

THE OFFICIAL GAZETTE 3RD OCTOBER, 1992
LEGAL SUPPLEMENT- B

**INSTITUTE OF CHARTERED
ACCOUNTANTS OF GUYANA**

BYE - LAWS

Definition

1.1 In these bye-laws, unless the subject or context otherwise requires:

- a) “the Act” means the Institute of Chartered Accountants of Guyana Act 1991;
- b) words and expressions defined in the Act shall have the like meaning in these bye-laws;
- c) “applicant” means anyone applying to the Institute or Council under the bye-laws;
- d) “firm” means a partnership which consists wholly of members in public practice;
- e) “public practice” includes but is not confined to auditing;
- f) “practising certificate” means a practice certificate issued by the Institute and for the time being in force;
- g) “practising member” means a member in possession of a practising certificate issued by the Institute;
- h) “Profession” means the profession of Chartered Accountants and “professional” refers to that profession;
- i) “Common Seal” means the seal of the Institute as adopted by resolution of the Council from time to time;
- j) “Year” – means the calendar year, which corresponds with the financial year of the Institute.
- k) “ordinarily resident” applies to any person who resides permanently in Guyana except for temporary absences for vacation, study, business, medical reasons or other normal absences associated with permanent residence
- l) “resident” applies to any person who resides in Guyana for more than one hundred and eighty-three days in any twelve month period.”

Membership

- 2.1 There shall be two classes of membership of the Institute, that is to say, Fellows and Associates, each of which shall be subject to the specific provision of these Bye-Laws relating to that class of member and each shall pay the appropriate fees set out in Bye-Laws 19.3.
- 2.2 Except as provided by Bye-Law 2.8 all persons admitted to membership of the Institute shall be admitted as Associates.
- 2.3 The Council shall admit to membership of the Institute any person entitled to membership under the Act.
- 2.4 The Council shall only admit to membership an applicant who: -
 - a) shall have made application for membership in the form prescribed by the Institute from time to time; and
 - b) is proposed and seconded by two members of the Institute who shall certify that to their knowledge he is a fit and proper person to be a member of the Institute.
- 2.5 The Council may by resolution admit to membership of the Institute any person under twenty-one years of age and of good character who: -
 - a) has acquired approved accountancy training by at least five years continuous service either in the office of a practising accountant or in a responsible position in commerce, industry or government service or any combination thereof provided that he has passed the final examination of the Institute and has satisfied the Council as to his professional attainments and experience, or
 - b) is a graduate of any university approved by the Council of the Institute for the purpose and has acquired approved accountancy training for at least three years continuous service in the office of the practising accountant or in a responsible position in Commerce, Industry or Government service or any combination thereof provided that he has passed the final examination of the Institute and has satisfied the Council as to his professional attainment and experience.
- 2.6 The Council in its discretion may by resolution admit to membership of the Institute any person who is a member of professional accountancy body approved by the Council for the purposes of subsection (2) of Section 10 of the Act who is not otherwise eligible for membership of the Institute under any other provision of the said Section 10 and who has attained the age of twenty –one years and is of good character.
- 2.7 Members who have been Associates continuously for a period of five years shall advance to Fellowship.

- 2.8 Any person who is a Fellow of a Registered Body may in the absolute discretion of the Council be admitted a Fellow of the Institute.
- 2.9 The Council shall decide whether any person applying to be admitted as a member has or has not fulfilled such of the conditions specified in the bye-laws of the Institute as are applicable in his case.
- 2.10 Every member shall be entitled to receive a certificate of admission which shall be in such form as the Council may from time to time determine. A certificate issued by the Institute shall remain the property of the Institute to which it shall be returned if or when the holder shall cease to be a member of the Institute for any other reason other than death.
- 2.11 The privileges of a member shall not be transferable and shall cease immediately upon the termination of his membership.
- 2.12 Every person shall, on applying for admission, sign an undertaking that he will, if admitted, and so long as he is a member, observe all the provisions of the bye-laws, rules or regulations of the Institute for the time being in force.
- 2.13 No person shall become a member of the Institute unless that person is resident or ordinarily resident in Guyana.

Practising Certificate

- 3.1 The fees for the issue and renewal of practising certificate shall be such sums as set out in bye-law 19.9.
- 3.2 Practising certificates shall be in such form or forms as the Council may from time to time prescribe.
- 3.3 No application for the issue of a practising certificate shall be considered by the Council, unless the applicant already shall have paid to the Institute the appropriate fee payable by him. If any such application is not accepted by the Council, then the amount paid shall be returned to the applicant.
- 3.4 Practising certificates shall be issued to members for a period not exceeding twelve months and ending on the thirty-first day of December and shall be renewed for a period of twelve months on the first day of January next following subject to compliance with such conditions as the Council may from time to time prescribe.
- 3.5 The appropriate renewal fees shall become due and payable by members on the first day of January in each year.

