

**INSTITUTE OF  
CHARTERED PROFESSIONAL ACCOUNTANTS  
OF SASKATCHEWAN**  
**REGULATORY BYLAWS**

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## I. REGULATORY BYLAWS (1-99)

### A. TITLE

1.1 These Bylaws may be cited as *The Accounting Profession Regulatory Bylaws, 2018* (Saskatchewan).

### B. INTERPRETATION

2.1 For the purpose of these Bylaws, except where otherwise stated,

- (a) “accounting services” means analysis, interpretation, advice or counsel related to financial information or a financial reporting standard contained in or applicable to general purpose financial statements and does not include:
  - (i) the practice of professional accounting;
  - (ii) management accounting; or
  - (iii) bookkeeping;
- (b) “Act” means *The Accounting Profession Act*, (Saskatchewan) as amended from time to time;
- (c) “assurance engagement” means performing an assurance engagement and issuing an assurance report in accordance with the Standards of Professional Practice published by CPA Canada, as amended from time to time, or an assurance engagement or a report purporting to be performed or issued, as the case may be, in accordance with those standards;
- (d) “audit engagement” means performing an audit engagement and issuing an auditor’s report in accordance with the Standards of Professional Practice published by CPA Canada, as amended from time to time, or an audit engagement or a report purporting to be performed or issued, as the case may be, in accordance with those standards;
- (e) “Board rule” means a rule approved by the Board consistent with and permitted under specific provisions in the Act or Bylaws;
- (f) “bookkeeping” means the preparation or maintenance of an entity’s accounting records including a trial balance and reports produced directly from such records;
- (g) “Bylaws” mean these Bylaws and any other Bylaws of the Institute that may be in force from time to time;
- (h) “cancellation” or “cancelled” means an action taken to strike a registrant’s name from the register of the Institute or to terminate a registrant’s licence;
- (i) “Certified Public Accountant certificate” means a certificate issued by one of the state boards of accountancy compliant with the federal *Uniform Accountancy Act* in the United States of America which makes similar provision to allow a person who holds a valid CPA designation granted by the Institute to obtain the Certified Public Accountant certificate granted by that state board;
- (j) “Chief Executive Officer” and “CEO” mean the individual appointed by the Board pursuant to Bylaw 114.1 of *The Accounting Profession Administrative Bylaws*;
- (k) “client” means a person, other than the member’s employer, who in the view of a reasonable observer enters into or places reliance on a relationship or engagement for professional services with a member or firm;
- (l) “compilation engagement” means an engagement completed or purporting to be completed in accordance with the Standards of Professional Practice published by CPA Canada, for the compilation of a financial statement, as amended from time to time;

- (m) “condition” means a specific obligation of a registrant which is mutually agreed upon between the Institute and the registrant;
- (n) “CPA Canada” means the national organization of Chartered Professional Accountants in Canada;
- (o) “CPA Canada competency map” means the competencies required of a registrant on the path to, and upon, certification as a Chartered Professional Accountant, as established and amended from time to time. The competency map will also form the basis for practical experience requirements;
- (p) “CPA Canada professional education program” means a graduate level program developed and delivered based on the CPA Canada competency map as amended from time to time;
- (q) “CPA Canada practical experience requirements” means the term of paid employment during which a candidate demonstrates the attainment of professional knowledge, skills, values, ethics and attitudes required for entry to the CPA Canada profession, as established and amended from time to time;
- (r) “Discipline Committee rule” means a rule approved by the Discipline Committee which is consistent with specific provisions in the Act or Bylaws and permitted under subsection 30(3) of the Act;
- (s) “experience verification program” means a training program which is not the pre-approved program;
- (t) “finance services” means providing advice related to treasury management, capital budgeting, business valuation or corporate finance transactions;
- (u) “former registrant” means a person whose registration with the Institute has been cancelled;
- (v) “immediate family member” means a spouse (or equivalent) or dependent;
- (w) “Legacy body” means The Institute of Chartered Accountants of Saskatchewan, The Society of Management Accountants of Saskatchewan and The Certified General Accountants Association of Saskatchewan, collectively or separately;
- (x) “Legacy designation” means a designation held by a member pursuant to section 59 of the Act;
- (y) “management accounting” means identifying management information requirements and developing the required systems and includes:
  - (i) planning;
  - (ii) forecasting;
  - (iii) budgeting;
  - (iv) management reporting;
  - (v) cost and revenue management; and
  - (vi) analysis or advice with respect to the foregoing;
- (z) “Mutual Recognition Agreement” or “Reciprocal Membership Agreement” means an agreement to facilitate a reciprocal granting of professional designations between CPA Canada and another international professional accounting body with eligibility requirements based on an extensive review of each other's accreditation policies and programs;
- (aa) “non-practice” means that for a twelve (12) month period ending in the fiscal year of CPA Saskatchewan, the member was:
  - (i) not engaged in the practice of the profession; and
  - (ii) not relied upon based on his qualification as a professional accountant;
- (bb) “other regulated services” means any of the following professional services:

- (i) accounting services;
  - (ii) bankruptcy and insolvency trusteeship or administration;
  - (iii) compilation engagements;
  - (iv) engagement quality control reviews;
  - (v) finance services;
  - (vi) forensic accounting;
  - (vii) management accounting; and
  - (viii) taxation services;
- and does not include the practice of professional accounting;
- (cc) “practice leader” means any member with the authority on behalf of a firm to sign or issue a report, opinion or advice related to the practice of professional accounting or other regulated services;
  - (dd) “practice of the profession” or “professional service” means any service provided by a member related to a technical competency as set out in the CPA Canada competency map;
  - (ee) “practice of professional accounting” means any of the sub-categories of professional service outlined in subsection 18(1) of the Act;
  - (ff) “practice inspection” means inspecting the application of Standards of Professional Practice and the manner and methods of practice of registered and licensed firms by the Institute;
  - (gg) “pre-approved program” means a training program of an employer approved by the applicable regulatory committee prior to the employer offering employment to a candidate;
  - (hh) “professional corporation” means a corporation that has been incorporated and is in good standing pursuant to *The Business Corporations Act* (Saskatchewan) and meets the requirements of *The Professional Corporations Act* (Saskatchewan);
  - (ii) “Provincial Institute” means a regulatory body for professional accountants established pursuant to legislation in any province or territory of Canada and The Institute of Chartered Professional Accountants of Bermuda;
  - (jj) “public appointee” means a person appointed to the Board pursuant to section 9 of the Act;
  - (kk) “public representative” means a person appointed by the Board to a regulatory committee pursuant to Bylaw 112.2 of *The Accounting Profession Administrative Bylaws*;
  - (ll) “resignation” or “resign” means a voluntary application made by a registrant to cancel his registration or license and approved in accordance with the Rules;
  - (mm) “restriction” means a limitation imposed by the Institute on the registration or licence of a registrant;
  - (nn) “Rule” means any right, requirement or obligation of a registrant or duty or power of the Institute that is set out in the Act, a Bylaw, a Board rule, a Discipline Committee rule and the Rules of Professional Conduct, as established or amended from time to time;
  - (oo) “Standards of Professional Practice” means assurance, audit, financial reporting, accounting and other standards pronounced by the Accounting Standards Boards or the Auditing and Assurance Standards Board and published in the CPA Canada Handbook and further includes other standards, as amended from time to time, approved and published by CPA Canada;
  - (pp) “suspend” or “suspension” means an action taken by the Institute to temporarily or conditionally remove a registrant’s rights and privileges established pursuant to the Rules;
  - (qq) “taxation service” means providing advice or interpretation with respect to taxation matters;

- (rr) “training program” means a training program which meets the standards and criteria of CPA Canada practical experience requirements and approved by the applicable regulatory committee;
- (ss) “trust account” means an account established at a financial institution by a registrant under the terms of a trust agreement;
- (tt) “trust agreement” means any agreement between a registrant and another person which specifies the parameters relating to the handling and administration of trust assets, including but not limited to an agreement which may establish a legal trust for which the registrant is the trustee, or an agreement which may establish any other relationship whereby the registrant receives trust assets;
- (uu) “trust assets” means all assets owned by another person which are delivered to or placed in the possession or custody of a registrant to be held or otherwise dealt with on behalf of the other person;
- (vv) “Rules of Professional Conduct” means the obligations and requirements for professional conduct and professional competence of registrants established by CPA Canada.

2.2 Bylaws and Board rules pertaining to members or firms providing services as a professional accountant through or in the name of a professional corporation shall apply to the professional corporation.

2.3 Singular includes plural, and *vice versa*.

2.4 Masculine includes feminine, and *vice versa*.

2.5 “In writing” applies to both paper and electronic form.

2.6 Headings are for convenience and reference only.

2.7 Terms defined in the Act have the same meaning in these Bylaws.

## **C. REGISTRANTS**

### **General**

#### Confidentiality

3.1 A registrant performing duties or exercising powers established by the Rules shall keep confidential all information and records obtained or maintained, except where the Rules require or allow the registrant to disclose information, or to report or take official action on the information and records.

3.2 Bylaw 3.1 does not apply to information or records where disclosure is made:

- (a) to the registrant’s legal counsel;
- (b) with the consent of the person to whom the information or record applies;
- (c) to the extent that the information or record is otherwise available to the public; or
- (d) as may otherwise be required by the law or to the extent set out in the Rules.

3.3 The Institute may provide information about a registrant, suspended registrant or former registrant to another Provincial Institute in which the person is currently registered or applying for registration, upon request from that other Provincial Institute.

3.4 The Institute may provide the information contained in the register under subsection 19(1) or section 50 of the Act about a registrant, suspended registrant or former registrant to CPA Canada.

#### Compliance

4.1 An individual who is submitting information to the Institute relating to his application for or renewal of registration, licence, or re-instatement shall not sign or associate with any letter, report, statement or representation which the applicant knows, or should know, is false or misleading.

4.2 A registrant or suspended registrant who becomes aware of his non-compliance with the Rules shall declare that non-compliance to the Registrar within thirty (30) days.

4.3 Each registrant by his application for and continuance of registration shall be deemed to have agreed to comply with the Rules.

4.4 Upon receipt of a notice in writing from the Institute, a registrant or suspended registrant shall submit to the Institute any documents or records required pursuant to the Rules in a manner and within the time specified in the Rules or notice.

#### Delivery of Notice

5.1 In addition to the methods of service of notices prescribed by section 53 of the Act and unless otherwise specifically provided in the Rules, any document, notification, letter or other form required to be given or sent to a registrant or suspended registrant by the Institute pursuant to the Rules may be delivered or served as the case may be when:

- (a) a facsimile number has been designated by the registrant or suspended registrant, by facsimile transmission addressed to the designated facsimile number; or
- (b) an electronic address has been designated by the registrant or suspended registrant, by electronic transmission addressed to the designated electronic address.

5.2 A document, notification, letter or other form shall be deemed to be received by the registrant or suspended registrant on the:

- (a) day it is personally delivered;
- (b) tenth (10th) calendar day after the day it is mailed;
- (c) business day next following the day of the facsimile transmission;
- (d) business day next following the day of the electronic transmission; or
- (e) business day next following the day of the delivery or service by courier.

5.3 A document, notification, letter or other form required to be given or sent to the Institute by a registrant or suspended registrant pursuant to the Rules may be:

- (a) delivered or served personally on the Registrar; or

(b) sent by mail, facsimile, electronic transmission, courier or any electronic medium by which the Institute is able to receive data, to the attention of the Registrar; provided that anything required to be in a form approved by the applicable regulatory committee is in such form, that anything required to be signed is signed, and that anything required to be received at the Institute within a period of time or by a specific date is received within such time or by such date.

