

CPABC BYLAW REGULATIONS

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**BYLAW REGULATIONS OF THE ORGANIZATION OF
CHARTERED PROFESSIONAL ACCOUNTANTS OF BRITISH COLUMBIA**

PART 2 - CPABC BOARD, GENERAL MEETINGS AND OFFICERS

Number of Elected Board Members

- 200/1 Subject to Bylaw 202.1,
- (a) the number of elected board member positions under section 4(1)(a) of the Act is 15, and
 - (b) the number of elected board members to be elected for three-year terms of office at each annual general meeting is 5.

Electoral Regions

- 200/2
- (1) The following electoral regions are established for the purpose of the election of elected board members:
 - (a) Vancouver Island, consisting of the counties of Victoria and Nanaimo;
 - (b) Lower Mainland, consisting of the counties of Vancouver and Westminister;
 - (c) Interior, consisting of the county of Kootenay and those portions of the counties of Yale and Cariboo that are south of the 51st parallel;
 - (d) North, consisting of the county of Prince Rupert and those portions of the counties of Yale and Cariboo that are north of the 51st parallel.
 - (2) The minimum number of elected board members to be elected from each electoral region, excluding an elected board member whose term of office is extended under Bylaw 202.1, is as follows:
 - (a) Vancouver Island - 1;
 - (b) Lower Mainland - 1;
 - (c) Interior - 1;
 - (d) North - 1.

Term Limit

- 201/1
- (1) An elected board member who is elected to two consecutive three-year terms of office is not eligible for re-election for a third immediately consecutive term of office, unless he or she has been elected by the board under section 6(1)(a) of the Act to serve as the board chair or a board vice chair.
 - (2) A member of the interim board who is appointed under section 73(4)(a) of the Act is eligible for election for one three-year term of office immediately following the member's term as an interim board member, and is not eligible for election to a second immediately consecutive term of office unless he or she has been

elected by the board under section 6(1)(a) of the Act to serve as the board chair or a board vice chair.

Ceasing to Hold Office

- 202/1 An elected board member ceases to hold office on
- (a) becoming bankrupt, making an assignment in bankruptcy, or otherwise being declared bankrupt,
 - (b) being declared by a judge under the *Patients Property Act* to be incapable of managing his or her affairs or incapable of managing himself or herself, or
 - (c) issuance of a certificate of incapability in respect of the elected board member under the *Adult Guardianship Act*.

Nomination of Candidates

- 204/1 The nomination of a candidate for election as an elected board member is valid only if
- (a) it is in writing, signed by at least two CPA members in good standing,
 - (b) the candidate is eligible for election under Bylaw 201, and consents in writing to the nomination, and
 - (c) the nomination and consent are received by CPABC within the time required under Bylaw 203(2).

Election Ballots

- 204/2
- (1) Elected board members must be elected by ballots, whether the members voting are present in person or by proxy at, or absent from, the annual general meeting.
 - (2) The ballots for an election of elected board members must be in a form approved by the board, and must
 - (a) list the names of the candidates,
 - (b) identify the electoral region declared by each candidate under Bylaw 201(1)(b),
 - (c) state the number of elected board members to be elected at the annual general meeting under Bylaw 200(2), and the minimum number to be elected from any electoral region to bring the total number of elected board members from that region up to the minimum required under Regulation 200/2(2), and
 - (d) include instructions for completing the ballot and delivering it to CPABC, including electronic delivery if authorized by the board.

Voting Procedures

- 204/3
- (1) Every CPA member who is eligible to vote under Bylaw 204 may vote for
 - (a) any candidate, regardless of electoral region, and

- (b) any number of candidates, up to the total number to be elected under Bylaw 200(2).
- (2) Ballots must be received by the Secretary, or delivered to CPABC electronically if and as authorized by the board, before 5:00 p.m. on the fifth business day before the annual general meeting.
 - (3) In each annual election, elected board members must be elected as follows:
 - (a) first, if it is necessary to elect one or more candidates from an electoral region to bring the total number of elected board members from the region up to the minimum number specified in Regulation 200/2(2), then the candidate or candidates from the region who received the most votes must be elected for three-year terms of office under Bylaw 200(2)(a), to bring the total number of elected board members for the region up to the required minimum;
 - (b) second, subject to subsection (5), the remaining candidates with the most votes, from any electoral region, must be elected to any remaining positions to be filled
 - (i) first, for any remaining three-year terms of office to be filled under Bylaw 200(2)(a),
 - (ii) second, to fill any vacant position with two years remaining under Bylaw 200(2)(b), and
 - (iii) third, to fill any vacant position with one year remaining under Bylaw 200(2)(b).
 - (4) If more than one candidate receives the same number of votes, the Registrar must select the successful candidate by random draw.
 - (5) If not enough candidates are nominated from an electoral region to bring the total number of elected board members from the region up to the minimum number specified in Regulation 200/2(2), the other members of the board must, after the election, appoint a member who is eligible for election from that region to fill any resulting vacancy.
 - (6) An elected board member appointed under subsection (5) is deemed to be elected for a three-year term of office under Bylaw 200(2)(a).

Chair of General Meetings

- 207/1
- (1) The board chair must preside as chair at all general meetings.
 - (2) In the absence of the board chair, a board vice chair must preside as chair at a general meeting, and, in the absence of the board chair and board vice chairs, a CPA member in good standing must be elected to chair the meeting by majority vote of the CPA members attending the general meeting in person and entitled to vote.

Adjournment of General Meetings

207/2 A general meeting may be adjourned by majority vote of the CPA members attending the general meeting in person and entitled to vote.

General Meeting Materials

207/3 The President or Secretary may make any or all of the items referred to in Bylaw 203(4) or 206(3) available to members electronically on CPABC's website, by notifying members and specifying other information required for members to access those items in the notice of meeting under Bylaw 203(3) or 206(2).

