the secretary at least 21 days before the annual meeting.

(3) A voting paper containing the names, alphabetically arranged, of the persons nominated shall be sent by mail to each member in good standing at least 14 days before the annual meeting.

(4) The voting papers shall be lodged with the secretary on or before the day of the annual meeting. The council shall be elected by means of those voting papers, whether the members voting are present at or absent from the annual meeting.

(5) Vacancies that occur in the council in the interval between 2 annual meetings may be filled by the council.

RS1960-51-6.

Officers

6. The council shall elect from its members a president and one or more vice presidents, and shall appoint a secretary and a treasurer, who may or may not be members of the council. The same person may be appointed secretary and treasurer.

RS1960-51-7.

Fees

7. The council may determine admission and annual fees.

RS1972-12-3.

Bylaws

8. (1) The council may make bylaws relative to the management and objects of the institute, but no bylaw or amendment takes effect until it has been approved at an annual meeting of the institute or at a special general meeting called to consider it.

(2) A bylaw may be annulled by the Lieutenant Governor in Council.

RS1960-51-9.

Students

9. The council may determine

- (a) requirements for enrolment and training of students;
- (b) curriculum of studies to be pursued by the students;
- (c) the fitness and moral character required of a person applying to be examined;
- (d) the subjects on which candidates for certificates of competency shall be examined;
- (e) standards of skill and competency;
- (f) fees to be paid by persons applying for examination and may appoint examiners, and define their duties and fix their remuneration; and
- (g) the rules and regulations, not contrary to this Act or the bylaws of the institute, for examinations.

RS1960-51-10; 1972-12-4.

Examination

10. The council shall hold examinations at least once a year.

RS1960-51-11.

Equivalent examination

11. The council shall by bylaw prescribe the conditions on which persons who have passed the examinations of other corporate bodies having the same or similar objects may be admitted as members of the institute. The conditions shall be reasonable and subject to amendment by the Lieutenant Governor in Council. If the council omits to pass such a bylaw the Lieutenant Governor in Council may prescribe the conditions.

RS1960-51-12(1).

Appeal

12. (1) Any person who has failed to pass an examination and who feels himself aggrieved by an examination paper or the marks awarded him on it may appeal to the Supreme Court within 3 months from the date of the publication of the result of the examination. The appeal shall be brought by way of notice in writing delivered to the council and the court. The person appealing shall deposit \$25 with the court, to be applied as the court may direct. The court shall proceed to hear the appeal, and may itself further investigate the qualifications of the appellant, and may make an order varying, confirming or reversing the finding or award. The order is final.

(2) Examination papers shall not be destroyed until after 3 months from the date of the publication of the result of the examination, and all documents relating to the question in issue shall be produced on the hearing of an appeal.

RS1960-51-12(2,3).

Lectures

13. The institute may establish lectures and classes for students in accountancy and, subject to the approval of the Lieutenant Governor in Council, may make arrangements with a university or college in the Province for the attendance of students in accountancy at lectures or classes in the university or college as may come within the course of subjects prescribed by the rules, bylaws and regulations of the institute, may agree with the university or college for the use of any library or museum or property belonging to or under the control of the university or college, may affiliate with the university or college and may enter into all arrangements necessary for that end on agreed terms.

RS1960-51-13.

Classes of membership

14. The membership of the institute consists of 2 classes named fellows and associates.

RS1960-51-15.

Titles

15. Every member of the institute has the right to use the designation chartered accountant, and may use after his name, if he is a fellow, the initials F.C.A., signifying Fellow of the Chartered Accountants, and if he is an associate, the initials A.C.A., signifying Associate of the Chartered Accountants.

RS1960-51-16.

Honorary membership

16. Persons who have rendered conspicuous service to the institute may, by an affirmative vote of 3/4 of the members present and voting at a meeting of the institute, be elected to honorary membership and shall be entitled to use the designation Chartered Accountant, Honorary or the initials C.A. (Hon.), but honorary membership does not confer the right to be elected to the council, to vote or to practise as a chartered accountant.

1972-12-5.

Use of titles

17. (1) A person is not entitled to use the designation chartered accountant, or the initials F.C.A., A.C.A. or C.A., either alone or in combination with any other

words, name, title or description implying that he is a chartered accountant, or any name, title, initials or description implying that he is a certified accountant or an incorporated accountant, unless he is a member of the institute in good standing and registered as such; except that a firm of chartered accountants whose head office is outside the Province, but who maintains an office and practice within the Province, is entitled to take and use the designation chartered accountants and the initials C.A., and to practise as such, but only if at least one member of the firm and its manager for British Columbia are members of the institute and at least one member or the manager permanently resides in the Province. If the member or manager of the firm who is a member of the institute dies or resigns from the firm, the firm may, without the membership qualifications continue the use of the designation for a period of 6 months from the death or resignation.

(2) A person shall not display or use in the Province either of the designations certified public accountant or certified public auditor alone or in combination with any other word, name, title, initial, letter or description or, by the use of the initials C.P.A. or in any other manner, imply, suggest or hold out that he is a certified public accountant or certified public auditor.

(3) It is an offence to contravene any provision of this section. On conviction of an offence, a person is liable to a penalty not exceeding \$25 for each offence.

(4) Each day's continuance of any contravention of the provisions of this section constitutes and is deemed to be a new and distinct offence.

RS1960-51-18(1,2,3,4).

Persons not affected

18. This Act does not affect or interfere with the right of a person not a member of the institute to practise as an accountant in the Province, or with the right of a person not residing or having an office in the Province to use any designation as accountant.

RS1960-51-21.

Membership register

19. (1) The council shall cause to be kept a register, in which shall be entered in alphabetical order the names of all members in good standing; and those members only whose names are entered in the register shall be deemed entitled to the privilege of membership in the institute. The register shall at all times be subject to inspection by any person free of charge.

(2) The register, or a copy of it certified by the secretary, is proof in the absence of evidence to the contrary in all courts and before all persons that the persons whose names are entered in it are members of the institute in good standing, and the absence of the name of a person from the register is similar proof that the person is not a member of the institute.

RS1960-51-19.

Discipline

20. (1) The institute may by bylaw provide for the reprimand, suspension or expulsion of a member by the council or by a committee appointed by the council, with or without the imposition of a fine or costs, after due inquiry by the council or by the committee, for professional misconduct or contravention of the bylaws, rules and regulations of the institute, and for appeals.

(2) A member who has been reprimanded, suspended, expelled or fined may, after exhausting all rights of appeal provided by the bylaws of the institute, appeal to the Supreme Court from a decision of the council. The court may reverse, confirm or vary the decision or refer the matter back for further inquiry.

(3) An appeal to the Supreme Court shall be brought within 30 days of the date of the decision.

1972-12-6.