

# Notice of Motions

To be presented to the membership for confirmation at the 9<sup>th</sup> Annual General Meeting being held virtually on Thursday, June 20, 2024.

The following resolutions, including amendments to the bylaws and to the rules contained in the Code of Professional Conduct, as approved by the Board, will be presented to the membership for confirmation at the 9<sup>th</sup> Annual General Meeting of the Organization of Chartered Professional Accountants of British Columbia. The meeting will be held virtually via videoconferencing, on Thursday, June 20, 2024 at 3:00 pm.

## NOTICE OF MOTIONS

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**RESOLUTION 1**      **MINUTES OF THE 8TH CPABC ANNUAL GENERAL MEETING OF June 21, 2023**

Preamble:      As a good governance practice, at every Annual General Meeting, the members are asked to approve the minutes of the previous Annual General Meeting.

**RESOLVED that the minutes of the 8<sup>th</sup> CPABC Annual General Meeting held on June 21, 2023 be approved.**

**RESOLUTION 2**      **APPOINTMENT OF AUDITORS 2024 - 2025**

Preamble:      Each year the Audit Committee evaluates the overall effectiveness of the auditors and makes recommendations to the CPABC Board of Directors for the appointment of auditors for confirmation by the membership.

The following was approved by the board on May 28, 2024: the board recommends to the members of CPABC the appointment of BDO Canada LLP as the external auditor of the Chartered Professional Accountants of British Columbia (“CPABC”) and its related entities for the year ending March 31, 2025.

**RESOLVED that the appointment of BDO Canada LLP as the external auditor of the Chartered Professional Accountants of British Columbia (“CPABC”) and its related entities for the year ending March 31, 2025 be hereby approved.**

**RESOLUTION 3**      **REMOVAL OF LEGACY PROVISIONS**

Preamble:      At the time of unification, the CPABC Bylaws and Bylaw Regulations were drafted to provide for legacy programs and arrangements during a transitional period. These provisions are no longer applicable, and it is proposed that they should be amended or deleted.

This resolution confirms the amendments to CPABC Bylaws 100, 402, 408, 409, 501, 505, 511, 704, 708, 800, 805, 806, 902, 908, 909, 1010, 1112, 1207, 1209 and 1306. The following was approved by the board on April 3, 2024.

## PART 1 - DEFINITIONS

### Definitions

100 ...

**“Auditor General’s office”** means

- (a) the office of the Auditor General of Canada in British Columbia, if
  - (i) the Auditor General of Canada is a CPA member or a member of a provincial CPA body ~~or a provincial legacy body~~, and
  - (ii) that office is under the direction and supervision of a CPA member or members,
- (b) the office of the Auditor General of British Columbia, if
  - (i) the Auditor General of British Columbia is a CPA member, and
  - (ii) that office is under the direction and supervision of a CPA member or members, or
- (c) the office of the Auditor General for Local Government of British Columbia, if
  - (i) the Auditor General for Local Government of British Columbia is a CPA member, and
  - (ii) that office is under the direction and supervision of a CPA member or members;

...

**“legacy CA education program”** means the educational program established by ICABC before the transition date for the education and training of chartered accountants, and formerly continued by CPABC under section 31(1) of the Act for those students who were enrolled in the program immediately before the transition date;

**“legacy CA member”** means a CPA member of CPABC who was

- (a) a member of ICABC or a provincial CA body before the transition date,
- (b) admitted as a CPA member under former Bylaw 501(3) based on successful completion of a legacy CA education program,
- (c) admitted as a CPA member under Bylaw 501(5) or (7) based on current or former membership in a provincial CA body, or current or former membership in a provincial CPA body as the equivalent of a legacy CA member, or
- (d) admitted as a CPA member under former Bylaw 501(9) based on having attained a standard of education, training and experience substantially equivalent to the admission requirements for applicants under former Bylaw 501(3) who ~~have had~~ successfully completed a legacy CA education program;

**“legacy CGA education program”** means

- (a) the educational program established by CGA-BC before the transition date for the education and training of certified general accountants, and formerly continued by CPABC under section 31(1) of the Act for those students who were enrolled in the program immediately before the transition date, or
- (b) an educational program delivered outside of Canada and Bermuda by CGA- Canada or its successor, that was recognized by CGA-BC before the transition date for the education and training of certified general accountants;