### Special Meetings

6.1 A special meeting of the members of the Institute shall be held at such place and time in Saskatchewan as the Board may determine.

6.2 The Board shall convene a special meeting within sixty (60) days of a request in writing of at least one percent (1%) of members but not less than fifty (50) members. Such written request shall be delivered to the Registrar, which includes signatures from all members requesting the meeting and states the nature of the business that is proposed to be considered at the meeting.

**7-9 are left blank at this time.**

### Application and Qualifications

10.1 Application for registration shall be in the form approved by the applicable regulatory committee and filed as specified by the Rules. The applicable regulatory committee may, in its discretion, waive the use of the form in special circumstances.

10.2 The Board shall establish Rules for the procedures for registration of persons, including the terms or conditions on the registration of those persons or any category of persons, as registrants.

10.3 A registrant may apply in writing to the Registrar to have any conditions on his registration amended or removed.

10.4 To maintain registration, a registrant shall provide information and make declarations annually in the form approved by the applicable regulatory committee.

### Candidates

11.1 To qualify for registration as a candidate of the Institute an individual shall provide evidence of successful completion of:

- (a) an undergraduate or graduate degree; and
- (b) specified subject area coverage as outlined in the CPA Canada competency map approved by the Board.

11.2 The Board may approve an educational institution to administer the registration of candidates and the delivery of the CPA Canada professional education program.

11.3 An individual who is approved for registration as a candidate pursuant to Bylaw 11.1 by the Institute shall be accepted by an educational institution referenced under Bylaw 11.2.

11.4 An individual who is a member:

(a) of a professional accounting body with which CPA Canada maintains a Mutual Recognition Agreement or a Reciprocal Membership Agreement; or

(b) who holds a Certified Public Accountant certificate;

and who provides evidence of being a member in good standing with said professional accounting body or the state board of accountancy shall be registered as a candidate of the Institute.

11.5 An employer shall apply to the applicable regulatory committee to train candidates in a pre-approved program.

11.6 The Board may establish Rules for the training program.

11.7 A candidate is not a member of the Institute and has none of the rights associated with registration as a member.

### Members

12.1 To qualify for registration as a member of the Institute a candidate or individual shall, upon application, meet the requirements specified in Bylaws 12.2, 12.3, 12.4, 12.7 or 12.10.

#### *Membership application from a Candidate*

12.2 An individual who is a candidate under Bylaw 11.1 and who provides evidence of successful completion of:

(a) all courses and examinations that constitute the program of professional education as approved and published by the Board and by CPA Canada, and which meets the standards specified in the CPA Canada professional education program; and

(b) all components of required practical experience as approved and published by the Board and by CPA Canada, and which meets the standards specified in the CPA Canada practical experience requirements;

shall be registered as a member of the Institute.

#### *Membership application from a Candidate under a Mutual Recognition Agreement or Reciprocal Membership Agreement.*

12.3 An individual who is a candidate under Bylaw 11.4 and completes the education and experience requirements specified by the Board in the Rules shall upon application be registered as a member of the Institute.

#### *Membership application under Labour Mobility*

12.4 Subject to Bylaws 12.5 and 12.6:

(a) for purposes of subclause 20(2)(c)(i) of the Act, an individual providing evidence of registration in good standing equivalent to a professional accountant pursuant to the legislation of another jurisdiction in Canada, shall be registered as a member of the Institute; and



(b) for the purposes of subsections 20(4) and (5) of the Act, an individual providing evidence of registration in good standing for a category of practice in another jurisdiction in Canada, shall be deemed to have demonstrated competence and proficiency in that category of practice.

12.5 An individual referenced in Bylaw 12.4 may be required to provide evidence of:

- (a) professional liability coverage;
- (b) a criminal background check or a posted bond;
- (c) good moral character; and
- (d) knowledge of the Rules.

12.6 An individual referenced in Bylaw 12.4 who is restricted in any category of practice or who has conditions placed on any category of practice in another jurisdiction in Canada, shall have the equivalent restrictions or conditions in Saskatchewan.

*Membership application from Bermuda*

12.7 Subject to Bylaws 12.8 and 12.9, an individual providing evidence of registration in good standing:

- (a) in the Institute of Chartered Professional Accountants of Bermuda may be registered as a member of the Institute; and
- (b) in a category of practice in the Institute of Chartered Professional Accountants of Bermuda may be deemed to have demonstrated competence and proficiency in that category of practice.

12.8 An individual referenced in Bylaw 12.7 may be required to provide evidence of:

- (a) professional liability coverage;
- (b) a criminal background check or posted bond;
- (c) good moral character; and
- (d) knowledge of the Rules.

12.9 An individual referenced in Bylaw 12.7 who is restricted in any category of practice or who has conditions placed on any category of practice by the Institute of Chartered Professional Accountants of Bermuda, may have the equivalent restrictions or conditions in Saskatchewan.

*Membership application from a former member*

12.10 An individual whose registration as a member was cancelled shall upon application, to the applicable regulatory committee for determination, provide evidence of:

- (a) good moral character;
- (b) competence; and
- (c) knowledge of the Rules.

12.11 The Board may establish Rules for registration of individuals whose registration as a member was previously cancelled.

## Categories of Practice

13.1 There are four (4) categories of practice of the profession:

- (a) the practice of professional accounting to or for the benefit of a client;
- (b) other regulated services to or for the benefit of a client;
- (c) professional service to or for the benefit of a client other than the practice of professional accounting or other regulated services; and
- (d) professional service to or for the benefit of an employer.

13.2 A member prior to practicing professional accounting or providing other regulated services to or for the benefit of a client, shall apply for a registration of a firm in accordance with Bylaw 14.1 except when exempt pursuant to Bylaw 14.2.

13.3 A member prior to practicing professional accounting shall also apply for a licence in accordance with Bylaws 16.2 or 17.1, except when exempt pursuant to subsection 18(3) of the Act.