- 3.6 A member who fails to pay the practising certificate fee applicable to him by the thirty-first day of March in the year in which it becomes due shall thereupon cease to be entitled to such a certificate unless the Council has in his case otherwise decided.
- 3.7 Every member making application for or holding a practising certificate shall undertake on behalf of himself or his firm to comply with the provisions and requirements of the Act.

The Council

- 4.1 The Council shall consist of eight members, and of the members of the Council at least three shall be members in practice or in the service of members in practice and at least three shall be members not in practice nor in service of members in practice
- 4.2 Nomination for election to the Council shall be in writing, signed by the proposer and seconder, such nominations shall be delivered to the Secretary at least three days before the day of the meeting at which the election is to take place.
- 4.3 Election of the Council shall be by ballot of those present.
- 4.4 In the event of an equality of votes between two or more candidates, there shall be a further election to decide between them. The **DECLARATION** of the chairman as to the result of the election shall be final.
- 4.5 Notwithstanding anything contained in Bye-Law 4.2 the members constituting the Council in accordance with subsection (5) of Section 6 of the Act, shall hold office until the first Annual General Meeting following the commencement of the Act.
- 4.6 At the first Annual General Meeting following the commencement of the Act, four members of the Council who shall have chosen by ballot shall retire from the Council, but such members shall be eligible for re-election without nomination.
- 4.7 At each succeeding Annual General Meeting, four members of the Council shall retire, and shall be eligible for re-election without nomination. Those retiring shall be those with the longest period of unbroken membership on the Council. Any retiring member of Council who is in the office as the President or the Vice-President shall be returned as a member of Council without re-election, unless he declines.
- 4.8 At any Annual General Meeting at which temporary members cease to hold office by virtue of Bye-Law 4.11, the number of members required to retire under Bye-Law 4.7 shall be decreased by the number of such temporary members, so that no member shall retire if the number of such temporary members is equal to or more than four members of Council.

- 4.9 The members of the Council from time to time shall continue to act until their successors are elected or appointed.
- 4.10 A Council member who is absent from three consecutive Council Meetings or otherwise is absent from four Council Meetings in any Institute year shall be liable to have his membership of the Council terminated and his place declared vacant by an ordinary resolution of the Council at its regular monthly meeting. Notice of such resolution shall be given at the same time as the notice of the meeting at which the resolution is to be proposed.
- 4.11 All vacancies which occur in the Council by death, resignation or otherwise in the interval between annual general meetings shall be filled by the appointment of the Council. All members appointed under this Bye-Law shall hold office until the next Annual General Meeting and shall be known as temporary members.

Meetings Of The Council And Election And Duties Of Officers

- 5.1 Immediately after the annual general meeting of the Institute the Council shall meet and elect a Chairman and a Vice-Chairman.
- 5.2 The Chairman and the Vice-Chairman of the Council shall be the President and Vice-President respectively of the Institute. The President shall preside at all meetings of the Council and of the Institute. In his absence, the Vice-President shall take the chair and if neither is present, a Chairman shall be elected from among those present at the meeting.
- 5.3 The Secretary shall be responsible for the keeping of records and papers of the Institute and for the performance of all secretarial duties in the Institute and shall perform such other duties as the Council may from time to time direct.
- 5.4 The Secretary who need not be a member, shall also be responsible for maintaining a register of the members and students.
- 5.5 The Treasurer shall be responsible for the custody, receipt and disbursement of the funds of the Institute, the keeping of accounts and the preparation of financial statements and shall perform such other duties of financial nature as the Council may from time to time direct.
- 5.6 The Council shall meet at such times as they may deem requisite and may, subject to these bye-laws, regulate their meetings as they think fit. On the requisition of the President or any two members of the Council, the Secretary shall summon a meeting of the Council.
- 5.7 At every meeting of the Council four members present shall constitute a quorum.