**“legacy CGA member”** means a CPA member of CPABC who was

- (a) a member of CGA-BC or a provincial CGA body before the transition date,
- (b) a member of CGA-Canada before April 1, 2015,
- (c) admitted as a CPA member under former Bylaw 501(3) based on successful completion of a legacy CGA education program,
- (d) admitted as a CPA member under Bylaw 501(5) or (7) based on current or former membership in a provincial CGA body, or current or former membership in a provincial CPA body as the equivalent of a legacy CGA member, or
- (e) admitted as a CPA member under former Bylaw 501(9) based on having attained a standard of education, training and experience substantially equivalent to the admission requirements for applicants under former Bylaw 501(3) who ~~have~~ had successfully completed a legacy CGA education program;

**“legacy CMA education program”** means the educational program established by CMABC before the transition date for the education and training of certified management accountants, and formerly continued by CPABC under section 31(1) of the Act for those students who were enrolled in the program immediately before the transition date;

**“legacy CMA member”** means a CPA member of CPABC who was

- (a) a certified member of CMABC or a provincial CMA body before the transition date,
- (b) admitted as a CPA member under former Bylaw 501(3) based on successful completion of a legacy CMA education program,
- (c) admitted as a CPA member under Bylaw 501(5) or (7) based on current or former membership in a provincial CMA body, or current or former membership in a provincial CPA body as the equivalent of a legacy CMA member, or
- (d) admitted as a CPA member under former Bylaw 501(9) based on having attained a standard of education, training and experience substantially equivalent to the admission requirements for applicants under former Bylaw 501(3) who ~~have~~ had successfully completed a legacy CMA education program;

...

**“other governing body”** or **“another governing body”** means a body responsible for admission, licensing, registration, investigation or discipline of members of any profession or occupation inside or outside Canada, other than a provincial CPA body ~~or a provincial legacy body~~;

...

**“provincial CA body”** means a former body of chartered accountants that was incorporated by an enactment corresponding to the Act or the former CA Act in

- (a) a province or territory of Canada, other than British Columbia, or
- (b) Bermuda;

**“provincial CGA body”** means a former body of certified general accountants that was incorporated by an enactment corresponding to the Act or the former CGA Act in a province or territory of Canada, other than British Columbia;

**“provincial CMA body”** means a former body of certified management accountants that was incorporated by an enactment corresponding to the Act or the former CMA Act in a province or territory of Canada, other than British Columbia;

...

**“public representative”** means a person who is not a member or a student, or a member or a student of a provincial CPA body ~~or provincial legacy body~~, and includes an appointed board member;

...

**“transition date”** means ~~the date of coming into force of the Act~~ June 24, 2015.

...

## **PART 4 - STUDENTS**

...

### **CPA Practical Experience Requirements**

402 Students enrolled in the CPA PEP, and persons who are enrolled in or have successfully completed an international CPA education program ~~or a legacy education program~~, may satisfy the practical experience requirements required by the board under Bylaw 501(1)(c)

- (a) while employed in a pre-approved training office,
- (b) while employed in an office of an accounting firm or other organization in another province or territory of Canada or Bermuda that is pre-approved for the education and training of students by the provincial CPA body ~~or a provincial legacy body~~ in that jurisdiction, or
- (c) in accordance with criteria approved by the board for experience verification.

...

### Obligation to Report

- 408 (1) A student must immediately notify the Registrar, in writing,
- (a) upon becoming bankrupt, including when the student has made an assignment in bankruptcy or when a bankruptcy order has been made against the student under the *BIA*,
  - (b) upon filing, commencing, or consenting to the filing or commencement of an insolvency proceeding,
  - (c) upon being found guilty or pleading guilty to a criminal offence or a violation of the provisions of any securities legislation in effect in any jurisdiction, or
  - (d) upon the suspension or cancellation of the student's enrollment as a student of a provincial CPA body or provincial legacy body.

...

### Transition

~~409 — Despite any other requirement in the bylaws, if, before the transition date, the Chief Executive Officer of CGA-BC, the Chief Executive Officer of ICABC or the Chief Executive Officer of CMABC has confirmed the eligibility of an office of a registered firm or other organization referred to in Bylaw 403(1)(b) to (d) for pre-approval for the education and training of students, the office is deemed on the transition date to have been pre-approved for the education and training of students.~~

## PART 5 - MEMBERSHIP

...

### CPA Membership

501 ...

- ~~(3) — Despite subsection (1), an applicant who has successfully completed a legacy education program, including all applicable program, examination and evaluation requirements, and any other applicable admission requirements of the legacy body, on or before any applicable deadline specified in the regulations, may be admitted as a CPA member if the applicant~~
- ~~(a) — satisfies the requirements under subsection (1)(c) and (d) on or before any applicable deadline specified in the regulations, and~~
  - ~~(b) — applies for admission as a CPA member within 12 months of successfully completing all applicable program, examination and evaluation requirements of the legacy education program and any other applicable admission requirements of the legacy body, as well as the practical experience requirement.~~

...