Proxies

- 207/4
- (1) An appointment of proxy must be in a form approved by the board, and must be
 - (a) signed by the member and received by the Secretary before 5:00 p.m. on the fifth business day before the general meeting,
 - (b) delivered to CPABC electronically, if and as authorized by the board, before 5:00 p.m. on the fifth business day before the meeting, or
 - (c) signed by the member and personally delivered to the chair of the meeting before the commencement of the meeting.
 - (2) An appointment of proxy may only be revoked
 - (a) by notice in writing signed by the member and received by the Secretary before 5:00 p.m. on the fifth business day before the general meeting,
 - (b) delivered to CPABC electronically, if and as authorized by the board, before 5:00 p.m. on the fifth business day before the meeting, or
 - (c) by notice in writing signed by the member and personally delivered to the chair of the meeting before the commencement of the meeting.

Electronic Voting

- 207/5
- (1) A member may vote electronically on a matter referred to in Bylaw 207(2)(c), by registering that vote electronically on CPABC's website, in a manner and form approved by the board, before 5:00 p.m. on the fifth business day before the general meeting.
 - (2) A vote registered by a member electronically under subsection (1) may only be revoked
 - (a) by notice in writing signed by the member and received by the Secretary before 5:00 p.m. on the fifth business day before the general meeting,
 - (b) by registering the revocation electronically on CPABC's website, in a manner and form approved by the board, before 5:00 p.m. on the fifth business day before the meeting, or

- (c) by notice in writing signed by the member and personally delivered to the chair of the meeting before the commencement of the meeting.

Special Vote

- 208/1 (1) Every matter that is put to a special vote must be decided by a majority of votes cast.
- (2) Voting in a special vote may be conducted by any means approved by the board, which may include voting by mail or electronically.

Chair of Board Meetings

- 209/1 (1) The board chair
 - (a) must convene at least four meetings of the board in each fiscal year, and
 - (b) must preside as chair at all board meetings.
- (2) If the board chair is absent or unable to act, a board vice chair may exercise the powers and must perform the duties of the board chair.

Quorum

- 209/2 Quorum for the transaction of business at a meeting of the board is a majority of the board.

Board Meeting Procedures

- 209/3 (1) The board may meet and conduct business in person, or by video, telephone conference, web casting, or an equivalent medium.
- (2) The board may meet in the absence of the public, or it may exclude any person who is not a board member from a meeting or any part of a meeting,
 - (a) for the purpose of considering or discussing any matter of a confidential or privileged nature,
 - (b) for the purpose of protecting the privacy of any individual whose personal information is being considered or discussed, or
 - (c) for any other reason that the board considers necessary or appropriate.
- (3) Every board member is entitled to cast one vote on each matter put to a vote at a meeting of the board, and, in the case of a tie, the chair of the meeting shall have a second or casting vote.
- (4) The board may approve a system of rules or procedures for meetings to supplement the rules and procedures established under the Act, the bylaws and these regulations.

Resolutions in Writing

- 209/4
- (1) A resolution approved by a majority of all board members in writing, including by mail, facsimile or e-mail, is valid and binding and of the same effect as if such resolution had been duly passed at a meeting of the board.
 - (2) A resolution approved under subsection (1) must be verified and made a part of the minutes of the next meeting of the board.

PART 3 - COMMITTEES

Committee Chairs and Vice Chairs

- 308/1
- (1) Except as otherwise provided in the bylaws or the regulations, the board
 - (a) must appoint the chair, or co-chairs, of each committee, and
 - (b) may appoint one or more vice chairs of the committee.
 - (2) Unless the context otherwise requires, a reference in this Part to the chair of a committee includes a co-chair of the committee.
 - (3) If the chair of a committee is absent or unable to act, a vice chair of the committee may exercise the powers and must perform the duties of the chair of the committee.
 - (4) If the chair and any vice chairs are absent or unable to act, an acting chair may be designated by the committee from among the committee members present, who may exercise the powers and must perform the duties of the chair of the committee.

Investigation Committee Panels

- 308/2
- (1) Subject to subsection (2), the Investigation Committee may meet in panels consisting of at least three CPA members and at least two public representatives appointed by the chair of the committee.
 - (2) The majority of the members of a panel appointed under subsection (1) must be CPA members.
 - (3) The chair of the Investigation Committee must designate the chair of a panel appointed under subsection (1), and may designate a vice chair of the panel.

Disciplinary Committee Panels

- 308/3
- (1) For the purpose of conducting hearings under section 53 of the Act, the Disciplinary Committee must meet in panels appointed by the chair of the committee, consisting of
 - (a) two CPA members and one public representative, or
 - (b) four CPA members and one public representative.
 - (2) For the purpose of conducting binding opinions under Bylaw 1110, the Disciplinary Committee must meet in panels appointed by the chair of the committee under Bylaw 1110(1) consisting of two CPA members and one public representative.
 - (3) The chair of the Disciplinary Committee must designate the chair of a panel appointed under subsection (1) or (2), and may designate a vice chair of the panel.

- (4) The chair of the Disciplinary Committee may appoint a CPA member as an alternate to a panel appointed under subsection (1), who must attend all meetings of the panel, but must not vote except as provided in subsection (5).
- (5) Subject to subsection (6), if a CPA member of a panel of the Disciplinary Committee withdraws from or becomes unable to continue to act as a member of the panel, the alternate must replace that CPA member as a member of the panel.
- (6) The alternate to a panel of the committee must cease to act as alternate, and ceases to be eligible to replace a CPA member as a member of the panel under subsection (5), if the alternate fails to attend a meeting of the panel.

Quorum

- 308/4
- (1) Quorum for the transaction of business at a meeting of the Executive Committee is a majority of the committee.
 - (2) Quorum for the transaction of business at a meeting of the Membership Committee is three members of the committee.
 - (3) Quorum for the transaction of business at a meeting of the Public Practice Committee is five members of the committee.
 - (4) Quorum for the transaction of business at a meeting of the Investigation Committee or a panel of the Investigation Committee is five members of the committee or panel, which must include at least two public representatives.
 - (5) Quorum for the transaction of business at a meeting of a panel of the Disciplinary Committee is the entire panel.
 - (6) Quorum for the transaction of business at a meeting of the full Disciplinary Committee is five members of the committee, which must include at least one public representative.