- 5.8 Except as otherwise provided by these bye-laws, every question at a meeting of the Council shall be determined by a majority of the votes of the members present, every member having one vote, and in the case of an equality of votes the Chairman shall have a second or casting vote.
- 5.9 Not less than three days notice of a Meeting of the Council shall be given to each member of the Council, except that with the consent of all those members of Council present in Guyana a Meeting may be called at shorter notice.
- 5.10 A declaration by the Chairman that a Resolution has been carried or lost and an entry to that effect in the records of the proceedings shall be conclusive evidence of the fact without further proof being necessary. A Resolution in writing signed by all Members of the Council for the time being in Guyana shall have the same effect as though passed at a duly constituted Meeting of the Council.
- 5.11 Minutes of the proceedings of every meeting of Council and of the attendance of members of the Council thereat shall be recorded by the Secretary in a book kept for that purpose, and shall be signed by the Chairman of the Meeting at which they are read.
- 5.12 Every such minute when so signed shall in the absence of proof of error therein be considered a correct record.

General Meetings

- 6.1 The Annual General Meeting of the Institute shall be held not later than the 31st March, in each year: -
- i. To Receive the Report of the Council and the Financial Statements for the preceding calendar year.
 - ii. To elect Members of the Council for the ensuing year.
 - iii. To appoint an auditor or auditors for the ensuing year and
 - iv. To transact such other business as may properly be transacted at such meetings.
- 6.2 At least twenty-one days notice of the Annual General Meeting setting forth the procedure for nomination and election to the Council shall be given to each member and at the same time or at a reasonable time before the Annual General Meeting a copy of the Report of the Council including the Annual Financial Statements and the Report of the Auditor or Auditors thereon shall be sent to each member.
- 6.3 At the Annual General Meeting of the Institute, a member or members other than members of the council shall be appointed auditor or auditors for the current year.

- 6.4 All General Meeting other than the Annual General Meeting shall be called Extraordinary General Meetings. By resolution of the Council or upon a written requisition signed by six or more members of the Institute, stating fully the reasons for which the requisition is made, the Secretary shall convene an Extraordinary General Meeting. Every such meeting shall be held within twenty-eight days from the passing of such a Resolution or the receipt of such requisition and the notice of the Meeting shall state fully the objects for which it is called. At least twenty-one days notice of the meeting shall be given to each member.
- 6.5 No business shall be transacted at any General Meeting unless a Quorum of Members is present at the time when the meeting proceeds to business. Except as otherwise provided eight members present shall constitute a quorum.
- 6.6 Where sufficient notice of any General Meeting shall have been given, if within half of an hour from the time appointed for the meeting a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved. In any other case it shall stand adjourned to the same day in the next week, at the same time and place, or to such other time and place, as the Council may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall be a quorum.
- 6.7 Voting other than for the election of the Council will be by show of hands unless two members present require a vote by ballot. If a vote by ballot is required the Chairman shall appoint scrutineers to take the vote.
- 6.8 At every General Meeting of the Institute every member present shall have a vote, but a member shall not be entitled to be present at any meeting and vote if he is on arrear for more than three months of any subscription or other sum payable by him under the byelaws of the Institute.
- 6.9 Except as otherwise provided in these bye-laws, in the case of an equality of votes whether on a show of hands or by ballot of those present, the Chairman of the meeting at which the show of hands takes place or at which the ballot is taken shall be entitled to a second or casting vote.
- 6.10 Any General Meeting of the Institute may be adjourned from time to time by a resolution passed by a majority of the members present but no business shall be transacted at any adjourned meeting other than the business left unfinished, at the meeting from which the adjournment took place.

Funds

- 7.1 The Council shall have control of all funds of the Institute and shall make any necessary disbursements from those funds. Any surplus funds shall be deposited in the Bank in the name of the Institute, or shall be invested in such manner as the Council shall think fit.

- 7.2 All cheques, other than those drawn on any imprest bank account authorised by resolution of the Council, shall be signed by two of the following officers: - the President, Vice-President, the Treasurer and Secretary.

Common Seal

- 8.1 The Council shall provide a Common Seal for the purpose of the Institute. The Seal of the Institute for the time being shall be kept under such custody and control, and used for such purposes of the Institute, and subject to such conditions as the Council shall from time to time prescribe.
- 8.2 The Seal shall only be affixed with the authority of the Council or of a Committee of the Council authorised by the Council in that behalf, and every instrument to which the Seal shall be affixed shall be signed by the President or Vice-President together with either the Secretary, the Treasurer or some other person appointed by the Council for the purpose.
- 8.3 All membership, fellowship and practising certificates shall be under the Seal of the Institute attested by the President or Vice-President and by the Secretary.
- 8.4 A separate book shall be kept, in which shall be entered a short title and description of every instrument to which the Seal is affixed together with the date of the minute authorising the same and such entry shall be signed by the persons who attest to the execution of the document under the Seal of the Institute.