- (7) Subject to section 35(2) of the Act and despite subsection (1), a member in good standing of a provincial CPA body ~~or a provincial legacy body~~ may be admitted as a CPA member if the Membership Committee is satisfied that the applicant has attained a standard of education, training and experience substantially equivalent to the admission requirements for students under subsection (1),<sup>2</sup> or for applicants under the former subsection (3) who ~~have~~ successfully completed a legacy education program ~~under subsection (3)~~.

...

- ~~(9) Despite subsection (1), a member of a professional body outside of Canada or Bermuda having the same or similar objects, standards of education, training and experience requirements as a legacy body may be admitted as a CPA member if~~

~~(a) the professional body in which the applicant holds membership is recognized by the board for the purpose of admission under this subsection,~~

~~(b) the applicant was engaged in the practice of accounting in the jurisdiction in which that professional body is located for a two-year period, or a shorter period considered satisfactory by the Membership Committee, immediately before the applicant was granted membership in that professional body,~~

~~(c) the Membership Committee is satisfied that the applicant has attained a standard of education, training and experience substantially equivalent to the admission requirements for applicants who have successfully completed a legacy education program under subsection (3),~~

~~(d) the applicant satisfies any other applicable conditions or requirements for admission as a CPA member under any applicable mutual recognition agreement, reciprocal membership agreement, memorandum of understanding or similar agreement between CPABC and that professional body, and~~

~~(e) the applicant applies for admission as a CPA member on or before any applicable deadline specified in the regulations.~~

- (10) The Membership Committee may, on grounds it considers appropriate, extend the time for an applicant to apply for admission as a CPA member under subsection (2)(b) ~~or (3)(b)~~.

...

## Fellows

- 505 (1) The board may make regulations respecting
- (a) the election of CPA members as fellows,



- (b) the recognition of the fellowship status of a CPA member who is or was elected or admitted as a fellow by a provincial CPA body or a provincial legacy body, and
  - (c) the revocation of a CPA member's status as a fellow.
- (2) A CPA member in good standing who, immediately before the transition date, is was
- (a) recognized by CGA-BC as a fellow, as a result of having been elected or admitted as a fellow by CGA-Canada,
  - (b) a fellow of ICABC, or recognized by ICABC as a fellow as a result of having been elected or admitted as a fellow by a provincial CA body, or
  - (c) recognized by CMABC as a fellow, as a result of having been elected or admitted as a fellow by the Society of Management Accountants of Canada
- is deemed to have been elected as a fellow of CPABC.

...

### **Obligation to Report**

- 511 (1) A member must immediately notify the Registrar, in writing,
- (a) upon becoming bankrupt, including when the member has made an assignment in bankruptcy or when a bankruptcy order has been made against the member under the *BIA*,
  - (b) upon filing, commencing, or consenting to the filing or commencement of an insolvency proceeding,
  - (c) upon being found guilty or pleading guilty to a criminal offence or a violation of the provisions of any securities legislation in effect in any jurisdiction, or
  - (d) upon the suspension or cancellation of the member's membership in a provincial CPA body ~~or provincial legacy body~~.

...

## **PART 7 - LICENSURE FOR PUBLIC PRACTICE**

...

### **Applications for Licensure**

- 704 ...
- (4) The Public Practice Committee must issue a public practice licence to an applicant under subsection (1) who is also a member in good standing of a provincial CPA body ~~or a provincial legacy body~~, if
- (a) the applicant currently holds equivalent licensure or authorization from that provincial CPA body ~~or provincial legacy body~~ to provide

the services that holders of the applicable category of licence are authorized to provide, and

- (b) the applicant meets any other applicable requirements specified in these bylaws or in the regulations.

...

## Transition

708 (1) In this section:

~~“first renewal date” means the first renewal date specified under subsection (3);~~

~~“legacy member” means a legacy CGA member, legacy CA member, legacy CMA member or technologist member.~~

- ~~(2) Despite any other requirement in the bylaws, if, before the transition date, the Chief Executive Officer of CGA BC, the Chief Executive Officer of ICABC or the Chief Executive Officer of CMABC has confirmed the eligibility of a legacy member for licensure in a category of public practice licence established under Bylaw 703, the legacy member is deemed on the transition date to have been issued a public practice licence in that category.~~
- ~~(3) A public practice licence deemed to be held by a legacy member under subsection (2) is deemed to be valid until the first renewal date specified in the regulations, and is subject to renewal on that date.~~
- ~~(4) The board may make regulations requiring one or more categories of legacy members who are deemed to hold a public practice licence under subsection (2) to pay a special public practice extension fee by a specified date prior to the first renewal date.~~
- ~~(5) Despite Bylaws 700(2) and 701(1) and subsections (2) and (3), a legacy member who was entitled immediately before the transition date to provide a service to the public that is included in public practice
  - ~~(a) may provide that service until the first renewal date without current licensure under this Part authorizing the member to provide that service, subject to the other applicable requirements in Bylaws 700 and 701, and~~
  - ~~(b) must obtain such licensure to be authorized to continue to provide that service on or after the first renewal date.~~~~