Committee Procedures

- 308/5
- (1) Meetings of a committee or panel must be convened by the chair of the committee or panel or, upon notice, by the President or the Secretary.
 - (2) A committee or panel may meet and conduct business in person, or by video, telephone conference, web casting, or an equivalent medium.
 - (3) A committee or panel may meet in the absence of the public, or it may exclude any person who is not a member of the committee or panel from a meeting or any part of a meeting,
 - (a) for the purpose of considering or discussing any matter of a confidential or privileged nature,
 - (b) for the purpose of protecting the privacy of any individual whose personal information is being considered or discussed, or

- (c) for any other reason that the committee or panel considers necessary or appropriate.
- (4) Except as otherwise provided in the bylaws or regulations, every committee or panel member is entitled to cast one vote on each matter put to a vote at a meeting of the committee or panel, and, in the case of a tie, the chair of the meeting shall have a second or casting vote.
- (5) A committee may approve a system of rules or procedures for its meetings, or meetings of panels of the committee, to supplement the rules and procedures established under the Act, the bylaws and these regulations.

Resolutions in Writing

- 308/6
- (1) A resolution approved by a majority of all members of a committee or panel in writing, including by mail, facsimile or e-mail, is valid and binding and of the same effect as if such resolution had been duly passed at a meeting of the committee or panel.
 - (2) A resolution approved under subsection (1) must be verified and made a part of the minutes of the next meeting of the committee or panel.

PART 4 - STUDENTS

CPA Western School of Business

401/1 Delivery of the CPA PEP program, including the enrollment and training of students, the conduct and delivery of examinations, the establishment and collection of fees, dues and assessments payable by applicants for enrollment as a student and by students, and the exercise of any other functions of the board under section 30 and 32 of the Act in respect thereof, is delegated to the CPA Western School of Business in accordance with arrangements made between CPABC and the CPA Western School of Business under section 31(2) of the Act.

Limitations on Registrar's Authority

- 403/1
- (1) The Registrar must not exercise the authority of the Public Practice Committee to pre-approve an office for the education and training of students if any of the conditions specified in Bylaw 403(4) or (6) apply.
 - (2) The Registrar must refer any application described in subsection (1), and may refer any other application for pre-approval or renewal of pre-approval of an office for the education and training of students, to the Public Practice Committee for its review.

PART 5 - MEMBERSHIP

Limitations on Registrar's Authority

- 500/1 (1) The Registrar must not exercise the authority of the Membership Committee to admit a person to membership in CPABC if
- (a) the applicant is a former member applying for readmission, other than an applicant who is currently a member in good standing of a provincial CPA body or a provincial legacy body,
 - (b) the applicant's application is under Bylaw 501(4) or (6),
 - (c) the applicant is a student who was re-enrolled as a student after the student's enrolment was cancelled
 - (i) under section 53(4)(c) of the Act, or
 - (ii) under Bylaw 406,
 - (d) a finding or determination has otherwise previously been made by a committee of CPABC, a legacy body, a provincial CPA body or a provincial legacy body that the applicant was incompetent or unfit to practise, committed professional misconduct, engaged in conduct unbecoming a member, or contravened the Act, bylaws or Rules of Professional Conduct or corresponding legislation, bylaws or rules, or
 - (e) the applicant has been convicted of a criminal offence or a violation of the provisions of any securities legislation in effect in any jurisdiction.
- (2) The Registrar must refer any application described in subsection (1), and may refer any other application for admission as a member, to the Membership Committee for its review.

CPA Membership

- 501/1 In addition to the requirements in section 35(1)(a) to (c) of the Act and section 501(1)(a) to (c) of the bylaws, an applicant under section 35(1) of the Act must successfully complete professional development coursework required by the board before being admitted as a CPA member.

Deadlines for Legacy Applicants

- 501/2 (1) An applicant applying for admission as a CPA member under Bylaw 501(3) on the basis of successful completion of a legacy CGA education program
- (a) must successfully complete all applicable program, examination and evaluation requirements on or before December 31, 2015,
 - (b) must successfully complete the practical experience requirement
 - (i) on or before August 31, 2018, or
 - (ii) if the applicant completes the practical experience requirements required by the board for applicants under Bylaw 501(1), on or before June 30, 2020, and

- (c) must successfully complete CGA-BC's degree requirement on or before June 30, 2020.
- (2) An applicant applying for admission as a CPA member under Bylaw 501(3) on the basis of successful completion of a legacy CA education program
 - (a) must successfully complete all applicable program, examination and evaluation requirements on or before August 31, 2015, and
 - (b) must successfully complete the practical experience requirement
 - (i) on or before August 31, 2018, or
 - (ii) if the applicant completes the practical experience requirements required by the board for applicants under Bylaw 501(1), on or before June 30, 2020.
- (3) An applicant applying for admission as a CPA member under Bylaw 501(3) on the basis of successful completion of a legacy CMA education program
 - (a) must successfully complete all applicable program, examination and evaluation requirements on or before October 31, 2015, and
 - (b) must successfully complete the practical experience requirement
 - (i) on or before August 31, 2018, or
 - (ii) if the applicant completes the practical experience requirements required by the board for applicants under Bylaw 501(1), on or before June 30, 2020.