Notices

- 9.1 Any notice or other document required to be given to a member may be given to him personally or by sending it by post to his last known place of address. Any notice or other document required to be given to a firm may be given to it by delivering it or sending it by post to the last known place of address of any member who is a partner of that firm. Where a notice is sent by post, service thereof shall be deemed to be effected by properly addressing, prepaying and posting a letter containing the same and to have been effected at the expiration of seventy-Two hours after such letter was posted.
- 9.2 The certificate of the Secretary or other officer appointed by the Council shall be conclusive evidence of the delivery or the due mailing of any such notice.
- 9.3 The accidental omission to send any notice or document to, or the non-receipt of any notice or document by, any member entitled to receive the same shall not invalidate any such notice or the proceedings at any meeting to which they relate.
- 9.4 Any notice or document required to be given to the Institute may be given by sending it by post to the Secretary at the Registered Office of the Institute or such other address as the Council may from time to time designate.

- 9.5 The Council may from time to time determine in its sole discretion what the reasonable notice required under these bye-laws should be in the circumstances and may declare that any notice already given has been reasonable.

Committees

- 10.1 The Council may from time to time appoint such Committees from members of the Institute as the Council may deem necessary or desirable.
- 10.2 The President or vice-President shall be ex-officio members of all committees of the Institute, except the following: -
- the Investigations Committee and Disciplinary Committee and such other Committees as the Council may from time to time determine.
- 10.3 Meetings of committees shall be held at such times and places as the Chairman thereof shall from time to time determine on reasonable notice.
- 10.4 At any meeting of a Committee, two members of the Committee shall constitute a quorum unless otherwise prescribed by the Council.
- 10.5 Every member of a Committee present shall have a vote and the Chairman shall in addition have a casting vote.
- 10.6 All Committees of the Institute shall be subject to the authority of the Council in connection with the affairs of the Institute.
- 10.7 The Council shall appoint annually such members of the Institute as the Council may select to be: -
- a) the Admissions Committee
 - b) the Students Committee
 - c) the Investigations Committee
 - d) the Disciplinary Committee
 - e) the Public Relations Committee
 - f) the Finance Committee
 - g) the Technical Committee
- 10.8 There shall be constituted an Appeal Committee which shall consist of all members of the Council not on the Investigations Committee or the Disciplinary Committee.

10.9 The Admissions Committee: -

- a) may act on behalf of the Council in considering and approving applications for registration and re-registration as students and for examinations and in any other matter referred to it by the Council.
- b) may grant exemption for the instruction and service requirements of the Institute to a Student who has completed equivalent instruction and service while a student of a Registered Society.
- c) shall examine applications for membership and recommend to the Council accordingly.

10.10 The Students Committee: -

- a) shall be responsible for the arrangements for the instruction of the Students.
- b) shall be responsible for the arrangements for the examinations and shall report to the council the results of the examination of the Institute

10.11 The Investigations Committee shall, when necessary or desirable investigate the conduct And good standing of members and students and any matter referred to it by the Council. This Committee shall have the power to make enquiries from members and students about professional matters, and to require the production of books, documents and working or other papers.

10.12 The Disciplinary Committee will conduct hearings of charges preferred against members and students by the Investigations Committee.

10.13 The Council may from time to time make rules and regulations for the conduct of the work of the Investigations Committee, Disciplinary Committee, and the Appeal Committee.

10.14 The Public Relations Committee is responsible for promoting the image and the affairs of the Institute and disseminating information and news about the profession among members and the general public.

10.15 The Finance Committee is responsible for the general financial policy of the Institute, preparing the budget and advising Council on financial matters.

10.16 The Technical Committee is responsible for: -

- a) researching and advising council on all technical matter pertaining to professional standard and practice.

- b) fostering post-qualification education of members.
- c) maintaining research into technical matters and problems and for preparation of advisory and guideline statements for members and for the compilation of recommendations to be submitted to government and other interested bodies regarding proposed or existing taxation legislation.
- d) advising Council on matters pertaining to Company Law so far as it affects the profession and also for researching the law with a view to formulating recommendations for amendment or revision to Government or other interested bodies.

Rules and Regulations

- 11.1 The Council may make rules and regulations with regard to any matter provided, however, that such rules and regulations shall not be contrary to the provisions of the Act or of the Bye-Laws.

