

1975 Bill PR 4
(Second Session)

First Session, 18th Legislature, 24 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL PR 4

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

MR. DIACHUK

First Reading

Second Reading

Third Reading

Bill PR 4
Mr. Diachuk

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1975

(Second Session)

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

(Assented to , 1975)

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 the Province of Alberta, enacts as follows:

Short
title

1. This Act may be cited as: The Accredited Public Accountants of Alberta Act.

Definitions

2. In this Act,

- (a) "by-law" means a by-law passed by the Board;
- (b) "Board" means the board of directors of the Institute;
- (c) "Institute" means The Institute of Accredited Public 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.

Incorporation

3. John E. Logan, Ralph A. Siebring, Nels Partin, J. Albert Barrie, J. Clayton Givens, James M. Parsons and Archibald F. Wilson, all of 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 Accountants of Alberta."

Head office

4. The head office of the Institute shall be at the City of Calgary or such other place within Alberta as the Board may by by-law from time to time determine.

Objects and
purposes of
Institute

5. The objects and purposes of the Institute are

- (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;
- (b) to co-operate with, assist, and receive assistance from any organization within Canada or elsewhere having like or similar aims and objects;
- (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;
- (d) to do such other lawful things as are incidental or conducive to the attaining of the above objects or any of them;

Power to
hold property

6. The Institute may acquire, hold, dispose of and otherwise deal with real and personal property necessary for its objects and purposes.

The Board

7. (1) The business and affairs of the Institute shall be managed by a board of directors consisting of not less than five and not more than fifteen members, to be constituted in such manner as may be provided by by-law.

First Board

(2) Until the first annual meeting of the members of the Institute the Board shall be composed of the persons named in Section 3.

Election
of Board

(3) At the first and subsequent annual meetings the members of the Board shall be elected by ballot and shall continue in office until their successors are elected.

Officers

8. (1) The Board 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.

(2) Until the first annual meeting of the members of the Institute the said John E. Logan shall be the president, the said Ralph A. Siebring shall be the vice-president, the said Nels Partin shall be the secretary and the said Nels Partin shall be the treasurer.

9. The first annual meeting of the members of the Institute shall be held not later than the 31st day of December, 1975 and an annual meeting shall be held in each year thereafter at such time and place as may be fixed in the by-laws.

By-laws

10. (1) The Board 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 and the subjects on which examinations shall be taken;
- (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 Board;

(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 Board 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 Board 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;

- (b) those whose knowledge and ability, experience, conduct, moral, ethical and financial qualifications are at least at par with those mentioned under Section 14., subsection (a) and whose application has been approved by the Board;

Qualifica-
tions for
student
membership

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

Examina-
tions

16. The Institute may establish lectures and classes for members and may enter into agreements with the governing body of any university or college in Canada for the attendance of members at such lectures or classes in such university or college as may come within the course of subjects prescribed by the by-laws of the Institute.

Membership
fees and
assessments

17. (1) The Board 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.

Special
assessments

(2) The Board 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.

Fees and
assessments
to be a debt

(3) All fees and assessments fixed by the Board 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 Board 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 Alberta 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 as accountant or auditor **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 Alberta.

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 One Hundred Dollars.

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