Election of Fellows

- 505/1
- (1) The board may elect CPA members in good standing as fellows in recognition of distinguished service to the profession, or for bringing distinction to the profession.
 - (2) Each year, the board must seek nominations for the election of fellows from among the CPA members in good standing.
 - (3) A CPA member is not eligible for nomination for election as a fellow under subsection (2) if
 - (a) the CPA member has been unsuccessfully nominated for election as a fellow three times during the previous seven years (excluding any nominations made in 2017 or earlier), or
 - (b) the CPA member's fellowship status has previously been revoked under subsection (6) or (7).
 - (4) The Registrar must, at the request of a CPA member in good standing, admit the CPA member as a fellow if
 - (a) the CPA member is a member in good standing of a provincial CPA body or provincial legacy body,

- (b) the CPA member has been elected or admitted as a fellow of the provincial CPA body or provincial legacy body referred to in paragraph (a),
 - (c) the CPA member provides evidence satisfactory to the Registrar of that election or admission, and
 - (d) the CPA member's fellowship status has not previously been revoked under subsection (6) or (7).
- (5) If a former CPA member was a fellow at the time he or she ceased to be a member and is readmitted as a CPA member under Bylaw 501(5), the Registrar must reinstate his or her fellowship status unless that status has previously been revoked under subsection (6) or (7).
- (6) A CPA member's status as a fellow is revoked immediately if
- (a) the membership of the CPA member is suspended or cancelled under section 53(4)(b) or (c) of the Act,
 - (b) the CPA member voluntarily suspends or relinquishes his or her membership under Bylaw 1111(1)(f) or (g) or 1205(1)(f) or (g),
 - (c) the CPA member enters into any other agreement under Bylaw 1111 or 1205 under which the CPA member agrees to revocation of his or her fellowship status,
 - (d) the CPA member accepts a determination and recommendation of the Investigation Committee under Bylaw 1106 under which the CPA member agrees to revocation of his or her fellowship status. or
 - (e) the membership of the CPA member is otherwise cancelled at the member's request or for any other reason
 - (i) while an investigation of the CPA member's conduct is pending under section 51 of the Act and Part 11 of the bylaws, or
 - (ii) while a hearing into the CPA member's competence, fitness to practise or professional conduct is pending under section 53 of the Act and Part 12 of the bylaws.
- (7) The board may revoke a CPA member's status as a fellow if
- (a) an order is made against the CPA member under section 53(4) of the Act that does not result in the immediate revocation of the CPA member's fellowship status under subsection (6)(a),
 - (b) the membership of the CPA member is suspended or cancelled for a reason that does not result in the immediate revocation of the CPA member's fellowship status under subsection (6),
 - (c) the CPA member becomes a bankrupt, including having made an assignment in bankruptcy or a receiving order being granted against the CPA member,
 - (d) the CPA member takes the benefit, including the filing of a proposal, of statutory provisions for insolvent debtors,

- (e) the CPA member is found guilty or pleads guilty to a criminal offence or a violation of the provisions of any securities legislation in effect in any jurisdiction, or
- (f) the CPA member's membership in, or fellowship status with, a provincial CPA body or provincial legacy body is suspended or cancelled.

PART 6 - CONTINUING PROFESSIONAL DEVELOPMENT

Definitions

600/1 In this Part:

“**carryover verifiable qualifying hours**” means verifiable qualifying hours completed before February 13, 2019 in a pre-admission professional development course specified by the board as being eligible to be carried over to the calendar year of a member’s admission;

“**ethics hours**” means verifiable qualifying hours in professional ethics satisfying criteria approved by the Membership Committee;

“**legacy requirements**” means, in respect of a legacy member, all applicable continuing professional development requirements previously established by the legacy member’s legacy body that were in effect immediately before the transition date;

“**qualifying hours**” means hours of learning activities satisfying criteria approved by the Membership Committee, and includes qualifying hours completed by a legacy member before the transition date;

“**verifiable qualifying hours**” means qualifying hours for which there is satisfactory evidence to objectively verify participation in the learning activity, as determined in accordance with criteria approved by the Membership Committee.

Continuing Professional Development Program: Basic Requirements

- 600/2
- (1) Every member must comply with the basic requirements of CPABC’s Continuing Professional Development Program, as prescribed in this section, unless exempted from some or all of those requirements under Bylaw 600(3).
 - (2) Subject to subsections (3) to (5), every member must complete
 - (a) a minimum of 20 qualifying hours of continuing professional development in each calendar year, including at least 10 verifiable qualifying hours, and
 - (b) a minimum of 120 qualifying hours of continuing professional development during each rolling three-calendar year period, including at least 60 verifiable qualifying hours, of which at least 4 are ethics hours.
 - (3) A student or other applicant who is admitted as a member
 - (a) must satisfy the requirement in subsection (2)(a) commencing with the calendar year of the member’s admission, and
 - (b) is only required to satisfy the requirement in subsection (2)(b) commencing with the three-calendar year period that commences with the calendar year of the member’s admission.

- (4) For the purposes of subsections (2) and (3), carryover verifiable qualifying hours completed before the calendar year of a member's admission are deemed to have been completed during the calendar year of the member's admission.
- (5) A technologist member
 - (a) is not required to satisfy the requirements in Regulation 600/2(2)(a) for the 2015 or 2016 calendar year, and
 - (b) is not required to satisfy the requirements in Regulation 600/2(2)(b) for the three-calendar year periods from 2013 to 2015, from 2014 to 2016, or from 2015 to 2017, or from 2016 to 2018.

Continuing Professional Development Program: Post-Admission Requirement for Foreign Qualified Members

- 600/3
- (1) The following members must comply with the additional post-admission requirement prescribed in subsection (2), unless exempted from that requirement under subsection (5) or Bylaw 600(3):
 - (a) a member who is admitted as a CPA member under Bylaw 501(8) or (9) on the basis of membership in a professional body outside of Canada and Bermuda that is specified by the board for the purposes of this subsection;
 - (b) a member who is admitted as a CPA member under Bylaw 501(7) on the basis of membership in a provincial CPA body or provincial legacy body and who
 - (i) was initially admitted as a member of a provincial CPA body or provincial legacy body on the basis of membership in a professional body outside of Canada and Bermuda that is specified by the board for the purposes of this subsection, and
 - (ii) has not already satisfied the requirement prescribed in subsection (2).
 - (2) A member described in subsection (1) must complete any coursework that may be required by the Membership Committee in accordance with subsection (3) within two years of the date of his or her initial admission as
 - (a) a CPA member, or
 - (b) a member of a provincial CPA body or provincial legacy body.
 - (3) The coursework required under subsection (2) may include coursework in any of the following areas:
 - (a) an introduction to the Canadian profession of chartered professional accountancy;
 - (b) Canadian tax;
 - (c) Canadian law relevant to chartered professional accountancy;

