



CHAPTER 53.

An Act to incorporate the Institute of Chartered Accountants of British Columbia.

[Assented to 3rd December, 1921.]

WHEREAS a petition has been presented praying that the qualifications necessary to permit persons to act or practise as chartered accountants be established by legislation: Preamble.

And whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of British Columbia, enacts as follows:—

1. This Act may be cited as the “Chartered Accountants Act.” Short title.

Institute of Accountants.

2. (a.) The Institute of Chartered Accountants of British Columbia as incorporated by the “Chartered Accountants Act, 1905,” and the “Chartered Accountants Act, 1905, Amendment Act, 1914” (hereinafter called the “original Institute”) is hereby continued and shall remain a body politic and corporate, with perpetual succession and a common seal, and as continued is hereinafter called the “Institute.” Institute of Accountants.

(b.) The head office of the Institute shall be at the City of Vancouver. Head office.

3. (a.) The Institute may purchase, take, and acquire for the purposes of the Institute, but for no other purpose, and after acquiring the same may sell, mortgage, lease, or dispose of any real estate. Power to acquire and hold land.

(b.) 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. Benevolent fund

4. The objects of the Institute shall be to promote and increase the knowledge, skill, and proficiency of its members in all things Objects.

relating to the business or profession of an accountant, and to that end to establish classes, lectures, and examinations, and to prescribe such terms of service and tests of competency, fitness, and moral character as may be thought expedient to qualify for admission to membership.

Administration.

- Council.** **5.** There shall be a Council of the Institute (hereinafter called the "Council"), which shall consist of not less than nine nor more than twenty-one members of whom not less than two-thirds shall be practising accountants residing within British Columbia.
- Annual meeting** **6. (a.)** 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 such time and place and under such regulations and after such notices as shall be determined by the by-laws of the Institute, and in default of such election being held at the proper time, the existing Council shall continue to act until their successors are elected.
- Nominations.** **(b.)** Nominations of candidates for election to the Council shall be in writing, signed by two members of the Institute, and shall be lodged with the secretary at least twenty-one days before the date of the annual meeting.
- Voting papers** **(c.)** 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 fourteen days before the date of the annual meeting.
- Election of Council.** **(d.)** The voting-paper shall be lodged with the secretary on or before the day of the annual meeting, and the Council shall be elected by means of such voting-papers, whether the members voting be present at or absent from the annual meeting.
- Vacancies.** **(e.)** All vacancies which occur in the Council, by death or otherwise, in the interval between two annual meetings may be filled by the Council.
- Officers.** **7.** The Council shall elect from among its number a president and one or more vice-presidents, and shall appoint a secretary and a treasurer (the same person being eligible for both the last-mentioned offices), who may or may not be members of the Council.
- Fees** **8.** The Council may fix an entrance and annual fee or subscription to be paid by all members, and may vary the amount thereof from time to time.
- By laws** **9. (a.)** The Council may make by-laws relative to the management and objects of the Institute, but no such by-law or any amendment thereto shall have force or take effect until it has been approved at an annual meeting of the Institute or at a special general meeting called to consider the same.

(b.) Any such by-law may be annulled by the Lieutenant-Governor Power to annul.
in Council.

Examinations.

10. The Council may:—

Examinations.

- (a.) Prescribe articles of clerkship:
- (b.) Prescribe a curriculum of studies to be pursued by the students:
- (c.) Determine as to the fitness and moral character of persons applying to be examined:
- (d.) Prescribe the subjects upon which candidates for certificates of competency shall be examined:
- (e.) Fix standards of skill and competency:
- (f.) Establish a scale of fees to be paid by persons applying for examination:
- (g.) Appoint examiners, define their duties and fix their remuneration; and
- (h.) Make such rules and regulations (not contrary to the provisions of this Act or the by-laws of the Institute) in respect to examinations as may be expedient.

11. The Council shall hold examinations at least once in each When to be held.
year.

12. (a.) The Council shall by by-law prescribe the conditions Equivalent examinations.
upon 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, and such conditions shall be reasonable and subject to amendment by the Lieutenant-Governor in Council, and if the Council omits to pass such a by-law the Lieutenant-Governor in Council may prescribe such conditions.

(b.) Any person residing in the Province of British Columbia at the date of the passing of this Act, who is at that date, and has been for three years previously, practising the profession of accountancy, shall be entitled, upon application to be made to the Council within six months after the date of the passing of this Act, at any time thereafter to take the final examination of the Institute; provided that such person shall produce to the Council satisfactory credentials of his good repute and standing and otherwise his qualifications and pay the prescribed fees.