## PART 8 - PROFESSIONAL ACCOUNTING CORPORATIONS

### Applications for Professional Accounting Corporation Permits

800 ...

(6) Subject to Bylaw 802, a professional accounting corporation permit issued or renewed under this section is valid until the annual renewal date specified in the regulations, and is subject to renewal on that date.

~~(a) — a professional accounting corporation permit deemed to be held by a corporation under section 79(1) of the Act is deemed to be valid until the first renewal date specified in the regulations, and is subject to renewal on that date, and~~

~~(b) — a professional accounting corporation permit issued or renewed under this section is valid until the annual renewal date specified in the regulations, and is subject to renewal on that date.~~

...

### Obligation to Report

805 (1) A professional accounting corporation must immediately notify the Registrar, in writing,

(a) upon becoming bankrupt, including when the corporation has made an assignment in bankruptcy or when bankruptcy order has been made against the corporation under the *BIA*,

(b) upon filing, commencing, or consenting to the filing or commencement of an insolvency proceeding,

(c) upon being found guilty or pleading guilty to a criminal offence or a violation of the provisions of any securities legislation in effect in any jurisdiction, or

(d) upon the suspension or cancellation of a permit, licensure or any other authorization issued to the corporation by a provincial CPA body ~~or provincial legacy body.~~

...

### Transition

~~806 — The board may make regulations requiring one or more categories of professional accounting corporations that are deemed to hold a professional accounting corporation permit under section 79(1) of the Act to pay a special permit extension fee by a specified date prior to the first renewal date specified under Bylaw 800(6)(a).~~

## PART 9 - REGISTERED FIRMS

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### Requirements for Registration

- 902 Subject to section 42 of the Act, a firm is eligible for registration or renewal of registration if
- (a) the firm operates or seeks authorization to operate one or more practising offices in British Columbia that are authorized or eligible for authorization under Bylaw 904, or
  - (b) the firm is recognized and approved for public practice by a provincial CPA body or provincial legacy body, and does not operate or seek to operate a practising office in British Columbia.

...

### Obligation to Report

- 908 (1) A registered firm must immediately notify the Registrar, in writing,
- (a) upon becoming bankrupt, including when the firm has made an assignment in bankruptcy or when a bankruptcy order has been made against the firm under the *BIA*,
  - (b) upon filing, commencing, or consenting to the filing or commencement of an insolvency proceeding,
  - (c) upon being found guilty or pleading guilty to a criminal offence or a violation of the provisions of any securities legislation in effect in any jurisdiction, or
  - (d) upon the suspension or cancellation of registration, licensure or any other authorization issued to the firm by a provincial CPA body or provincial legacy body.

...

### Transition

- ~~909 (1) Despite any other requirement in the bylaws, if, before the transition date, the Chief Executive Officer of CGA-BC, the Chief Executive Officer of ICABC or the Chief Executive Officer of CMABC has confirmed the eligibility of a firm for registration under section 42(2) of the Act, the firm is deemed on the transition date to have been registered under section 42(2) of the Act.~~
- ~~(2) Registration deemed to have been granted to a firm under subsection (1) is deemed to be valid until the first renewal date specified in the regulations, and is subject to renewal on that date.~~
- ~~(3) The board may make regulations requiring one or more categories of firms that are deemed to hold registration under subsection (1) to pay a special registration extension fee by a specified date prior to the first renewal date specified under subsection (2).~~

## PART 10 - PRACTICE REVIEWS

...

### Transition

~~1010 The Practice Review Committee of CGA-BC, the Practice Review and Licensing Committee of ICABC or the Practice Review Committee of CMABC must follow the procedures that were established by the applicable legacy body before the transition date, so far as those procedures are consistent with the Act, in respect of any practice review that is referred back to one of those committee under section 80(2)(d) of the Act.~~

## PART 11 - INVESTIGATIONS

...

### Transition

~~1112 The Ethics Committee of CGA-BC, the Professional Conduct Enquiry Committee of ICABC or the Professional Conduct Enquiry Committee of CMABC must follow the procedures that were established by the applicable legacy body before the transition date, so far as those procedures are consistent with the Act, in respect of any investigation that is referred back to one of those committees under section 80(3)(d) of the Act.~~

## PART 12 - DISCIPLINE

...