- (d) other matters relevant to the practice and profession of chartered professional accountancy in Canada.
- (4) Hours of coursework completed under subsection (2) may be counted as qualifying hours under Regulation 600/2 for the applicable calendar year or three-calendar year period in which they are completed.
- (5) A member described in subsection (1) who successfully completes the CPA Reciprocity Examination established by CPA Canada within the time required to complete the coursework described in subsection (2) is exempt from the requirement to complete that coursework if the member
 - (a) was admitted as a CPA member under Bylaw 501(8) or (9) on the basis of membership in a professional body outside of Canada and Bermuda that is specified by the board for the purposes of this subsection, or
 - (b) was admitted as a CPA member under Bylaw 501(7) on the basis of membership in a provincial CPA body or provincial legacy body, and was initially admitted as a member of a provincial CPA body or provincial legacy body on the basis of membership in a professional body outside of Canada and Bermuda that is specified by the board for the purposes of this subsection.

Continuing Professional Development Program: Post-Admission Requirement for Legacy CGA Members

- 600/4
- (1) The following legacy CGA members must comply with the additional post-admission requirement prescribed in subsection (2), unless exempted from that requirement under Bylaw 600(3):
 - (a) a legacy CGA member who is admitted as a CPA member under Bylaw 501(3) based on successful completion of a legacy CGA education program;
 - (b) a legacy CGA member who is admitted as a CPA member under Bylaw 501(7) on the basis of membership in the Chartered Professional Accountants of Yukon as the equivalent of a legacy CGA member, and who has not already satisfied the requirement prescribed in subsection (2).
 - (2) A legacy CGA member described in subsection (1) must complete an ethics course acceptable to the Membership Committee before the end of the first calendar year after the calendar year of his or her initial admission as
 - (a) a CPA member, or
 - (b) a member of the Chartered Professional Accountants of Yukon.
 - (3) Hours of coursework completed under subsection (2) may be counted as qualifying hours under Regulation 600/2 for the applicable calendar year or three-calendar year period in which they are completed.

Annual Compliance Report

600/5 For the purposes of Bylaw 600(2), the deadline for members to deliver an annual compliance report to CPABC is January 31.

Retention of Documentation

600/6 Every member must retain documentation supporting the member's completion of verifiable qualifying hours during a calendar year for at least five years after the end of that calendar year.

Late Completion of Professional Development

601/1 For the purposes of Bylaw 601, the deadline for a member referred to in that Bylaw to deliver an annual compliance report and satisfy outstanding requirements of the Continuing Professional Development Program is March 31.

PART 7 - LICENSURE FOR PUBLIC PRACTICE

Exemptions from Licensure

- 700/1 (1) A CPA member is exempt from the requirement for licensure under Bylaw 700(2)(a) if
- (a) the CPA member provides services to the public that are included in public practice only in the capacity of
 - (i) an employee of a registered firm, with no authority to sign off on or release engagements, or
 - (ii) an employee of another organization satisfying criteria approved by the board,
 - (b) the CPA member's primary occupation is not in public practice, and the CPA member only provides services to the public that are included in public practice on an incidental basis, as determined in accordance with criteria approved by the board, or
 - (c) the CPA member is also a practising lawyer under the *Legal Profession Act* who
 - (i) does not provide or perform any services referred to in section 47(1)(a), (b) or (c) of the Act, and
 - (ii) only provides other services to the public that are included in public practice in his or her capacity as a practising lawyer and in the course of his or her practice of law, in accordance with the *Legal Profession Act*.
- (1.1) Bylaw 700(3) does not apply to the provision of services by a CPA member described in subsection (1)(c) on behalf of a law firm or a law corporation within the meaning of the *Legal Profession Act*.
- (2) A technologist member is exempt from the requirement for licensure under Bylaw 701(1) if
- (a) the technologist member provides other regulated services to the public only in the capacity of an employee of a registered firm or other organization satisfying criteria approved by the board, or
 - (b) the technologist member's primary occupation is not in public practice, and the technologist member only provides other regulated services to the public on an incidental basis, as determined in accordance with criteria approved by the board.

Subcategories of Licensure

- 703/1 (1) The following subcategories of Audit Licence are established:
- (a) Audit Licence – Public Companies;
 - (b) Audit Licence – Non-Public Company;
 - (c) Audit Licence – Extra-provincial.

- (2) The following subcategories of Review Licence are established:
 - (a) Review Licence – Regular;
 - (b) Review Licence – Extra-provincial.
- (3) The following subcategories of Compilation Licence are established:
 - (a) Compilation Licence – Regular;
 - (b) Compilation Licence – Extra-provincial.
- (4) The following subcategories of Other Regulated Services Licence are established:
 - (a) Other Regulated Services Licence – Reviewable;
 - (b) Other Regulated Services Licence – Non-Reviewable;
 - (c) Other Regulated Services – Extra-provincial.

Limitations on Registrar’s Authority

- 704/1
- (1) The Registrar must not exercise the authority of the Public Practice Committee to issue a public practice licence to a member if
 - (a) a finding or determination has previously been made by a committee of CPABC, a legacy body, a provincial CPA body or a provincial legacy body that the applicant was incompetent or unfit to practise, committed professional misconduct, engaged in conduct unbecoming a member, or contravened the Act, bylaws or Rules of Professional Conduct or corresponding legislation, bylaws or rules, or
 - (b) the applicant has been convicted of a criminal offence or a violation of the provisions of any securities legislation in effect in any jurisdiction.
 - (2) The Registrar must refer any application described in subsection (1), and may refer any other application for issuance or renewal of a public practice licence or to amend the category of a public practice licence, to the Public Practice Committee for its review.
 - (3) The Registrar is not authorized to exercise the authority of the Public Practice Committee under Bylaw 705(1) to (3).