Registered Students

- 12.1 Any person who is recommended by a member as being of good moral character and habits may apply to be registered or re-registered as a student.
- 12.2 Every application for registration shall be accompanied by the following: -
- a) A Declaration of intention to qualify for admission to membership of the Institute and to apply therefor;
 - b) An understanding to submit to the direction and control of the Council in all matters relating to studies, practical experience and discipline;
 - c) An agreement with the Institute that the bye-laws, rules and regulations will govern the relations between the applicant and the Institute.
- 12.3 Every applicant shall: -
- a) satisfy the Council that he has attained the educational requirements adopted by the Council;
 - b) furnish such evidence as the Council may require that he is otherwise a fit and proper person to be so registered; and
 - c) be subject to all rules and regulations in respect of his application for re-registration, re-enrolment, or examinations as may be approved by the Council from time to time.

- 12.4 The educational requirements adopted by the Council and any amendments thereto shall be published by circular to all members immediately after the adoption thereof.
- 12.5 Every member who employs one or more registered student is responsible for giving such practical experience and instruction affording such opportunities as are necessary to enable the registered student to acquire the art, skill, science and knowledge of a Chartered Accountant.
- 12.6 The Council may investigate the progress, competence, character, conduct and suitability for membership of any registered student. Where, in the opinion of the Council, such investigation indicates lack of fitness or suitability for membership in the Institute, registration may be cancelled or the re-registration as a student may be refused by the Council in its absolute discretion.

Every registered student must give immediate notice in writing to the Secretary of the Institute of any change in his employment and upon failure to give such notice, may be struck off the register of students. Any registered student found guilty of a criminal offence may in the discretion of the Council be struck off the register of students. With the approval of the Council, registered students may form association for the better advancement of their studies and professional knowledge and for the purpose of making recommendations affecting their joint interest for the consideration of the Council, but all rules or regulations for the self-government of such an association shall have been approved by the Council.

- 12.7 Any association of registered formed under bye-law 12.6 may be dissolved at any time by resolution of the Council.

Course of Study

- 13.1 Every registered student shall enter upon and pursue the course of study approved by the Council.
- 13.2 Every registered student shall be required to pay an admission fee and on the first day of January of each year thereafter an annual fee as set out in bye-law 19.10.
- 13.3 Every registered student shall complete the requirements prescribed in these bye-laws before being permitted to write examinations.

Examinations

- 14.1 The Council may adopt in its absolute discretion from time to time a syllabus of examinations and may have regard to recommendations of the Students Committee.
- 14.2 Notices of the times and places of examination shall be sent to registered students.

- 14.3 The Examinations of the Institute shall be such examinations as Council may prescribe from time to time.
- 14.4 The Examinations shall be open to both sexes and service under Articles will not be a necessary condition of entry to the Examinations or membership of the Institute.
- 14.5 Candidates taking the Examinations of the Institute must comply with the Examination Rules and Regulations as authorised from time to time by the Council.

Exemptions From the Examinations

- 15.1 The Council shall if it thinks fit exempt from the examinations or any part or subject thereof any person who satisfies the requirements of such exemptions which are prescribed by the Council from time to time.
- 15.2 The Council may, in its absolute discretion, permit an applicant who has failed in any one subject only of an examination approved by the Council to present himself for such subject on payment of a fee which may be prescribed from time to time.

Conditions of Entry

- 16.2 Every application for exemption from any subject or section of the Examinations at the Institute must be made on a form provided by the Council, and every applicant shall be required to produce satisfactory evidence as to age, education, character, qualifications and general suitability.
- 16.2 No person shall be permitted to present himself for any Examination of the Institute unless: -
- a) He has attained the age of sixteen years at the date of Examination;
 - b) he is engaged in work acceptable to Council or being less than eighteen years of age intends to take up such work; and
 - c) he has paid his annual fee to date
- 16.3 Any person who has failed to pass any Examination to the satisfaction of the Council may present himself again (except as otherwise provided by these Bye-Laws) at any subsequent Examinations.
- 16.4 The Council may, in its absolute discretion, refuse to allow any person to present himself for any Examination of the institute without assigning any reason for such refusal.

Examination Certificates and Prizes

- 17.1 A certificate to the effect that he has passed the Final Examination shall, unless withheld for any reasonable cause, be issued to every person who has passed such Examination to the satisfaction of the Council. Such Certificate shall be signed by one Member of the Council and countersigned by the Secretary.
- 17.2 The passing of the Examination of the Institute shall not automatically entitle the candidate to membership of the Institute.
- 17.3 The Council may out of moneys of the Institute provide prizes, medals, exhibitions or rewards in connection with the Examinations held by the Institute.

Final Examination Syllabus

- 18.1 The Council may add to, take from or alter any of the subjects for any of its Examinations.