## Firm

14.1 To qualify for registration as a firm of the Institute, a member, or group of members, shall upon application provide:

- (a) evidence of experience and education in each sub-category of professional service;
- (b) a list of practice leaders, members and candidates providing professional service through the firm;
- (c) evidence of professional liability insurance pursuant to Bylaw 24.1;
- (d) evidence of the legal structure of the firm; and
- (e) any other information specified in the Rules.

14.2 Subject to Bylaw 14.3, a member providing other regulated services qualifies for an exemption from registration of a firm when the professional service provided is:

- (a) to three (3) or fewer clients;
- (b) as an officer or director in a volunteer capacity;
- (c) to or through a registered firm; or
- (d) governed by another professional regulatory body established pursuant to legislation in Saskatchewan.

14.3 A member shall submit a declaration regarding his eligibility for exemption under Bylaw 14.2 in the form approved by the applicable regulatory committee which shall indicate:

- (a) the subclause in Bylaw 14.2 which applies; and
- (b) his professional services are not advertised, marketed or otherwise promoted to the public other than by an application for employment.

14.4 Upon receipt of a notice in writing from the Institute and within the time specified in the Rules or notice, a member shall submit to the Institute evidence with particulars of compliance with the requirements specified in Bylaws 14.2 and 14.3.

14.5 Each firm shall have a name which:

- (a) is not misleading;
- (b) does not contravene professional good taste; and
- (c) is in accordance with the Rules established by the Board.

14.6 A firm whose name, title or description includes reference to a Legacy designation shall include the designation "Chartered Professional Accountant" or "Comptable Professionnel Agréé" or the initials "CPA".

14.7 The Registrar may approve a firm registration only if the name complies with Bylaw 14.5 and 14.6.

14.8 A candidate shall not apply to register a firm.

#### Professional Corporation

15.1 A member or firm intending to practice in the name of a professional corporation shall apply for a professional corporation permit pursuant to *The Professional Corporations Act* in the form approved by the applicable regulatory committee and shall provide evidence:

- (a) of the good standing of the corporation as defined in *The Business Corporations Act*;
- (b) of compliance with the provisions of *The Professional Corporations Act*;
- (c) legal and beneficial ownership of the shares;
- (d) that the registered directors are members;
- (e) that each person who is not a member or firm employed or engaged by the professional corporation is under the direction and supervision of a member or firm; and
- (f) that professional liability insurance coverage relating to the services provided through the professional corporation is in accordance with the Rules.

15.2 Each professional corporation shall have a name which includes the designation "Chartered Professional Accountant(s)" or "Comptable Professionnel Agréé(s)" or initials "CPA('s)."

15.3 A suspended registrant shall not practice through a professional corporation.

15.4 Subject to Bylaw 15.5, a shareholder of a professional corporation who ceases to be a member pursuant to Bylaws 33.5 or 33.6 shall within thirty (30) days of cancellation of registration:

- (a) dispose of his shares; or
- (b) change the name such that it no longer references the designation "Chartered Professional Accountant" or "Comptable Professionnel Agréé", the initials of "CPA" or professional corporation.

15.5 A shareholder of a professional corporation who makes an application to the Board under Bylaw 38.1 may defer:

- (a) disposition of shares; or
  - (b) changes to the name of the professional corporation
- until such time as the review is complete.

### Term and Renewal for a Professional Corporation

15.6 The term of a permit for a professional corporation shall be for a period of time which is the lesser of: one (1) year or the period of time between approval and December 31.

15.7 A member or firm continuing to practice in the name of a professional corporation shall apply annually for renewal in a manner established in the Rules.

15.8 The fee payable for a professional corporation permit upon initial application shall be \$150 and is due at the time of application.

15.9 The fee payable for a professional corporation permit upon renewal shall be \$75 and is due at the time of application.

### Licensing

16.1 To qualify for a license a member or firm prior to practicing professional accounting shall upon application meet the requirements specified in Bylaws 16.2, 16.3, 16.4 or 16.5.

16.2 Subject to Bylaw 16.1, an application for a licence for a member shall:

- (a) be made to the Registrar in the form approved by the applicable regulatory committee;
- (b) provide evidence that the member has:
  - (i) satisfactorily completed the practical experience that meets the requirements as established in the Rules;
  - (ii) achieved verifiable continuing professional development specific to the practice of professional accounting as established in the Rules; and
  - (iii) completed an assessment of competency in the practice of professional accounting as established in the Rules; and
- (c) include any other information requested by the Registrar.

16.3 An application for a licence for a firm shall:

- (a) be made to the Registrar in the form approved by the applicable regulatory committee;
- (b) include information on each licensed member; and
- (c) include any other information requested by the Registrar.

16.4 Further to Bylaw 24.1, a licensed firm shall maintain professional liability insurance as set out in the Rules.

16.5 A licensed member and firm shall:

- (a) apply for renewal to the Registrar in the form approved by the applicable regulatory committee;
- (b) provide evidence annually to the Registrar that during the last year the licensed member met the qualifications to maintain a licence established by the Rules; and
- (c) include any other information requested by the Registrar.

16.6 A member shall submit a declaration regarding his eligibility for exemption under subsection 18(3) of the Act in a form approved by the Registrar.

16.7 A licensed member or firm that at any time does not meet the requirements to maintain the licence shall notify the Registrar in writing within thirty (30) days from the date of non-compliance with the requirements.

16.8 The Registrar shall specify terms and conditions upon a licence as established by the Rules.

16.9 A licence issued to a member or firm shall:

- (a) be in a form approved by the Board;
- (b) specify the approved sub-category or sub-categories of the practice of professional accounting;
- (c) specify the conditions or restrictions of the licence as set out in the Rules; and
- (d) be signed by the Registrar.