Annual Renewal Date

704/2 The annual renewal date for a public practice licence is September 1.

Proof of Professional Liability Insurance Coverage

- 704/3
- (1) An application for issuance or renewal of a public practice licence, or to amend the category of a member’s public practice licence, must be accompanied by
 - (a) proof of professional liability insurance coverage that satisfies the requirements under Regulation 1301/1, or

- (b) a declaration by the applicant, in the form required by the Public Practice Committee, that the applicant will only engage in public practice on behalf of a registered firm with professional liability insurance coverage that satisfies the requirements under Regulation 1301/1.
- (2) A member who has provided a declaration under subsection (1)(b) must notify the Registrar, and provide proof of professional liability insurance coverage that satisfies the requirements under Regulation 1301/1, before engaging in public practice in British Columbia other than on behalf of a registered firm with professional liability insurance coverage that satisfies the requirements under Regulation 1301/1.

Appointment of Assisting Accountant

- 704/4 (1) An application for issuance or renewal of a public practice licence must be accompanied by one of the following, in the form required by the Public Practice Committee:
- (a) written confirmation of the appointment of an assisting accountant to be responsible for returning client records in the event of the applicant's death or incapacity;
 - (b) written authorization for CPABC to appoint a member in good standing holding a public practice licence as an assisting accountant for the applicant in the event of the applicant's death or incapacity;
 - (c) the applicant's certification that he or she will only be engaged in public practice at or in association with a registered firm in which two or more members have a proprietary interest.
- (2) A member who has provided certification to CPABC under subsection (1)(c) must notify CPABC and provide a written confirmation or authorization as described in subsection (1)(a) or (b) before engaging in public practice in any manner that would be outside the scope of that certification.
- (3) An assisting accountant appointed by a member under subsection (1)(a) or (2) must be another member in good standing holding a public practice licence.

Competency Declaration for Audit Licensees

- 704/5 An application for renewal of an Audit Licence must be accompanied by a declaration by the applicant, in the form required by the Public Practice Committee, confirming that the applicant has
- (a) completed an annual self-assessment of the applicant's professional competence to provide audit services, in accordance with criteria approved by the board, and
 - (b) undertaken sufficient relevant continuing professional development to develop and maintain that professional competence.

Authorized Services

- 706/1
- (1) Subject to Bylaw 700, a member holding an Audit Licence is authorized to provide any public accounting services and any other regulated services, subject to any applicable standards, limits or conditions established by the board for providing such services.
 - (2) Subject to Bylaw 700, a member holding a Review Licence is authorized to provide
 - (a) any public accounting services, except the performance of an audit engagement or issuance of an auditor's report, and
 - (b) any other regulated servicessubject to any applicable standards, limits or conditions established by the board for providing such services.
 - (3) Subject to Bylaw 700, a member holding a Compilation Licence is authorized to provide
 - (a) any public accounting services, except
 - (i) the performance of an audit, review or other assurance engagement, or issuance of an auditor's report, a review engagement report or another assurance report, or
 - (ii) the performance of a specified procedures engagement or issuance of a specified procedures engagement report, and
 - (b) any other regulated servicessubject to any applicable standards, limits or conditions established by the board for providing such services.
 - (4) Subject to Bylaw 700, a member holding an Other Regulated Service Licence is authorized to provide other regulated services, subject to any applicable standards, limits or conditions established by the board for providing such services.

First Renewal Date

- 708/1 The first renewal date for a public practice licence deemed to be held by a legacy member under Bylaw 708(2) is September 1, 2016.

Special Public Practice Extension Fees

- 708/2
- (1) Every legacy CGA member, legacy CMA member and technologist member who is deemed to have been issued a public practice licence under Bylaw 708(2) must pay a CGA/CMA special public practice extension fee in the amount required by the board in respect of the period from April 1, 2016 to August 31, 2016.
 - (2) The CGA/CMA special public practice extension fee referred to in subsection (1) is due and payable on April 1, 2016.

- (3) Every legacy CA member who is deemed to have been issued a public practice licence under Bylaw 708(2) must pay a CA special public practice extension fee in the amount required by the board in respect of the period from September 1, 2015 to August 31, 2016.
- (4) The CA special public practice extension fee referred to in subsection (3) is due and payable on September 1, 2015.

PART 8 - PROFESSIONAL ACCOUNTING CORPORATIONS

Limitations on Registrar's Authority

- 800/1 (1) The Registrar must not exercise the authority of the Public Practice Committee to issue a professional accounting corporation permit if any of the conditions specified in section 40(3) of the Act apply.
- (2) The Registrar must refer any application described in subsection (1), and may refer any other application for issuance or renewal of a professional accounting corporation permit, to the Public Practice Committee for its review.

Annual Renewal Date

- 800/2 The annual renewal date for a professional accounting corporation permit is April 1.

First Renewal Date

- 800/3 The first renewal date for a professional accounting corporation permit deemed to be held by a corporation under section 79(1) of the Act is April 1, 2016.

Grandparenting of Legacy CGA Corporations

- 801/1 A legacy CGA corporation is exempt from the requirements under Bylaw 801(2) for renewal of a permit, provided that
- (a) immediately before the transition date, the legacy CGA corporation was in compliance with all requirements specified in CGA-BC Form A and any other applicable requirements established by CGA-BC for corporations engaged in the practice of public accounting, and
- (b) the legacy CGA corporation continues to comply with the requirements described in paragraph (a).

PART 9 - REGISTERED FIRMS

Limitations on Registrar's Authority

- 900/1 (1) The Registrar must not exercise the authority of the Public Practice Committee to register a firm, or to grant authorization for a practising office of a firm, if any of the conditions specified in section 42(3) of the Act or Bylaw 903(a) to (c) apply.
- (2) The Registrar must refer any application described in subsection (1), and may refer any other application for registration or renewal of registration of a firm, to the Public Practice Committee for its review.