Fees

- 19.1 Every applicant who applies for registration, enrolment, re-enrolment, maintenance or registration, examinations, or exemption from examinations shall pay such fees as are prescribed by Council from time to time.
- 19.2 Every person who applies for membership shall thereupon pay a fee of G\$1,000.00 which is not refundable.
- 19.3 The annual membership fee shall be due and payable on the first day of January of each year (as follows): -
 - (a) Associate G\$5,000.00
 - (b) Fellow G\$5,000.00
- 19.4 The Council may remit the annual membership fees of a member under special circumstances, which in its discretion warrant such remission.
- 19.5 Any person admitted to membership in the last six months of the year shall pay one half of the annual fee.
- 19.6 Any member who is incapacitated or has attained the age sixty (60) years and is in good standing in the Institute and who is retired and not in regular daily gainful occupation shall be exempted from payment of the annual fee.
- 19.7 Any member whose annual fee is not paid within three calendar months after the date

when such fee became due and payable may be suspended by the Council from the privileges of membership, provided that upon payment of such fees (subject to the provisions of bye-law 19.8 and Section 16 of the Act) the Council shall reinstate a suspended member.

19.8 Any member whose annual fee is not paid within six calendar months after the date when such fee became due and payable may be deemed to have thereby terminated his membership and the Council may direct that his name be removed from the register. Such a person may be re-admitted on such terms as the Council may approve.

19.9 The fees for the issue and renewal of practising certificates shall be as follows: -

Issuing Fee G\$5,000.00
Renewal Fee G\$5,000.00

19.10 Every registered student shall pay the following fees: -

Admission Fee G\$1.00
Annual Fee G\$1.00

19.11 Any member not in arrears for fees or otherwise may submit his resignation to the Council and his membership shall terminate on the day set for such termination by the Council in each case from time to time.

Rules of Professional Conduct

20.1 The Council may from time to time pass Rules of Professional Conduct prescribing the standards of fitness, moral character and conduct of members and registered students, but no such rule or any amendment thereto shall take effect until it has been approved at an annual general meeting of the members of the Institute to consider such rule or amendment or at a General Meeting of the members of the Institute.

20.2 Members and registered students shall comply with such standards as prescribed, and with the bye-laws, rules and regulations of the Institute.

20.3 Notwithstanding the terms of the rules of Professional Conduct, the Council shall have the additional right and power to determine from time to time in particular cases, what acts, omissions, matters or things constitute unfitness, lack of moral character, or professional or other misconduct in members and registered students or constitute violations of the bye-laws, rules and regulations of the Institute are or have been derogatory to the reputation, dignity or honour of the Institute of the profession.

Charges

- 21.1 Any person may address to the Council in writing a charge or charges of professional misconduct on the part of any member.
- 21.2 Any member may address to the Council in writing a charge or charges of unfitness, lack of moral character or professional or other misconduct on the part of any member or of any registered student.
- 21.3 If without any such charge, any seeming unfitness, lack of moral character or professional or other misconduct on the part of a member or of a registered student shall come to the notice of the Secretary, he may make inquires with regard thereto and thereafter may report in writing to the Council the facts ascertained by him. The Council may in its discretion deal with the report as if it constituted a charge or charges under the bye-laws and thereupon such report shall be deemed to be a charge or charges under the bye-law for all purposes.
- 21.4 Any charge or charges under the preceding bye-laws shall be laid before the Council.
- 21.5 The Council may in its discretion take whatever action it deems proper in connection with any such charge or charges, and without limiting the generality of its powers may, among other things, refer the charge or charges to the Investigations Committee.

Disciplinary Procedures

- 22.1 Where any matter affecting any person who is a member or a registered student of the Institute is referred to the Disciplinary Committee, that Committee shall, as soon as practicable, give to that person not less than 14 days notice of the date, time and place fix for the consideration of the matter.
- 22.2 The Disciplinary Committee shall give the person an opportunity of being heard before it in connection with the matter, and may, if the person so desires, permit the person to be represented before it by counsel or by any attorney-at-law or by a member of the Institute.
- 22.3 The Investigations Committee may request a member of the Institute (who may be a member of the Investigations Committee) to present the information which the Committee considers necessary for the proper consideration of the case before the Disciplinary Committee, or may instruct an attorney-at-law to do so or to brief counsel to do so.
- 22.4 No person shall have the right to be represented by counsel or an attorney-at-law at any meeting of the Council, of the Investigations committee, of the Disciplinary Committee or of the Appeals Committee unless the meeting otherwise permits. Such permission may be withdrawn at any time.

