

**BYLAW REGULATIONS OF THE  
CHARTERED PROFESSIONAL ACCOUNTANTS OF YUKON**

**PART 2 - CPA YUKON BOARD, GENERAL MEETINGS AND OFFICERS**

**Number of Board Members**

- 200/1 (1) The number of board member positions under section 5(2) of the Act is 6.
- (2) The number of board members to be elected for two-year terms of office at each annual general meeting is 3.
- 200/2 [omitted]
- 201/1 [omitted]

**Ceasing to Hold Office**

- 202/1 A board member ceases to hold office on
- (a) becoming bankrupt, making an assignment in bankruptcy, or otherwise being declared bankrupt,
  - (b) being declared by the court under the *Adult Protection and Decision-Making Act* to be incapable of managing all or part his or her affairs, or
  - (c) issuance of a certificate of need for financial protection in respect of the board member under the *Care Consent Act*.

**Nomination of Candidates**

- 204/1 The nomination of a candidate for election as a 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 CPA Yukon within the time required under Bylaw 203(2).

**Election Ballots**

- 204/2 (1) 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 board members must be in a form approved by the board, and must
- (a) list the names of candidates alphabetically,
  - (b) state the number of board members to be elected at the annual general meeting under Bylaw 200(2), and

- (c) include instructions for completing the ballot and delivering it to CPA Yukon, 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 any number of candidates, up to the total number to be elected under Bylaw 200(2).
- (2) Ballots must be
  - (a) received by the Secretary before 5:00 p.m. on the second to last business day before the annual general meeting, or
  - (b) delivered to CPA Yukon electronically, if and as authorized by the board, before 5:00 p.m. on the last business day before the meeting.
- (3) In each annual election, board members must be elected as follows:
  - (a) first, the candidates who received the most votes must be elected for the two-year terms of office to be filled under Bylaw 200(2)(a);
  - (b) second, subject to subsection (5), the remaining candidates with the most votes must be elected to fill any vacant positions to be filled 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 to fill all positions under Bylaw 200(2), the other members of the board must, after the election, appoint a member who is eligible for election to fill any resulting vacancy.
- (6) A board member appointed under subsection (5) is deemed to be elected for the applicable term of office under Bylaw 200(2)(a) or (3), as the case may be.

### **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, the board vice chair must preside as chair at a general meeting, and, in the absence of the board chair and board vice chair, 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 CPA Yukon'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 second to last business day before the general meeting,
  - (b) delivered to CPA Yukon electronically, if and as authorized by the board, before 5:00 p.m. on the last 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 second to last business day before the general meeting,
  - (b) delivered to CPA Yukon electronically, if and as authorized by the board, before 5:00 p.m. on the last 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 CPA Yukon's website, in a manner and form approved by the board, before 5:00 p.m. on the last 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 second to last business day before the general meeting,
  - (b) by registering the revocation electronically on CPA Yukon's website, in a manner and form approved by the board, before 5:00 p.m. on the last 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, the 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.

## **Delegation to CPABC**

211/1 CPA Yukon may delegate to CPABC

- (a) any of the powers, duties or functions of CPA Yukon under
  - (i) sections 4, 13, 17(1) or Part 7 of the Act,
  - (ii) Bylaws 403(5), 1106(7)(a), 1108, 1111(1)(j), 1202(2), 1205(1)(j), 1207(3)(a), 1301(1) or 1307(4), or Part 6 of the bylaws,
  - (iii) Regulations 207/3, 207/5, 704/4(1)(b), 1108/1 or 1301/1, or Part 6 of the regulations, or
  - (iv) the Rules of Professional Conduct, or
- (b) any other power, duty or function of CPA Yukon with respect to the receipt or delivery of any report, application, notice, certificate, ballot or other communication under the Act, the bylaws, the regulations or the Rules of Professional Conduct.

## **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.
  - (5) If the board has delegated the functions, duties and powers of a committee to a committee of CPABC,
    - (a) the chair or co-chairs of the committee of CPABC must act as the chair or co-chairs of the committee for the purpose of the bylaws and these regulations, and
    - (b) any vice chairs of the committee of CPABC must act as vice chairs of the committee for the purpose of the bylaws and these regulations.

### **Delegation to CPABC Committees**

- 308/1.1
- (1) The functions, duties and powers of the Membership Committee are delegated to the Membership Committee of CPABC.
  - (2) The functions, duties and powers of the Public Practice Committee are delegated to the Public Practice Committee of CPABC.
  - (3) The functions, duties and powers of the Investigation Committee are delegated to the Investigation Committee of CPABC.
  - (4) The functions, duties and powers of the Disciplinary Committee are delegated to the Disciplinary Committee of CPABC.