Annual Renewal Date

- 900/2 The annual renewal date for the registration of a firm is September 1.

Proof of Professional Liability Insurance Coverage

- 900/3 An application for registration or renewal of registration of a firm, or to amend the registration of a firm to grant authorization to a practising office, must be accompanied by proof of professional liability insurance coverage that satisfies the requirements under Regulation 1301/1 for all members who are or will be engaged in public practice at or in association with the firm or any authorized practising office of the firm.

Requirement for Authorization of Practising Offices

- 904/1 The Public Practice Committee must not grant authorization to a practising office of a firm under Bylaw 904(1) unless
- (a) the office is or will be under the personal charge and management of a CPA member in good standing holding a public practice licence,
 - (b) the committee is satisfied that the CPA member referred to in paragraph (a) is competent and fit to manage the office, and
 - (c) the firm has provided satisfactory proof of professional liability insurance coverage in respect of the office under Regulation 900/3.

Approval of LLP Registration

- 907/1 The Registrar must not issue a statement of approval of LLP registration to a partnership under Bylaw 907 unless
- (a) all partners of the partnership are as described in section 44(7)(a) and (b) of the Act,
 - (b) if the partnership is a foreign partnership within the meaning of Part 6 of the *Partnership Act*, its governing jurisdiction is another province or territory of Canada or Bermuda, and

- (c) the name that is to be the business name of the partnership after it is registered as a limited liability partnership
 - (i) complies with section 100 of the *Partnership Act*, and
 - (ii) has been approved by CPABC under Rule 401.

First Renewal Date

909/1 The first renewal date for the registration deemed to have been granted to a firm under Bylaw 909(1) is September 1, 2016.

Special Registration Extension Fees

- 909/2 (1) Every firm that is deemed to have been registered under section 42(2) of the Act as a result of the Chief Executive Officer of CGA-BC or the Chief Executive Officer of CMABC confirming the firm's eligibility under Bylaw 909(1) must pay a CGA/CMA firm special registration extension fee in the amount required by the board in respect of the period from April 1, 2016 to August 31, 2016.
- (2) The CGA/CMA firm special registration extension fee referred to in subsection (1) is due and payable on April 1, 2016.
- (3) Every firm that is deemed to have been registered under section 42(2) of the Act as a result of the Chief Executive Officer of ICABC confirming the firm's eligibility under Bylaw 909(1) must pay a CA firm special registration extension fee in the amount required by the board in respect of the period from September 1, 2015 to August 31, 2016.
- (4) The CA firm special registration extension fee referred to in subsection (3) is due and payable on September 1, 2015.

PART 10 - PRACTICE REVIEWS

Exemption from Practice Review Program

- 1000/1 A member is exempt from the program of practice reviews under Bylaw 1000(3)(b) if the member
- (a) holds no proprietary interest in,
 - (b) is not employed by, and
 - (c) does not engage in public practice at or in association with a practising office of
- any registered firm described in Bylaw 1000(2).

Documentation Standards

- 1003/1 (1) The standards set out in this section are specified for the purpose of Bylaw 1003(c).
- (2) Members and registered firms must maintain sufficient documentation in their files to confirm the nature and extent of work performed on any engagement included in public practice.
- (3) For the purpose of subsection (2), the following minimum documentation is required in respect of an audit or review engagement:
- (a) particulars of the engagement letter or other agreement with the client setting out the services to be provided by the member or registered firm;
 - (b) evidence of matters subjected to enquiry and discussion with the client, including, for example, a letter of representation signed by the client;
 - (c) a statement of the program of work performed, or a checklist completed with due care;
 - (d) appropriate working papers.
- (4) For the purpose of subsection (2), the following minimum documentation is required in respect of a compilation engagement:
- (a) particulars of the engagement letter or other agreement with the client setting out the services to be provided by the member or registered firm;
 - (b) appropriate working papers.
- (5) A member or registered firm who is responsible for the training of students must maintain records showing, in reasonable detail, the disposition of each student's time and the type of work performed by each student for whom the member or registered firm is responsible.

PART 11 - INVESTIGATIONS

Publication

- 1108/1
- (1) A notice required under Bylaw 1108(1) must be published on the publicly accessible section of CPABC's website, unless otherwise specified in the request accepted by the respondent under Bylaw 1106(7)(a).
 - (2) A notice required under Bylaw 1108(2) must be published on the publicly accessible section of CPABC's website, unless otherwise directed by the Investigation Committee under subsection (3).
 - (3) The Investigation Committee, with the support of at least two public representatives, may direct the Registrar to publish a notice that is required under Bylaw 1108(2) on a section of CPABC's website for which access is restricted to members.

PART 12 - DISCIPLINE

Tariff of Costs

- 1208/1 (1) For the purpose of assessing costs under section 53(4)(g) of the Act or Bylaw 1111(1)(i) or 1205(1)(i), qualifying expenses incurred by CPABC, other than expenses referred to in subsection (3), from the time
- (a) the Registrar receives a complaint under Bylaw 1103(1) or a report under Bylaw 408(1), 511(1), 805(1) or 908(1),
 - (b) the Investigation Committee receives a report under Bylaw 603 or 1006, or
 - (c) the Investigation Committee initiates an investigation of a matter on its own motion under Bylaw 1101(2)
- until the time the Investigation Committee issues a Statement of Complaint under Bylaw 1106(13) are deemed to be expenses incurred by CPABC to conduct the investigation of the matter.
- (2) For the purpose of assessing costs under section 53(4)(g) of the Act or Bylaw 1111(1)(i) or 1205(1)(i), qualifying expenses incurred by CPABC, other than expenses referred to in subsection (3), from the time the Investigation Committee issues a Statement of Complaint under Bylaw 1106(13) until the time
- (a) the board enters into a resolution agreement with the respondent under Bylaw 1205(2), or
 - (b) the panel of the Disciplinary Committee makes an order under section 53(4)(g) of the Act
- are deemed to be expenses incurred by CPABC to conduct the hearing of the matter.
- (3) For the purpose of assessing costs under section 53(4)(g) of the Act or Bylaw 1111(1)(i) or 1205(1)(i), qualifying expenses incurred by CPABC
- (a) to prepare a report or other materials for review by a panel of the board under section 57 of the Act,
 - (b) for attendance by legal counsel or an investigator at a meeting of a panel of the board under section 57 of the Act, and
 - (c) for related correspondence, communications and negotiations,
- are deemed to be expenses incurred by CPABC to conduct the proceeding under section 57 of the Act.
- (4) For the purpose of assessing costs under section 54(1) of the Act, qualifying expenses incurred by the respondent, other than expenses referred to in subsection (6), from the time
- (a) the Registrar receives a complaint under Bylaw 1103(1) or a report under Bylaw 408(1), 511(1), 805(1) or 908(1),