- 22.5 All evidence given at the hearing of any matter by the Disciplinary Committee shall be viva voce: - Provided that the Disciplinary Committee shall also be entitled to obtain sworn affidavits from any person if it considers them necessary for the better determination of the matter.
- 22.6.1 If at any time, in the opinion of the Council or of the Investigations Committee, a formal hearing of all or any such charges is necessary or desirable, a special meeting of the Disciplinary Committee shall be held for that purpose.
- 22.6.2 Fourteen days' notice of such meeting (excluding the day of notice and the day of the meeting) with a copy of the charge or charges shall be given by mail to the last known address, to the persons charged and to such other persons as the Disciplinary Committee or the Appeal Committee, as the case may be, may from time to time direct. If any person so notified fails to appear at any time, the formal hearing may proceed in his absence.
- 22.6.3 Any person so charged shall attend at the time and place appointed for such meeting and shall have the right to be present during the hearing of all evidence in relation to the charge or charges against him.
- 22.6.4 Any person so charged shall have the right personally to submit to such meeting such statements, evidence and arguments as he wishes and such witnesses as he produces in his defense.
- 22.6.5 Any member or registered student shall, if required to do so by the Disciplinary Committee or the Appeal Committee, appear at the formal hearing and give evidence and produce such books, documents and working or other papers or copies thereof in his possession or under his control as the Disciplinary Committee or the Appeal Committee may from time to time require but the formal hearing may proceed without such evidence or production.
- 22.6.6 The procedure at all formal hearing shall be by ruling of the Chairman whose decision shall be final, binding and conclusive.
- 22.6.7 A formal hearing may be adjourned at any time from time to time.
- 22.6.8 No verbatim or other transcript of the proceedings at any formal hearing shall be required to be made or kept but the report thereof signed by the Chairman shall be conclusive evidence of the proceedings thereat.
- 22.6.9 If more than one member or registered student is involved in any charge or if there is more than one charge, the formal hearing may proceed as to each charge or member or registered student separately or together as the Disciplinary Committee or Appeal Committee may from time to time determine.
- 22.7 Every member or registered student shall have the right to appeal to the Appeal Committee from any decision of the Disciplinary Committee. Such appeal shall be in

writing and received by the Council within fifteen days, or such extended time as the Council allow, of notice of the decision being given to such member or registered student.

- 22.8 Every written appeal to the Appeal Committee shall state the grounds of the appeal; and the grounds so stated shall not be amended after the date of delivery of the notice in which they are stated save by the leave of the Appeal Committee.
- 22.9 The Appeal committee shall give the appellant an opportunity of being heard before it; and may, if he so desires permit him to be represented before it by counsel or by attorney at-law or a member of the Institute.
- 22.10 The Disciplinary Committee may request a member of the Institute (who may be a member of the Disciplinary Committee) to support the decision of the Disciplinary Committee, or may instruct an attorney-at-law to support or to brief counsel to support the decision.
- 22.11 Notice of every finding and decision of the Appeal committee shall forthwith be given to the member or registered student concerned and the decision shall thereupon take effect.
- 22.12 All finding and decisions of the Appeal Committee shall be reported to the Council and the Council shall cause the same to be duly recorded.
- 22.13 Notice of any order made by the Council, the Disciplinary Committee or the Appeal Committee under these bye-laws may, and notice of any order of expulsion or suspension of a member shall, be given to all members of the Institute after a period of fifteen days from the date of the making thereof.
- 22.14 Such further or other notice of any order made by the Disciplinary Committee or the Appeal Committee may be given or published in such a way and at such times as the Disciplinary Committee or the Appeal Committee may determine.
- 22.15 All members and registered students by their applications for membership or registration or by their continuance of membership or registration shall consent and be deemed to have consented to any notice or publication under bye-laws 22.13 and 22.14.
- 22.16 Neither the Institute nor the Council shall be required to take notice of any published article or private communication or of any statement affecting the conduct of a member or a registered student.