16.10 Every licence shall remain the property of the Institute and the Institute may demand the immediate return of the licence when the registration or licence of a member or firm:

- (a) is resigned;
- (b) is suspended; or
- (c) is cancelled.

16.11 A licensed member or firm may apply in writing to the Registrar to have any conditions on his licence amended or removed.

16.12 Further to section 22 of the Act and Bylaws 21.1 and 21.2, a licensed firm may use the term “Licensed Professional Accountant” or “Comptable(s) professionnel(s) agréé(s) experts comptable(s) autorisé(s)” when signing assurance reports issued under the name of the licensed firm.

### Labour Mobility Licensing

17.1 Notwithstanding Bylaws 25.1 and 25.9, an individual referenced in Bylaw 12.4 who is engaged in the practice of professional accounting and satisfies all the requirements in Bylaw 12.4, shall be provided a license upon application pursuant to subsection 20(4) of the Act.

17.2 An individual referenced in Bylaw 12.4, whose practice of professional accounting is restricted by another jurisdiction in Canada, shall have the equivalent restriction in Saskatchewan for purposes of subsections 20(4) and 20(5) of the Act.

## **Requirements and Obligations**

### Register

18.1 The register is the responsibility of the Registrar and the Registrar shall report to the Board on matters related to the register at least annually.

18.2 The register for registrants and suspended registrants will include the information specified in subsection 19(1) and section 50 of the Act and any other information specified in the Rules.

18.3 Each registrant and suspended registrant shall advise the Institute in writing within thirty (30) days of any changes to his information in the register as required pursuant to Bylaw 18.2.

#### Certificate and Permit

19.1 A certificate issued to a member shall be in the form approved by the Board and shall be signed by the Chair and another officer designated by the Board and shall bear the seal of the Institute.

19.2 A permit issued to a firm or professional corporation shall be in the form approved by the Board and shall be signed by the Registrar.

19.3 The Registrar shall specify terms and conditions on a member's certificate or a firm's registration permit as established in the Rules.

19.4 Each certificate and permit shall remain the property of the Institute and the Institute may demand the immediate return of the certificate or permit held by a member or firm:

- (a) when the member or firm resigns from the Institute;
- (b) when the member or firm is suspended from the Institute; or
- (c) when the member's or firm's registration is cancelled by the Institute.

#### Honorary and Fellow Members

20.1 A member in good standing may, by a two-thirds (2/3) vote of the Board, be designated on the register as a fellow of the Institute.

20.2 A deceased individual who was a member in good standing during his lifetime may, by a two-thirds (2/3) vote of the Board be admitted posthumously as a fellow of the Institute.

20.3 A member who has been designated as a fellow on the register and who:

- (a) is suspended shall, by a two-thirds (2/3) vote of the Board, have his registration as a fellow of the Institute cancelled; or
- (b) ceases to be a member, shall cease to be a fellow of the Institute.

20.4 An individual may, by a two-thirds (2/3) vote of the Board, be designated on the register as an honorary member of the Institute.

20.5 An honorary member has none of the rights and privileges associated with registration as a member.

20.6 An individual who has been conferred honorary registration may have their honorary registration in the Institute cancelled by a two-thirds (2/3) vote of the Board.

### Use of Designation

21.1 A member or firm may use the title “professional accountant” or the designation “Chartered Professional Accountant” or “Comptable Professionnel Agréé” or the initials “CPA”.

21.2 A member who is designated under Bylaw 20.1 may use the designation “Fellow Chartered Professional Accountant” or “Collegues comptable professionnel agréé” or the initials “FCPA”.

21.3 A member shall apply to the Registrar for use of the “Certified Public Accountant” designation and provide evidence of his Certified Public Accountant certificate.

21.4 Further to Section 22 of the Act, no member shall use the title “Accredited Public Accountant” or “Registered Industrial Accountant” or the initials “AAPA”, “ACA”, “APA”, “FAPA” or “RIA”.

21.5 A member approved by the Registrar under Bylaw 21.3 shall disclose the name of the applicable Certified Public Accountant jurisdiction in the United States of America in the following manner: “Chartered Professional Accountant, legacy designation, Certified Public Accountant (State)”, or “CPA, legacy initials, CPA (State)”, as applicable.

21.6 Subject to Section 59 of the Act, a member may use the legacy designation “Chartered Accountant”, “Certified Management Accountant” or “Certified General Accountant” or the initials “CA”, “CMA, or “CGA” only when the legacy designation is used in conjunction with the use of the designation “Chartered Professional Accountant” or the initials “CPA”.

### Bankruptcy and Insolvency

22.1 A registrant shall advise the Institute, in writing, within thirty (30) days if the registrant:

- (a) has made an assignment or a proposal pursuant to the *Bankruptcy and Insolvency Act* (Canada);
- (b) has been served with a petition pursuant to the *Bankruptcy and Insolvency Act* (Canada);
- (c) has been found guilty of violating the provisions of the *Bankruptcy and Insolvency Act* (Canada), notwithstanding whether said registrant has filed or may file an appeal; or
- (d) has had any judgment or enforcement charge issued against the registrant by a court in Canada relating to a debt in an amount exceeding one thousand dollars (\$1,000) which has remained unsatisfied for a period of fifteen (15) days from the date of the personal service of a filed copy of the judgment or enforcement charge.

22.2 The Board shall establish Rules for the review and determinations with respect to information submitted by a registrant under Bylaw 22.1.

### Continuing Professional Development (CPD)

23.1 Every member shall participate in continuing professional development pursuant to the Rules.

23.2 The minimum hours requirement for continuing professional development is the standard as specified by CPA Canada, as amended from time to time. The current standard is one hundred and twenty (120) hours of continuing professional development every three (3) years and twenty (20) hours annually.

23.3 The minimum hours requirement for verifiable continuing professional development is the standard as specified by CPA Canada, as amended from time to time. The current standard is sixty (60) hours of verifiable continuing professional development every three (3) years and ten (10) hours annually.