(c.) Any person residing in the Province of British Columbia at the date of the passing of this Act, who has attained the age of forty-five years and who is at that date, and has been for five years previously, practising the profession of accountancy, may become a member of the Institute by causing application to be made to the Council within two months after the date of the passing of this Act, and by producing credentials satisfactory to the Council of his competency and standing and otherwise his qualifications and by paying the prescribed fees.

(d.) Any person who has failed to pass an examination and who feels himself aggrieved by any examination paper or the marks awarded him thereon, or by any decision of the Council under subsection (c) of this section, may appeal from such finding or order of the Council to a Judge of the Supreme Court within three months of the date of such finding or order. The appeal shall be brought by way of notice in writing addressed and delivered to the Council and the Judge, and be accompanied by a deposit of twenty-five dollars with the Court, to be applied as the Judge may thereafter direct, and the Judge shall thereupon proceed to hear the appeal, and may himself further investigate the qualifications of the appellant or the merits of the order complained of, and may make an order varying, confirming, or reversing the finding or order appealed from. Such order, when so made, shall be final. No examination papers shall be destroyed until after three months from the date of the publication of the result of such examination, and all documents relating to the question in issue shall be produced upon the hearing of such appeal.

Lectures and
classes.

13. The Institute may establish lectures and classes of students in accounts, and, subject to the approval of the Lieutenant-Governor in Council, may make arrangements with any university or college in British Columbia for the attendance of students in accounts at such lectures or classes in such university or college as may come within the course of subjects prescribed by the rules, by-laws, and regulations of the Institute, and may agree with any such university or college for the use of any library or museum or property belonging to or under the control of such university or college, and may affiliate with any such university or college, and may enter into all arrangements necessary for that end upon such terms as may be agreed upon.

Membership.

Membership.

14. All members of the original Institute in good standing shall be deemed members of the Institute as continued by this Act.

15. The membership of the Institute shall consist of two classes—namely, fellows and associates.

Use of titles.

16. Every member of the Institute shall have 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.”

Honorary
membership.

17. Persons who have rendered conspicuous services to the Institute, either in the advancement of its educational objects or its general welfare or by material contributions to the library or other funds of the Institute, may by the unanimous vote of the members

present at any meeting of the Institute be elected to honorary membership therein, but honorary membership shall not confer the right to use the designation "chartered accountant," or to be elected to the Council or to vote.

Restrictions as to Use of Titles.

18. (a.) No person shall be entitled to take or 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, or any 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: Restrictions as to use of titles. Provided that any firm of chartered accountants whose head office Proviso. is outside the Province, but who maintains an office and practice within the Province, shall be 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 such firm and the manager thereof for British Columbia are members of the Institute and at least one of such members or said manager permanently resides in the Province; provided that if the said member or manager of such firm who is a member of the Institute should die or resign from such firm, the said firm shall be entitled to continue the use of such designation, provided that another member or manager of such firm becomes a member of the Institute within six months of the death or resignation of such member.

(b.) Any person who contravenes any of the provisions of this Penalty. section shall incur a penalty not exceeding twenty-five dollars for each offence; such penalty to be recoverable under the British Columbia "Summary Convictions Act."

(c.) This section shall not apply to those persons who, being Exception as to certain members of D.A.C.A. members in good standing of the Dominion Association of Chartered Accountants on the sixteenth day of December, 1909, and then residing within the Province, were on that day entitled to membership in the Institute or to apply therefor.

Membership Register.

19. (a.) The Council shall cause to be kept a register, in which Membership register. 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; and such register shall at all times be subject to inspection by any person free of charge.

(b.) Such register, or a copy of the same duly certified by the Register as evidence. secretary, shall be prima facie evidence in all Courts and before all persons that the persons whose names are entered therein are

members of the Institute in good standing, and the absence of the name of any person from such register shall be prima facie evidence that such person is not a member of the Institute.

Expulsion.

20. The Institute may by by-law provide for the suspension or expulsion, on complaint and after due inquiry, of any member for misconduct or for violation of the rules or by-laws of the Institute.

Rights of certain persons not affected.

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persons not affected.

21. Nothing in this Act shall affect or interfere with the right of any person not a member of the Institute to practise as an accountant in British Columbia, nor with the right of any person not residing nor having an office therein to use any designation as accountant.

Repeal.

Repeal.

22. The "Chartered Accountants Act, 1905," being chapter 59 of the Statutes of British Columbia, 1905, and the "Chartered Accountants Act, 1905, Amendment Act, 1914," being chapter 85 of the Statutes of British Columbia, 1914, are repealed.

VICTORIA, B.C.:

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