### **Investigation Committee Panels**

- 308/2
- (1) Subject to subsection (2), the Investigation Committee may meet in panels consisting of at least three BC 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 BC 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 38 of the Act, the Disciplinary Committee must meet in panels appointed by the chair of the committee under section 36 of the Act, consisting of
    - (a) two BC CPA members and one public representative, or
    - (b) four BC 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 BC 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 BC 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 BC 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 BC 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 BC 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 sections 13 and 16 of the Act in respect thereof, is delegated to the CPA Western School of Business in accordance with arrangements made between CPA Yukon and the CPA Western School of Business under section 17(1)(b) 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 CPA Yukon 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),
  - (c) the applicant is a student who was re-enrolled as a student after the student's enrolment was cancelled
    - (i) under section 39(1)(b) of the Act, or
    - (ii) under Bylaw 406,
  - (d) a finding or determination has otherwise previously been made by a committee of CPA Yukon, 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 10(1)(a) to (d) of the Act and section 501(1)(a) to (c) of the bylaws, an applicant under section 10 of the Act must successfully complete post-examination 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 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
  - (b) must successfully complete CGA Yukon'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 must successfully complete the practical experience requirement
  - (a) on or before August 31, 2018, or
  - (b) 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 must successfully complete the practical experience requirement
  - (a) on or before August 31, 2018, or
  - (b) 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 2018 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 39(1)(b) 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 31 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 38 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 39(1) 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:

“**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 CPA Yukon’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 (7), 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 who is admitted as a member under Bylaw 501(1) or another applicant who is admitted as a member under Bylaw 501(3) or (4) is only required to satisfy
    - (a) the requirement in Regulation 600/2(2)(a) commencing with the first calendar year after the calendar year of the member’s admission, and
    - (b) the requirement in Regulation 600/2(2)(b) commencing with the three-calendar year period that commences the year after the calendar year of the member’s admission.
  - (4) An applicant who is admitted as a member under Bylaw 501(5) to (9) or section 11 of the Act

- (a) must satisfy the requirement in Regulation 600/2(2)(a) commencing with the calendar year of the member's admission, and
  - (b) is only required to satisfy the requirement in Regulation 600/2(2)(b) commencing with the three-calendar year period that commences with 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 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 2014 to 2016, 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 CPABC 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 CPA member or a member of CPABC.
  - (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 CPA Yukon is January 31.

**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.

**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.



## **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, or
  - (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.
- (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 CPA Yukon, 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 Yukon 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 CPA Yukon 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 CPA Yukon under subsection (1)(c) must notify CPA Yukon 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 services  
subject 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 services  
subject 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, 2017.

#### **Special Public Practice Extension Fee**

- 708/2 (1) Every legacy CGA member, legacy CA 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 special public practice extension fee in the amount required by the board in respect of the period from September 1, 2016 to August 31, 2017.
- (2) The special public practice extension fee referred to in subsection (1) is due and payable on September 1, 2016.

## **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**

806/1      The first renewal date for a professional accounting corporation permit deemed to be held by a body corporate under Bylaw 806(1) is April 1, 2017.

## **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 25(7)(a) and (b) of the Act,
  - (b) the home jurisdiction of the partnership within the meaning of Part 5 of the *Partnership and Business Names Act* is Yukon, another province or territory of Canada, or Bermuda,
  - (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 99 of the *Partnership and Business Names Act*, and
- (ii) has been approved by CPA Yukon under Rule 401, and
- (d) the partnership has provided satisfactory proof that it carries professional liability insurance coverage sufficient to satisfy the requirements under Regulation 1301/1 for all members who are or will be engaged in public practice at or in association with the partnership or any authorized practising office of the partnership.

#### **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, 2017.

#### **Special Registration Extension Fee**

- 909/2
- (1) Every firm that is deemed to have been registered under section 22(1) of the Act as a result of the President of CGA Yukon, the President of CA Yukon or the President of CMA Yukon confirming the firm's eligibility under Bylaw 909(1) must pay a special registration extension fee in the amount required by the board in respect of the period from September 1, 2016 to August 31, 2017.
  - (2) The special registration extension fee referred to in subsection (1) is due and payable on September 1, 2016.

## **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 CPA Yukon'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 CPA Yukon'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 CPA Yukon'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 39(1)(f) of the Act or Bylaw 1111(1)(i) or 1205(1)(i), qualifying expenses incurred by CPA Yukon, 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 CPA Yukon to conduct the investigation of the matter.
- (2) For the purpose of assessing costs under section 39(1)(f) of the Act or Bylaw 1111(1)(i) or 1205(1)(i), qualifying expenses incurred by CPA Yukon, 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 39(1)(f) of the Act
- are deemed to be expenses incurred by CPA Yukon to conduct the hearing of the matter.
- (3) For the purpose of assessing costs under section 39(1)(f) of the Act or Bylaw 1111(1)(i) or 1205(1)(i), qualifying expenses incurred by CPA Yukon
- (a) to prepare a report or other materials for review by a suspension panel under section 34 of the Act,
  - (b) for attendance by legal counsel or an investigator at a meeting of a suspension panel under section 34 of the Act, and
  - (c) for related correspondence, communications and negotiations,
- are deemed to be expenses incurred by CPA Yukon to conduct the proceeding under section 34 of the Act.
- (4) For the purpose of assessing costs under section 40(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 40(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 40(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 40(1) of the Act, qualifying expenses incurred by the respondent
  - (a) for attendance by legal counsel at a meeting of a suspension panel under section 34 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 34 of the Act.
- (7) Qualifying expenses under subsections (1) to (6) must be assessed as follows:

<b><i>Expense</i></b>	<b><i>Rate of Indemnity</i></b>
Legal representation for the purposes of conducting or responding to the investigation, or preparing for and conducting the hearing or the proceeding under section 34 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 CPA Yukon 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 34 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 CPA Yukon, 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 CPA Yukon, of at least \$1,000,000 per claim in a form satisfactory to CPA Yukon.
- (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 CPA Yukon 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.

## 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, 2020,

(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.