23.4 The minimum hours requirement for verifiable continuing professional development specific to ethics is the standard as specified by CPA Canada, as amended from time to time. The current standard is four (4) hours of verifiable continuing professional development every three (3) years.

23.5 The Board may establish additional requirements or exemptions for verifiable and unverifiable continuing professional development.

23.6 A member may apply for an exemption of the requirements specified in Bylaws 23.2, 23.3 and 23.4.

23.7 A member who satisfies the criteria for exemption shall have all or a portion of the member's continuing professional development requirements waived.

23.8 A member shall submit a report in the form and within the time established by the applicable regulatory committee declaring whether the requirements for continuing professional development have been fulfilled.

23.9 Upon receipt of a notice in writing from the Institute, a member shall submit to the Institute documentation which is acceptable to the Institute and demonstrates completion of continuing professional development activities which fulfill the requirements under Bylaws 23.2, 23.3 and 23.4 with particulars, and within the time specified in the Rules or notice.

#### Professional Liability Insurance

24.1 Every firm shall carry professional liability insurance in accordance with the Rules established by the Board.

24.2 Every firm shall provide to the Institute a certificate of professional liability insurance coverage which states the amount of insurance carried, the anniversary date of the policy and any other information as set out in the Rules.

24.3 Every firm shall request an endorsement to the insurance contract to require the insurer to advise the Institute of a cancellation or reduction in coverage.

24.4 Every firm shall advise the Institute of a policy cancellation or reduction in coverage within fifteen (15) days of such cancellation or reduction.

24.5 Every firm that ceases to practice or disposes of all or some of its practice shall ensure that insurance covering its services rendered prior to the cancellation or disposition is maintained for six (6) years following such cancellation or disposition.

**25 and 26 are left blank at this time.**



### Practice Inspection

27.1 Every firm shall be subject to practice inspection as established in the Rules.

27.2 Every firm shall be given reasonable notice of the inspection and such notice shall include the name of the practice inspector conducting the inspection.

27.3 Every firm given notice under Bylaw 27.2 may request a review of the assignment of the inspector named in the notice.

27.4 The decision for the outcome of a practice inspection shall be made by the applicable regulatory committee and may include one (1) or more of the following:

- (a) no further action required;
- (b) a corrective action plan be received from the firm within a specified time period set by the applicable regulatory committee;
- (c) a partial or full re-inspection be completed within a specified time period set by the applicable regulatory committee;
- (d) a referral to the applicable regulatory committee to restrict the practice of the member or firm or to reduce or suspend the firm's ability to train candidates; and
- (e) a written complaint be issued to the Professional Conduct Committee.

27.5 Where a licensed member or firm is registered with the Institute and participates in the Canadian Public Accountability Board's (CPAB) Auditor Oversight Program established under Canadian Securities Administrators National Instrument 52-108, Auditor Oversight, as amended from time to time, information related to or arising out of the practice inspection of the licensed member or firm shall be shared with CPAB.

### Trust Asset Review

28.1 The Board shall establish Rules relating to the review of administration of trust assets by a registrant.

28.2 A registrant in the administration of trust assets shall at a minimum comply with:

- (a) the provisions of *The Trustee Act, 2009* (Saskatchewan) as amended from time to time;
- (b) the trust agreement; and
- (c) the Rules.

28.3 All records shall be made available in Saskatchewan for review by a practice inspector and the applicable regulatory committee.

28.4 A registrant shall notify the Institute annually on the form approved by the the applicable regulatory committee if the registrant holds a trust account or trust assets and shall declare whether the registrant complies with the provisions of the Rules.

28.5 A suspended registrant shall not administer trust assets.

### Resolution of Inquiries

29.1 The Board shall establish Rules relating to review and resolution of matters in dispute involving a registrant where the matters are such that professional misconduct or professional incompetence are not disclosed in an inquiry received in writing.

29.2 On receipt of an inquiry from a person with respect to services provided by a registrant or a statement of account of a registrant, the Institute shall review and attempt to resolve the matter in accordance with Rules established by the Board.

**30 is left blank at this time.**

## **D. RESTRICTIONS, SUSPENSIONS, RESIGNATIONS, CANCELLATIONS**

### Restriction

31.1 A restriction may be imposed where a registrant has not complied with a condition or a requirement specified in a Rule or a notice within the time specified in a Rule or a notice.

31.2 Upon satisfaction of the requirements specified in a notice of restriction, the registrant may apply in writing for removal of the restriction made or imposed pursuant to Bylaw 31.1.

31.3 The Board shall establish Rules to impose or remove a restriction on a registration or a licence.

### Resignation

32.1 A registrant or suspended registrant may apply to the Registrar to resign his registration from the Institute in the manner specified in the Rules.

32.2 Approval by the Registrar of a resignation shall not release the registrant or suspended registrant from indebtedness owing to the Institute.

32.3 The Registrar shall not approve an application for resignation when the registrant or suspended registrant:

- (a) is the subject of an outstanding determination by a regulatory committee or the Board; or
- (b) is the subject of an investigation or a discipline proceeding of the Institute; or
- (c) has not complied fully with a disciplinary order.

32.4 The Registrar may not approve an application for resignation unless prior approval has been given by an applicable regulatory committee when the registrant has not:

- (a) paid in full any fee assessed by the Institute; or
- (b) participated in continuing professional development pursuant to the Rules.

32.5 The Board shall establish Rules for cancellation of a registration or licence when a registrant resigns.

## **Non-Disciplinary Enforcement**

### Suspension

33.1 The Board shall establish Rules for suspension of registration rights where a registrant has not complied with:

- (a) a requirement specified in a Rule or a notice within the time specified in a Rule or a notice;
- or
- (b) a restriction imposed by the Rules made under Bylaw 31.1.

33.2 Bylaw 33.1 does not apply when the suspension is made pursuant to sections 29, 32 or 36 of the Act.

33.3 A registrant may submit a response in writing regarding the recommendation to suspend his registration rights as established in the Rules.