Discipline

- 23.1 If after any formal hearing held in accordance with these bye-laws the Disciplinary Committee or Appeal Committee is satisfied that any member or registered student has been guilty of an act or default discreditable to a member or registered student of the

Institute or that any charge or charges have been admitted or proven, or after a conviction for fraud, an adjudgment of bankruptcy or a failure to satisfy a judgment debt (either individually or as a partner), the making of an assignment for the benefit of creditors or under any resolution of creditors or Order of the Court or any deed or document placing his estate in liquidation for the benefit of creditors or making any arrangement for the payment of a composition to creditors or certification of mental incompetency of a court, the Committee may order one of the following, namely:-

- a) that any such member or registered student charged may be reprimanded by the President or disciplined in such other way as the Committee may from time to time determine; or
 - b) that any such member or registered student be suspended from some or all his rights and privileges as such under the Constitution and the bye-laws on such terms and conditions as the committee may from time to time determine either for a time certain or until the Committee shall further order; or
 - c) that any such member or registered student pay a fine to the Institute, or if such a fine should not be paid within fourteen days, that the member or registered student be dealt with under this bye-law in such manner as the Committee may by resolution from time to time determine; or
 - d) that any such registered student be struck off the register of students; or
 - e) that any such member be expelled from membership in the Institute.
- 23.2 Any person who is suspended under the bye-laws shall not during the period of his suspension be considered as a member or registered student, as the case may be, for any purpose and his name shall be removed from the register accordingly for the period of his suspension.
- 23.3 Subject to bye-law 23.4, all orders of the Disciplinary Committee on the Appeal Committee under bye-law 23.1 shall be final, binding and conclusive.
- 23.4 At any time the Council upon resolution of the majority of the members of council present and voting may review and refer to the Appeal Committee and Disciplinary order relating to any formal hearing by the Disciplinary Committee.
- 23.5 No member, registered student or other person shall have any cause of action or lawful complaint against the Institute, the Council or any member thereof or any member of any Committee, any member, registered student or officer, servant, agent, counsel or attorney of the Institute by reason of anything done or omitted to be done or any other matter or thing corrected with or in respect of any investigation enquiry, charge, any formal hearing or report, of any disciplinary order or publication, made or done in good faith under the bye-laws.

Staff

- 24.1 The Council may appoint such officials, servants or agents as the Council may deem necessary on such terms and conditions as to remuneration and otherwise as the Council shall think fit and remove them. Subject to these bye-laws, the Council shall determine the duties of such officials, servants or agents.

Statements of Standard Accounting And Auditing Practices

- 25.1 The Council may from time to time issue Statements of Standard Accounting and Auditing Practices as approved by the council to be followed by the members of the Institute.
- 25.2 On the recommendation of the Technical committee or any other Committee appointed by the Council for that purpose, the Council may adopt Accounting Standards and Auditing Practices issued by the International Accounting Standards Committee or any Registered Body, subject to any necessary modification and adaptations.

Registered Office

- 26.1 The registered office of the Institute will be situated at Georgetown, Guyana.
- 26.2 Any change in the situation of the registered office shall be published in the Gazette not later than 30 days after the change.

REGULATIONS MADE PURSUANT TO THE BYE-LAWS

1. The Application Form under bye-law 2.4 shall be in the form set out in the Schedule hereto.
2. The Certificate of Registration under bye-law 2.10 shall be in the form set out in the Schedule hereto.
3. The Practicing Certificate under bye-law 3.2 shall be in the form set out in the Schedule hereto.

SCHEDULE

FORM A

APPLICATION NO.....

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF GUYANA

Application by a Person Qualified for Registration as a Chartered Accountant

Applicant's Surname	Applicant's other Names		
Place of Birth	Date of Birth	Nationality	
Residential Address	Professional Address		
Qualification for Registration			
Evidence in support of Qualification for Registration as indicated by () below to be attached. () Evidence of membership of a registered Body () Documentary evidence of other qualification			
Fees Enclosed		Date	Applicant's Signature
Application G\$	Registration G\$		
Characters References (Given the names and addresses of any registered Chartered Accountant)			
For Official Use Only			
Date of Receipt	Ref. to Acceptance refusal	Entry in Register	Certificate No.

SCHEDULE

FORM B

INSTITUTE OF CHARTERED ACCOUNTANTS OF GUYANA

Certificate of Registration

Registration No.....

We certify that..... was admitted on
..... to the Register of the Chartered
Accountants maintained by the Institute under the Institute of Chartered Accountants Act 1991
and is entitled to take and use the title “Chartered Accountants”.

SEAL

.....
President of the Institute

.....
Secretary

This Certificate is the property of the Institute

FORM C

INSTITUTE OF CHARTERED ACCOUNTANTS OF GUYANA

Practising Certificate

Pursuant to the Institute of Chartered Accountants of Guyana Act, it is hereby certified that
.....whose name is entered in the Register
of Chartered Accountants and who having completed with the relevant bye-laws of the
Institute is entitled to practice as a Chartered Accountant in Guyana.

.....
President of the Institute

SEAL

.....
Secretary

Dated at Georgetown, Guyana this
Day of,19
Certificate No..... Valid until 31st December