

1973 Bill Pr. 3

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Second Session, 17th Legislature, 21 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

**BILL Pr. 3**

**An Act to Incorporate the Institute of Accredited Public  
Accountants of Alberta**

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**MR. GHITTER**

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**First Reading** .....

**Second Reading** .....

**Third Reading** .....

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Printed by QUEEN'S PRINTER for the Province of Alberta, EDMONTON

*Bill Pr. 3*  
*Mr. Ghitter*

## **BILL Pr. 3**

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### **AN ACT TO INCORPORATE THE INSTITUTE OF ACCREDITED PUBLIC ACCOUNTANTS OF ALBERTA**

*(Assented to , 1973)*

Preamble        WHEREAS the persons hereinafter named have by their  
Petition prayed that it be enacted as hereinafter set forth  
and it is expedient to grant the prayer of the Petition.

NOW THEREFORE HER MAJESTY, by and with the  
advice and consent of the Legislative Assembly of Alberta,  
enacts as follows:

Short title        **1.** This Act may be cited as *The Alberta Accredited  
Public Accountants Act*.

Interpre-        **2.** In this Act,  
tation  
    (a) "by-law" means a by-law passed by the council;  
    (b) "council" means the council of the institute;  
    (c) "institute" means The Institute of Accredited Pub-  
        lic Accountants of Alberta incorporated under this  
        Act;  
    (d) "member" means a member of the institute and  
        includes a certificated member of the institute and  
        a student member of the institute.

Incor-        **3.** Doug Clarke, R. J. Barrett, J. Albert Barrie, D. F.  
poration        Thompson, J. C. Givens, Peter Huising and J. E. Logan, all  
in the Province of Alberta, Accountants, and such other  
persons as now have or hereafter may acquire membership  
in the institute, are hereby constituted a body corporate  
under the name "The Institute of Accredited Public Ac-  
countants of Alberta".

Head office        **4.** The head office of the institute shall be at the City of  
Calgary or such other place within the Province as the  
council may by by-law from time to time determine.

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|-----------------------------|--|
| Objects                     | <p><b>5.</b> The objects and purposes of the institute are</p> <ul style="list-style-type: none"> <li>(a) to provide an organization for accountants and auditors, and for student accountants and student auditors, with a view to promoting and advancing the interests of the profession of accountancy;</li> <li>(b) to co-operate with, assist, and receive assistance from, any organization within Canada or elsewhere having like or similar aims and objects;</li> <li>(c) to improve the skill, knowledge and proficiency of its members by providing facilities for study and research and by disseminating specialized knowledge and training among its members;</li> <li>(d) to do such other lawful things as are incidental or conducive to the attaining of the above objects or any of them.</li> </ul> |
| Power to hold real property | <p><b>6.</b> The institute may acquire, hold, dispose of, and otherwise deal with, real and personal property necessary for its objects and purposes.</p>  |
| The Council                 | <p><b>7.</b> (1) There shall be a council composed of seven persons, or such greater or lesser number as may be determined by by-law, to be known as "The Council of The Institute of Accredited Public Accountants of Alberta", by which the business and affairs of the institute shall be managed.</p>  |
| First council               | <p>(2) Until the first annual meeting of the members of the institute the council shall be composed of the persons named in section 3.</p>   |
| Election of council         | <p>(3) At the first and subsequent annual meetings the members of the council shall be elected by ballot and shall continue in office until their successors are elected.</p>  |
| First officers              | <p><b>8.</b> (1) The council shall elect from among its members a president, a vice-president, a secretary and a treasurer, and such additional or other officers as may be provided by the by-laws.</p> <p>(2) Until the first annual meeting of the members of the institute the said Doug Clarke shall be the president, the said R. J. Barrett shall be the vice-president, the said J. Albert Barrie shall be the secretary, and the said D. F. Thompson shall be the treasurer.</p>  |
| Annual meeting              | <p><b>9.</b> The first annual meeting of the members of the institute shall be held not later than the first day of December, 1973, and an annual meeting shall be held in each year thereafter at such time and place as may be fixed in the by-laws.</p>   |

**By-laws**

**10.** (1) The council may pass by-laws for the carrying out of the objects and powers of the institute and, without limiting the generality of the foregoing, may by such by-laws provide for

- (a) the terms and conditions of membership in the institute;
- (b) the discipline, suspension and expulsion, of its members;
- (c) the powers and duties of the officers of the institute;
- (d) the curriculum and course of study to be pursued by student members;
- (e) the appointment of examiners, the defining of their duties and the fixing of their remuneration;
- (f) the time and place of the annual meetings of the members;
- (g) the procedure to be adopted at meetings of the institute and of the council.