### Obligation of Suspended Registrants

33.4 Further to section 52 of the Act, and Bylaw 33.1, during the period of suspension of registration rights, the suspended registrant shall continue to be responsible for all fees assessed by the Institute and to be subject to the authority of the Institute as fully and to the same extent as if registration rights had not been suspended.

### Cancellation

33.5 When a suspended registrant continues to not comply with the Rule underlying the suspension for a period of one (1) year after the original date of non-compliance his registration shall be cancelled.

33.6 A registrant or suspended registrant who is not eligible to work in Canada shall have his registration cancelled.

33.7 A registrant or suspended registrant may submit a response in writing to the Board regarding the recommendation to cancel his registration or licence under the Rules established under Bylaw 33.8.

33.8 The Board shall establish Rules for cancellation of a registration or licence.

### Reports and notice of restriction, suspension or cancellation

34.1 A written notice shall be sent to the registrant within thirty (30) days of a resignation, restriction, suspension or cancellation of a registration or a license, as the case may be.

34.2 Unless an application has been made under Bylaw 38.1, the Registrar shall publish a notice in accordance with the Rules pertaining to a registrant's resignation, restriction, suspension or cancellation, as the case may be, within sixty (60) days of the notice being sent to the registrant under Bylaw 34.1.

34.3 Unless an application has been made under Bylaw 38.1, the Registrar shall communicate to any other Provincial Institute with which the registrant is registered and to CPA Canada of the resignation, restriction, suspension or cancellation, as the case may be, within sixty (60) days of the notice being sent to the registrant under Bylaw 34.1.

34.4 A written report shall be sent to the employer of a person when their registration with the Institute is restricted, suspended, or cancelled.

**35 is left blank at this time.**

## **E. RE-ENTRY, RE-INSTATEMENT, REMOVAL OF RESTRICTIONS**

### Re-entry

36.1 The process of re-entry is reserved for individuals who were candidates within the last ten (10) years and who had:

- (a) an application for resignation as a candidate approved; or
- (b) registration as a candidate suspended or cancelled because all attempts on evaluations were exhausted.

36.2 The application by an individual for re-entry as a candidate shall:

- (a) be in the form approved by the applicable regulatory committee in the Rules;
- (b) require the individual to restart the CPA Canada professional education program;
- (c) include evidence of the requirements for registration contained in Bylaw 11.1; and
- (d) be considered in accordance with the Rules established by the Board.

### Re-instatement

37.1 Re-instatement of registration is reserved for an individual who is either:

- (a) a suspended registrant, or
- (b) a person described in subsection 41(1) of the Act.

37.2 An application by a suspended registrant for re-instatement of registration shall be considered in accordance with the Rules established by the Board when the individual has:

- (a) paid all amounts owing to the Institute;
- (b) satisfied any outstanding conditions or restrictions at the time of suspension; and
- (c) provided evidence that the individual is competent and of good character.

## **F. REVIEW BY THE BOARD**

### Review and Determination by the Board

38.1 The Board shall establish Rules for review of decisions made by the Registrar or an applicable regulatory committee.

38.2 Bylaw 38.1 does not apply to:

- (a) decisions or determinations made by the Professional Conduct Committee or Discipline Committee pursuant to sections 28, 31 or 32 of the Act;
- (b) appeals made pursuant to section 37 of the Act; or
- (c) applications for reinstatement made pursuant to section 41 of the Act.

**39 is left blank at this time.**

## **G. CONDUCT AND DISCIPLINE**

### Interpretations

40.1 For purposes of Bylaws 40.1 to 50.1, except as otherwise stated:

- (a) “formal complaint” means the complaint or charges contained in the report prepared by the Professional Conduct Committee for determination by the Discipline Committee under clause 28(2)(a) of the Act;
- (b) “complainant” means the person who provided a written complaint to the Institute pursuant to subsection 28(1) of the Act; and
- (c) “respondent” means the registrant whose conduct is the subject of the formal complaint made pursuant to clause 28(2)(a) of the Act.
- (d) “written complaint” means a document in writing received or obtained by the Institute from which an allegation of professional misconduct or professional incompetence of a registrant can be determined and which document contains the name of said registrant.

### Receipt of Complaints

41.1 When the Board determines it is appropriate to request the Professional Conduct Committee to consider a complaint pursuant to subsection 28(1) of the Act, the Board shall direct the Registrar to prepare and forward the complaint in writing to the Professional Conduct Committee.

41.2 When a registrant or suspended registrant has not, in the opinion of the Registrar or applicable regulatory committee, taken reasonable steps to cooperate with the regulatory processes of the Institute, the Registrar may make a written complaint.

41.3 All Rules pertaining to Conduct and Discipline shall apply to a complaint received from the Registrar.

### Professional Conduct Committee

42.1 The chair of the Professional Conduct Committee shall have authority:

- (a) to determine whether information received by the Institute is a written complaint;
- (b) to direct Institute employees or officers to obtain additional information prior to making the determination under Bylaw 42.1(a);
- (c) to review and assess, and direct Institute employees or officers, to review all the information obtained pursuant to Bylaws 42.1(a) and 42.1(b);

- (d) to refer the matter to a committee (other than the Professional Conduct Committee or the Discipline Committee), Institute employees or officers, for intervention, mediation, or resolution;
- (e) to appoint one or more persons who shall investigate the complaint;
- (f) to determine the scope of the investigation required under subsection 28(1) of the Act;
- (g) to determine the expanded scope of an investigation or the scope of an additional investigation where the investigators obtain information which suggests an expansion of an investigation or an additional investigation should be considered;
- (h) to determine that an investigation be discontinued where the complainant declines to provide information which is essential to complete an investigation; and
- (i) to appoint the person who shall prosecute the complaint under subsection 31(2) of the Act.