### Notice of Decision and Order

1207 ...

- (2) The panel must deliver its decision, order and reasons to
  - (a) the board,
  - (b) the respondent,
  - (c) the chair of the Investigation Committee,
  - (d) the chair of the Public Practice Committee, if
    - (i) the hearing involved any matter that was the subject of a report by the Public Practice Committee under Bylaw 1006, or
    - (ii) the decision or order affect the ability of the respondent to engage in public practice,
  - (e) every provincial CPA body and provincial legacy body, and
  - (f) CPAB, if the respondent is a CPAB firm or a member practising at or in association with a CPAB firm.

...

### Transition

~~1209 A panel of the Discipline Committee of CGA-BC, the Discipline Tribunal of ICABC or the Discipline Tribunal of CMABC must follow the procedures that were established by the applicable legacy body before the transition date, so far as those procedures are consistent with the Act, in respect of any inquiry that is continued under section 81(2)(b) as a hearing under the Act.~~

## PART 13 - GENERAL

...

### Notification and Disclosure

- 1306 (1) Subject to any limitations specified by the board, the Registrar may notify all members, provincial CPA bodies ~~and provincial legacy bodies~~, other governing bodies, or the public, in such manner as the Registrar sees fit, of
- (a) the suspension or cancellation of the membership or public practice licensure of a member, the enrollment of a student, the permit of a professional accounting corporation, the registration of a registered firm or the authorization of an authorized practising office of a registered firm, or
  - (b) the imposition of a restriction on the right of a member or registered firm to engage in public practice.
- (2) Subject to any limitations specified by the board, the Registrar may disclose to a provincial CPA body, ~~a provincial legacy body~~ or another governing body
- (a) facts, information or records relating to a matter referred to in subsection (1)(a) or (b),
  - (b) facts, information or records pertaining to an ongoing or completed investigation under Part 11 or a hearing under section 53 of the Act, or
  - (c) other facts, information or records obtained or provided under the Act or these bylaws, or under the former CA Act, the former CGA Act or the former CMA Act or the former bylaws thereunder
- for a purpose authorized under section 33(2)(q) of *FOIPPA*.

**RESOLVED that the amendments to Bylaws 100, 402, 408, 409, 501, 505, 511, 704, 708, 800, 805, 806, 902, 908, 909, 1010, 1112, 1207, 1209 and 1306 (additions underlined and deletions shown as ~~strikeouts~~) that were approved by the board on April 3, 2024, are confirmed in accordance with section 28(1) of the *Chartered Professional Accountants Act*, to come into force in accordance with section 28(4) of the Act.**

## Amendments to Bylaw Regulations

On April 3, 2024, the board also approved the following amendment to the bylaw regulations, to come into effect at the same time as the above bylaw amendments. It is **not** part of the resolution to be voted on.

### PART 5 - MEMBERSHIP

...

- 500/1 (1) Subject to subsection (3), the Registrar must not exercise the authority of the Membership Committee to admit a person to membership in CPABC if
- (a) the applicant is a former member applying for readmission, other than an applicant who is currently a member in good standing of a provincial CPA body or a provincial legacy body,
  - (b) the applicant's application is under Bylaw 501(4) or (6),
  - (c) the applicant is a student who was re-enrolled as a student after the student's enrolment was cancelled
    - (i) under section 53(4)(c) of the Act, or
    - (ii) under Bylaw 406,
  - (d) a finding or determination has otherwise previously been made by a committee of CPABC, a legacy body, a provincial CPA body or a provincial legacy body that the applicant was incompetent or unfit to practise, committed professional misconduct, engaged in conduct unbecoming a member, or contravened the Act, bylaws or Rules of Professional Conduct or corresponding legislation, bylaws or rules, or
  - (e) the applicant has been convicted of a criminal offence or a violation of the provisions of any securities legislation in effect in any jurisdiction.

...

### Deadlines for Legacy Applicants

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

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

## Election of Fellows

505/1 ...

- (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), or was elected or admitted as a fellow of a provincial legacy body in that province.
  - (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).

...