- (b) the Investigation Committee receives a report under Bylaw 603 or 1006, or
- (c) the Investigation Committee initiates an investigation of a matter on its own motion under Bylaw 1101(2)

until the time the Investigation Committee issues a Statement of Complaint under Bylaw 1106(13) are deemed to be expenses incurred by the respondent in respect of the investigation of the matter.

- (5) For the purpose of assessing costs under section 54(1) of the Act, qualifying expenses incurred by the respondent, other than expenses referred to in subsection (6), from the time the Investigation Committee issues a Statement of Complaint under Bylaw 1106(13) until the time the panel of the Disciplinary Committee makes an order under section 54(1) of the Act are deemed to be expenses incurred by the respondent in respect of the hearing of the matter.
- (6) For the purpose of assessing costs under section 54(1) of the Act, qualifying expenses incurred by the respondent
 - (a) for attendance by legal counsel at a meeting of a panel of the board under section 57 of the Act, and
 - (b) for related correspondence, communications and negotiations,
 are deemed to be expenses incurred by the respondent in respect of the proceeding under section 57 of the Act.
- (7) Qualifying expenses under subsections (1) to (6) must be assessed as follows:

| <i>Expense</i> | <i>Rate of Indemnity</i> |
|---|---------------------------------|
| Legal representation for the purposes of conducting or responding to the investigation, or preparing for and conducting the hearing or the proceeding under section 57 of the Act | up to 50% of actual legal fees |
| Engagement of investigator under Bylaw 1102(1) for the conduct of the investigation | up to 50% of actual fees |
| Other reasonable and necessary professional services engaged by CPABC for the purposes of the investigation | 100% of actual fees |
| Reasonable and necessary expert witness fees for the purposes of preparing for and conducting the hearing | 100% of actual fees |
| Other reasonable and necessary disbursements incurred for the purposes of conducting or responding to the investigation, or preparing for and conducting the hearing or the proceeding under section 57 of the Act (including disbursements incurred by legal counsel or an investigator) | 100% of actual disbursements |

PART 13 - GENERAL

Professional Liability Insurance

- 1301/1 (1) Registered firms must maintain the following minimum levels of professional liability insurance, in a form satisfactory to CPABC, for each authorized practising office of the firm, covering the acts and omissions of all members engaged in public practice at or in association with the authorized practising office:
- (a) \$1,000,000 per claim, if there is one member with a proprietary interest in the firm who is engaged in public practice at or in association with the authorized practising office;
 - (b) \$1,500,000 per claim, if there are two or three members with a proprietary interest in the firm who are engaged in public practice at or in association with the authorized practising office;
 - (c) \$2,000,000 per claim, if there are four or more members with a proprietary interest in the firm who are engaged in public practice at or in association with the authorized practising office.
- (2) A member holding a public practice licence who is engaged in public practice, and whose practice is not covered by professional liability insurance maintained by a registered firm that satisfies the requirements in subsection (1), must maintain professional liability insurance, in a form satisfactory to CPABC, of at least \$1,000,000 per claim in a form satisfactory to CPABC.
- (3) Every member who holds a proprietary interest in a registered firm and engages in public practice at or in association with an authorized practising office of the firm is personally responsible for ensuring that the firm maintains sufficient professional liability insurance coverage to satisfy the requirements in subsection (1).
- (4) To satisfy the requirements in subsection (1) or (2), a professional liability insurance policy must be with a recognized insurance company, and must be endorsed with a requirement for the insurance company to notify CPABC in writing forthwith of
- (a) any cancellation or non-renewal of the policy, or
 - (b) any insurance coverage that is below the minimum level required under subsection (1) or (2).
- (5) Members holding a public practice licence must ensure that prior acts and omissions are covered by adequate professional liability insurance either through riders to an ongoing insurance policy or a separate discovery policy, for a minimum of six years after ceasing to be in public practice.
- (6) The minimum levels of professional liability insurance coverage in this section are subject to the commercial availability of such insurance to members and registered firms engaged in public practice.

- (7) An Auditor General's office, and members engaged in public practice exclusively at or in association with an Auditor General's office, are exempt from the minimum professional liability insurance coverage requirements in this section.

Transition

- 1301/2 (1) In this section:

“legacy requirements” means, in respect of a legacy member or a registered firm in which a legacy member holds a proprietary interest, all applicable professional liability insurance requirements previously established by the legacy member's legacy body that were in effect immediately before the transition date;

“pre-existing coverage” means professional liability insurance coverage from the same insurance provider with which a legacy member or registered firm maintained professional liability insurance coverage immediately before the transition date.

- (2) Before September 1, 2019,
- (a) a registered firm in which one or more legacy members holds a proprietary interest is deemed to satisfy the requirements in Regulation 1301/1(1) and (4) if the firm maintains pre-existing coverage that satisfies the legacy requirements of the legacy body of each legacy member holding a proprietary interest in the firm, and
 - (b) a legacy member is deemed to satisfy the requirements in Regulation 1301/1(2), (4) and (5) if the member maintains pre-existing coverage that satisfies the legacy requirements of the member's legacy body.