42.2 The complaint is deemed to be received by the Professional Conduct Committee under subsection 28(1) of the Act when the chair determines that it is a written complaint under Bylaw 42.1(a). The complaint becomes a complaint of the committee at that time and an investigation shall be completed unless Bylaw 42.1(h) applies.

#### Determinations of No Further Action

43.1 The Professional Conduct Committee reserves discretion in each situation to determine when an investigation has been completed.

43.2 Without restricting or limiting the discretion granted to the Professional Conduct Committee in subclause 28(2)(b)(ii) of the Act, the Professional Conduct Committee may make a recommendation that no further action be taken when:

- (a) it receives the registrant's written consent to the outcome, direction and conditions proposed by the Professional Conduct Committee; and
- (b) it directs the registrant to take or submit to one or more of the following actions:
  - (i) successfully complete professional development courses specified by the committee;
  - (ii) undergo a practice inspection;
  - (iii) not administer trust assets;
  - (iv) not perform specified services; or
  - (v) restrict his practice to only perform services specified by the committee.

#### Authority of the Professional Conduct Committee

44.1 The Professional Conduct Committee shall, in the execution of its duties under section 28 of the Act and without limiting the generality thereof, have authority:

- (a) to require a registrant to provide books, documents and files in the registrant's possession, custody or control whether in paper or electronic form;
- (b) to engage or employ a person including any employees or officers of the Institute to assist the committee in its investigation;
- (c) to approve the charge comprising the formal complaint to be heard by a discipline hearing panel, which charge shall be included in a report to the Discipline Committee; and

(d) to approve an amendment to the formal complaint where the committee determines that the formal complaint fails to include all applicable instances of professional misconduct or professional incompetence, as the case may be, and which amendment shall be included in an amended report to the Discipline Committee.

44.2 No person who has a connection to the respondent, the complainant or the subject matter of the initial complaint, where an inference could be drawn that the connection could influence a decision of the person during the investigation or the decision of the committee relating to the complaint, shall be appointed as an investigator or participate as a member of the Professional Conduct Committee.

44.3 Bylaw 44.2 does not apply to a person whose connection results from the role as investigator or committee member.

#### Dispute Resolution

45.1 Before advising the Discipline Committee the matter has been resolved with the consent of the complainant and the registrant who is the subject of the investigation pursuant to subclause 28(2)((b)(i) of the Act, the Professional Conduct Committee shall obtain the complainant's written declaration that he will comply with any direction issued by the committee which it identifies as necessary to appropriately resolve the matter.

#### Discipline Committee

46.1 Subject to Bylaw 47.1, for purposes of exercising its powers, five (5) members of the Discipline Committee, one of whom shall be a public appointee or a public representative, shall be the quorum of the committee.

#### Discipline Hearing Panel

47.1 A Discipline Hearing Panel established by the Discipline Committee to hear and determine one or more formal complaints shall be approved by the chair of the Discipline Committee and shall consist of at least five (5) members of the Discipline Committee.

47.2 No person who has a connection to the respondent, the complainant or the subject matter of the formal complaint, where an inference could be drawn that the connection could influence that person's decision during the discipline hearing, shall be appointed to a discipline hearing panel.

47.3 The person appointed as chair of the discipline hearing panel shall be delegated authority from the chair of the Discipline Committee to administer the oaths or affirmations of witnesses giving testimony.

#### Parties to a Discipline Proceeding

48.1 The parties to a discipline proceeding are the respondent against whom the formal complaint has been made and the Professional Conduct Committee.

### Discipline Committee Orders

49.1 Where the Discipline Committee determines that the respondent is guilty of professional misconduct or professional incompetence and makes an order pursuant to subsection 32(1) or subsection 32(2) of the Act, the committee shall inform the members and any other interested persons of its decision and order in the manner the committee considers appropriate.

### Notification to other Institutes

50.1 Where the register indicates that a registrant:

- (a) is a member in another professional accounting body recognized by CPA Canada; or
- (b) is registered as the equivalent of a professional accountant pursuant to the legislation of another jurisdiction in Canada;

and where the registrant is subject to a formal complaint or to an order made pursuant to the Act, the Institute shall notify the other professional accounting body regarding the formal complaint or the order, as the case may be, in accordance with the procedures established in the Rules.

### Notice of Conduct Investigations

51.1 Where a licensed member or firm is registered with the Institute and participates in the Canadian Public Accountability Board's (CPAB) Auditor Oversight Program established under Canadian Securities Administrators National Instrument 52-108, Auditor Oversight, as amended from time to time, information related to or arising out of the conduct investigation of the licensed member or firm shall be shared with CPAB.

### Notice of Suspension or Expulsion under the Act

52.1 Notice of a suspension or expulsion ordered pursuant to sections 29, 32 or 36 of the Act shall be published in accordance with the Rules established by the Board or the Discipline Committee.

**53-59 are left blank at this time.**

## **H. TRANSITIONAL PROVISIONS**

### Candidates

60.1 A Legacy body candidate who has not successfully completed his education or certification programs by the end of September 2015 shall be bridged into the CPA Canada certification program through transitional programs in accordance with the Rules.

60.2 The practical experience obtained by a Legacy body candidate that meets the criteria of a legacy body education program shall be valid in assessing total practical experience required in order to be registered as a member pursuant to Bylaw 12.2.



60.3 A Legacy body candidate who completes the Legacy designation education program commenced prior to the date the Act comes into force and who becomes a member, shall use the Legacy designation of the Legacy body with which the candidate was affiliated or registered prior to the date the Act comes into force in accordance with section 59 of the Act as if the member was a member of the Legacy body.

Rules of Professional Conduct

61.1 The Institute adopts, and all registrants or suspended registrants shall comply with, the Institute of Chartered Accountants of Saskatchewan Standards and Rules of Professional Conduct as approved by the Board and amended from time to time until such time as Rules of Professional Conduct are established.

**62-99 are left blank at this time.**