(2) Every such by-law unless in the meantime confirmed at a general meeting of the institute called for the purpose of considering the same has force only until the next annual meeting and in default of confirmation thereat ceases to be in force.

(3) A by-law passed by the council may be repealed, amended, varied, or otherwise dealt with by the institute at an annual meeting or at a special meeting called for the purpose.

**Membership**

**11.** Membership in the institute shall be of two classes, namely, certificated membership and student membership.

**Certificated members**

**12.** A certificated member of the institute shall be known as and styled "Accredited Public Accountant" and may affix to his name the words "Accredited Public Accountant" or the initials thereof "A.P.A."

**Student members**

**13.** A student member shall be entitled to such privileges and rights, and be subject to such obligations, in the institute as the by-laws may from time to time provide, but no student member shall be entitled to vote at a meeting of the institute.

**Qualifications for membership**

**14.** Under such terms and conditions as the council may by by-law prescribe, certificated membership in the institute shall be open to

- (a) any resident of Alberta who is an accredited member in good standing of the association known as "The Institute of Accredited Public Accountants" incorporated by charter of the Government of Canada, and

- (b) those persons whose knowledge and ability, experience, conduct, moral, ethical and financial qualifications are at least at par with those mentioned under clause (a) and whose application has been approved by the council.

Qualifications  
for student  
membership

**15.** Student membership in the institute shall be open to such persons as the council may determine and under such terms and conditions as the by-laws may prescribe.

Examinations

**16.** The council shall prescribe the subjects on which examination shall be taken, which shall include the following and such others as may in its opinion be necessary or desirable:

- (a) bookkeeping and accounting, including the practical application of all income tax laws of the Parliament of Canada, taxing laws of the province, the *Canada Corporations Act*, *The Companies Act* of Alberta, *The Partnership Act*, the *Bankruptcy Act*, the *Bank Act*, the *Winding Up Act* and the *Bills of Exchange Act*;
- (b) auditing, including types of audits, verification of assets and liabilities, verification of income and expenses, and revenue and expenditures;
- (c) business investigations, including the principles of practice and procedure on bond issues, mergers, company reorganization, defalcation of bonds, fire loss and adjustments, and appraisals;
- (d) commercial law, including the principles of contract, partnership, bulk sales, real estate, wills, estates, copyrights, patents and royalties;
- (e) industrial and business organization and administration, including the principles of cost accounting, installation of business systems, budgeting, credits and collections, office management and correspondence.

Membership  
fees and  
assessments

**17. (1)** The council may fix an entrance fee and an annual fee to be paid by members of each class, and may from time to time vary the amount of such fees.

(2) The council may from time to time fix such special assessments as it may deem necessary or advisable to be paid by members of any class, but no such assessment shall be recoverable until confirmed by a vote of the members at an annual or at a special general meeting called for the purpose.

(3) All fees and assessments fixed by the council under authority of this Act may be recovered as debts due to the institute.

Liability of members      **18.** No member shall be liable for any debt of the institute beyond the amount of his unpaid fees and assessments.

The register      **19.** The council shall cause to be kept by one of its officers a register in which shall be entered the names of all certificated members of the institute in good standing, and those persons only whose names are entered in the register shall be entitled to the privileges of certificated membership in the institute.

Register as evidence of membership      **20.** The register for which provision is made in section 19 shall be prima facie evidence in all courts in the Province that the persons whose names are entered therein are certificated members of the institute in good standing, and the absence of the name of any person from the register shall be prima facie evidence that he is not a certificated member of the institute.

Prohibitions      **21.** No person, unless he is a certificated member of the institute and registered as such, may

- (a) take or use the designation "Accredited Public Accountant", or
- (b) use in connection with his business, occupation, or calling, the initials "A.P.A." either along or in combination with any other initial or initials, word or words, or any other initials, names, titles, or description, implying in any such case that he is a member of the institute.

Right to practice      **22.** Nothing in this Act shall affect or interfere with the right of any person who is not a member of the institute to practice as an accountant or auditor in the Province.

Penalty      **23.** Any person who contravenes any of the provisions of section 21 shall be guilty of an offence and liable on summary conviction, for every such contravention, to a fine not exceeding \$100.

Commencement      **24.** This Act comes into force on the day upon which it is assented to.