- (7) The board may revoke a CPA member's status as a fellow if
  - (a) an order is made against the CPA member under section 53(4) of the Act that does not result in the immediate revocation of the CPA member's fellowship status under subsection (6)(a),
  - (b) the membership of the CPA member is suspended or cancelled for a reason that does not result in the immediate revocation of the CPA member's fellowship status under subsection (6),
  - (c) the CPA member becomes a bankrupt, including having made an assignment in bankruptcy or a receiving order being granted against the CPA member,
  - (d) the CPA member takes the benefit, including the filing of a proposal, of statutory provisions for insolvent debtors,
  - (e) the CPA member is found guilty or pleads guilty to a criminal offence or a violation of the provisions of any securities legislation in effect in any jurisdiction, or
  - (f) the CPA member's membership in, or fellowship status with, a provincial CPA body or provincial legacy body is suspended or cancelled.

## PART 6 - CONTINUING PROFESSIONAL DEVELOPMENT

### Definitions

600/1 In this Part:

...

~~“**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;~~

...

## Continuing Professional Development Program: Basic Requirements

600/2 ...

~~(5) A technologist member~~

~~(a) is not required to satisfy the requirements in Regulation 600/2(2)(a) for the 2015 or 2016 calendar year, and~~

~~(b) is not required to satisfy the requirements in Regulation 600/2(2)(b) for the three calendar year periods from 2013 to 2015, from 2014 to 2016, or from 2015 to 2017, or from 2016 to 2018.~~

...

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

600/3 (1) The following members must comply with the additional post-admission requirement prescribed in subsection (2), unless exempted from that requirement under subsection (5) or Bylaw 600(3):

(a) a member who is admitted as a CPA member under Bylaw 501(8) ~~or (9)~~ on the basis of membership in a professional body outside of Canada and Bermuda that is specified by the board for the purposes of this subsection;

(b) a member who is admitted as a CPA member under Bylaw 501(7) on the basis of membership in a provincial CPA body ~~or provincial legacy body~~ and who

(i) was initially admitted as a member of a provincial CPA body ~~or provincial legacy body~~ on the basis of membership in a professional body outside of Canada and Bermuda that is specified by the board for the purposes of this subsection, and

(ii) has not already satisfied the requirement prescribed in subsection (2).

(2) A member described in subsection (1) must complete any coursework that may be required by the Membership Committee in accordance with subsection (3) within two years of the date of their initial admission as

(a) a CPA member, or

(b) a member of a provincial CPA body ~~or provincial legacy body~~.

...

(5) A member described in subsection (1) who successfully completes the CPA Reciprocity Examination established by CPA Canada within the time required to complete the coursework described in subsection (2) is exempt from the requirement to complete that coursework if the member

- (a) was admitted as a CPA member under Bylaw 501(8) ~~or (9)~~ on the basis of membership in a professional body outside of Canada and Bermuda that is specified by the board for the purposes of this subsection, or
- (b) was admitted as a CPA member under Bylaw 501(7) on the basis of membership in a provincial CPA body ~~or provincial legacy body~~, and was initially admitted as a member of a provincial CPA body ~~or provincial legacy body~~ on the basis of membership in a professional body outside of Canada and Bermuda that is specified by the board for the purposes of this subsection.

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

~~600/4 (1) The following legacy CGA members must comply with the additional post-admission requirement prescribed in subsection (2), unless exempted from that requirement under Bylaw 600(3):~~

- ~~(a) a legacy CGA member who is admitted as a CPA member under Bylaw 501(3) based on successful completion of a legacy CGA education program;~~
- ~~(b) a legacy CGA member who is admitted as a CPA member under Bylaw 501(7) on the basis of membership in the Chartered Professional Accountants of Yukon as the equivalent of a legacy CGA member, and who has not already satisfied the requirement prescribed in subsection (2).~~

~~(2) A legacy CGA member described in subsection (1) must complete an ethics course acceptable to the Membership Committee before the end of the first calendar year after the calendar year of their initial admission as-~~

- ~~(a) a CPA member, or~~
- ~~(b) a member of the Chartered Professional Accountants of Yukon.~~

~~(3) Hours of coursework completed under subsection (2) may be counted as qualifying hours under Regulation 600/2 for the applicable calendar year or three calendar year period in which they are completed.~~

...

**PART 7 - LICENSURE FOR PUBLIC PRACTICE**

...

**First Renewal Date**

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

**Special Public Practice Extension Fees**

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

~~(2) The CGA/CMA special public practice extension fee referred to in subsection (1) is due and payable on April 1, 2016.~~

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

~~(4) The CA special public practice extension fee referred to in subsection (3) is due and payable on September 1, 2015.~~

## **PART 8 - PROFESSIONAL ACCOUNTING CORPORATIONS**

...

### **First Renewal Date**

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

...

## **PART 9 - REGISTERED FIRMS**

...

### **First Renewal Date**

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

### **Special Registration Extension Fees**

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

~~(2) The CGA/CMA firm special registration extension fee referred to in subsection (1) is due and payable on April 1, 2016.~~

~~(3) Every firm that is deemed to have been registered under section 42(2) of the Act as a result of the Chief Executive Officer of ICABC confirming the firm's eligibility under Bylaw 909(1) must pay a CA firm special~~

~~registration extension fee in the amount required by the board in respect of the period from September 1, 2015 to August 31, 2016.~~

- ~~(4) The CA firm special registration extension fee referred to in subsection (3) is due and payable on September 1, 2015.~~

...

## **PART 13 - GENERAL**

...

### **Transition**

~~1301/2 (1) In this section:~~

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

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

~~(2) Before September 1, 2019,~~

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

~~(b) a legacy member is deemed to satisfy the requirements in Regulation 1301/1(2), (4) and (5) if the member maintains pre-existing coverage that satisfies the legacy requirements of the member’s legacy body.~~

## **RESOLUTION 4      CULLEN COMMISSION REPORT RECOMMENDATIONS – CLIENT IDENTIFICATION & VERIFICATION**

Preamble:      The Commission of Inquiry into Money Laundering in BC (the “Cullen Commission”) made various recommendations directed at CPABC. One of the recommendations was for CPABC to implement a client identification and verification process for its members. While client identification and verification is not new to CPAs, the proposed new rules will formalize the client identification and verification requirements required by members.

This resolution confirms the addition of new Rule 219 (including Rules 219.1 through 219.3 and accompanying definitions). The following was approved by the board on April 3, 2024.

## **219 Client identification and verification**

### **DEFINITIONS:**

*For the purpose of Rule 219 and the related Guidance:*

**“financial institution”** means a “financial entity” as defined in the *Proceeds of Crime (Money Laundering) and Terrorist Financing Regulations (Canada)*, SOR/2002-184;

**“funds”** has the same meaning as in the *Proceeds of Crime (Money Laundering) and Terrorist Financing Regulations (Canada)*, SOR/2002-184;

**“organization”** includes a corporation, partnership, fund, trust, cooperative, or unincorporated association, but does not include an individual;

**“public body”** means

- (a) a ministry, department or agent of the government of Canada, British Columbia or another province or territory of Canada,
- (b) a “local public body” as defined in the *Freedom of Information and Protection of Privacy Act*, or a similar body incorporated under the laws of Canada or another province or territory, or
- (c) a subsidiary of a public body whose financial statements are consolidated with those of the public body;

**“public company”** means an organization that is

- (a) a reporting issuer as defined under the applicable securities legislation of a province or territory of Canada,
- (b) a corporation whose shares are traded on a stock exchange that is prescribed by the *Income Tax Act (Canada)* and operates in a country that is a member of the *Financial Action Task Force on Money Laundering*, or
- (c) controlled by an organization described in paragraph (a) or (b);

**“specified services”** means

- (a) advice respecting a specified transaction,
- (b) advice respecting the use of corporations or other legal entities, or
- (c) private-sector bookkeeping services;

**“specified transaction”** means

- (a) the receipt or payment of funds or virtual currency,
- (b) the purchase or sale of securities, real property, or business assets or entities,
- (c) the transfer of funds, virtual currency or securities by any means, or
- (d) the giving of instructions in connection with any activity referred to paragraphs (a) to (c);

**“virtual currency”** has the same meaning as in the *Proceeds of Crime (Money Laundering) and Terrorist Financing Regulations (Canada)*, SOR/2002-184.

## **RULES:**

### **219.1 Requirement to identify client**

- (1) *A member or registered firm who is engaged by a client to provide specified services must obtain and record all of the following information*
  - (a) *for a client who is an individual:*
    - (i) *the client's full name and contact information;*
    - (ii) *the address of the client's place of work or employment, if applicable;*  
*or*
  - (b) *for a client that is an organization:*
    - (i) *the organization's full name, business address and business telephone number;*
    - (ii) *the name, position and contact information for individuals confirming or communicating, on the organization's behalf, its engagement of the member or registered firm to provide specified services;*
    - (iii) *if the client is an organization other than a financial institution, public body or public company,*
      - (A) *the general nature of the type of business or activity engaged in by the client, and*
      - (B) *the organization's incorporation or business identification number and the place of issue of its incorporation or business identification number.*
- (2) *Subrule (1) does not apply to a member who is providing professional services to their employer.*
- (3) *When a member or registered firm has obtained and recorded the information concerning the identity of an individual client under subrule (1)(a), the member or registered firm is not required subsequently to obtain and record that information about the same individual unless the member or registered firm has reason to believe that the information has changed or is inaccurate.*

### **219.2 Requirement to verify client identity**

- (1) *When a member or registered firm provides professional services to a client other than a financial institution, public body or public company in respect of a specified transaction, the member or registered firm must*
  - (a) *obtain from the client and record, with the applicable date, information about the source of the funds, virtual currency or other property that is the subject of the specified transaction, and*
  - (b) *verify the identity of the client using a method that is permitted under the guidance issued by the Financial Transactions and Reports Analysis Centre of Canada.*
- (2) *Subrule (1) does not apply to*
  - (a) *a member who is providing professional services to their employer, or*
  - (b) *a member or registered firm who is acting in the capacity of a person who is*
    - (i) *authorized by law to carry on the business of, or to monitor the business or financial affairs of, an insolvent or bankrupt person, or*
    - (ii) *authorized to act under a security agreement.*

**219.3 Responsibilities of members and registered firms under Rule 219**

- (1) *A member or registered firm is not required to repeat compliance with Rule 219.1 or 219.2 when another member or registered firm or a professional colleague who has complied with the applicable requirements of Rule 219.1 or 219.2 or equivalent requirements of a provincial CPA body*
  - (a) *engages the member or registered firm to provide professional services to a client as an agent, or*
  - (b) *refers a matter to the member or registered firm for the provision of professional services.*
  
- (2) *The responsibilities of a member under Rules 219.1 and 219.2 may be fulfilled by the member’s registered firm on their behalf.*

**RESOLVED** that the new Rule 219 of the Code of Professional Conduct (including Rules 219.1 to 219.3 and associated definitions) that was approved by the board on April 3, 2024, is confirmed in accordance with section 28(1) of the *Chartered Professional Accountants Act*, to come into force in accordance with section 28(4) of the Act.

**RESOLUTION 5      CULLEN COMMISSION REPORT RECOMMENDATIONS – TRUST ACCOUNT OVERSIGHT**

Preamble:      The Commission of Inquiry into Money Laundering in BC (the “Cullen Commission”) made various recommendations directed at CPABC. One of the recommendations was for CPABC to implement a trust account auditing regime. The proposed Bylaw amendment and new Bylaw allow for the establishment of a trust account oversight program.

This resolution confirms the amendments to CPABC Bylaw 100 and the addition of new CPABC Bylaw 1300.1. The following was approved by the board on April 3, 2024.

**PART 1 - DEFINITIONS**

**Definitions**

100      In these bylaws and the regulations, unless the context requires a contrary meaning:

...

**“transition date”** means June 24, 2015;

**“trust agreement”** means any agreement between a member or registered firm and another person governing the handling and administration of trust funds, including but not limited to an agreement establishing

(a) a legal trust for which the member or registered firm is the trustee, or



(b) any other relationship whereby the member or registered firm receives trust funds;

“trust funds” means funds directly related to professional services that are received by a member or registered firm acting in that capacity to be held or disbursed on the instructions of the person from whom or on whose behalf the funds are received, but do not include funds received by a member acting solely in a personal capacity as executor, power of attorney or personal representative for another individual or estate, or as trustee of a trust solely for the benefit of the member’s family members.

## **PART 13 - GENERAL**

...

### **Trust Funds**

1300.1 (1) The board may make regulations establishing standards and requirements applicable to the administration of trust funds by members and registered firms.

(2) Every member or registered firm that administers trust funds must comply with

(a) any applicable trust agreement, and

(b) any standards and requirements established under subsection (1).

**RESOLVED that the amendments to Bylaws 100, and the addition of new Bylaw 1300.1 (additions underlined) that were approved by the board on April 3, 2024, are confirmed in accordance with section 28(1) of the *Chartered Professional Accountants Act*, to come into force in accordance with section 28(4) of the *Act*.**

On April 3, 2024, the board also approved the following amendment to the bylaw regulations, to come into effect at the same time as the above bylaw amendments. It is **not** part of the resolution to be voted on.

## **PART 13 – GENERAL**

### **Trust Funds**

1300.1/1 (1) The standards and requirements set out in this section are established for the purpose of Bylaw 1300.1(1).

(2) Members or registered firms that administer trust funds must provide information about their trust funds to CPABC by completing and delivering any form required by the Registrar for that purpose.

(3) A member or registered firm must make their records respecting trust funds available for inspection by CPABC or by another person appointed by the Registrar for the purpose of monitoring compliance with standards and requirements for the administration of trust funds, except for records respecting

(a) a bankruptcy or insolvency trust or other trust or estate that is subject to court review and approval, or

(b) a trust that is subject to regulatory oversight by another governing body under the *Legal Profession Act*, the *Real Estate Services Act* or another similar enactment.