

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 6 November, 1958.*

New South Wales



ANNO SEPTIMO

ELIZABETHÆ II REGINÆ

Act No. , 1958.

An Act to make further provision with respect to the registration of persons as registered public accountants; for this and other purposes to amend the Public Accountants Registration Act, 1945, as amended by subsequent Acts; to validate certain matters; and for purposes connected therewith.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Public Accountants Registration (Amendment) Act, 1958".

Short title
and
citation.

Public Accountants Registration (Amendment).

(2) The Public Accountants Registration Act, 1945, as amended by subsequent Acts and by this Act, may be cited as the Public Accountants Registration Act, 1945-1958.

2. The Public Accountants Registration Act, 1945, as amended by subsequent Acts, is amended—

- Amendment of Act No. 18, 1945.
- Sec. 2. (Definitions.)
- 10 (a) by omitting from the definition of "Public Accountant" in section two the words "and whose services are not either entirely or mainly at the disposal of any individual firm, trust or association (whether incorporate or unincorporate)";
- 15 (b) by omitting from subparagraph (ii) of paragraph (c) of subsection one of section eighteen the words "prescribed before examiners appointed" and by inserting in lieu thereof the words "conducted or approved by the Board before examiners appointed or approved";
- 20 (c) (i) by omitting from subsection one of section nineteen the words "prescribed under" and by inserting in lieu thereof the words "referred to in";
- 25 (ii) by inserting in the same subsection after the words "University of Sydney" the words "the University of New South Wales, the University of New England";
- (iii) by omitting subsection (1A) of the same section and by inserting in lieu thereof the following subsection:—
- 30 (1A) (a) Where a person has, before the commencement of the Public Accountants Registration (Amendment) Act, 1958—
- (i) passed any or all of the examinations prescribed under subparagraph (ii) of paragraph (c) of subsection one of section
- Sec. 18. (Qualifications for registration as registered public accountant.)
- Sec. 19. (Exemption from prescribed examinations.)

Public Accountants Registration (Amendment).

section eighteen of the Public Accountants Registration Act, 1945, as amended by subsequent Acts as enacted before such commencement; or

5

(ii) passed an examination or examinations of any approved institute of accountants and produces evidence satisfactory to the Board of having done so,

10

he shall be exempt from any examination or examinations, referred to in subparagraph (ii) of paragraph (c) of subsection one of section eighteen of this Act, to which the examination or examinations he has passed as aforesaid is or are, in the opinion of the Board, equivalent.

15

(b) The amendment made by subparagraph (iii) of paragraph (c) of section two of the Public Accountants Registration (Amendment) Act, 1958, shall not take away or in any way affect the right of any person to be registered under this Act, but such person shall be entitled to be so registered as if such amendment had not been made.

20

(d) by omitting from subsection two of section twenty the words “, shall be made in duplicate,”;

25

Sec. 20.
(Application for registration.)

(e) by inserting at the end of section twenty-four the following new paragraph :—

Sec. 24.
(Removal from register of certain persons.)

30

(d) every registered public accountant who has been registered under this Act erroneously or in consequence of any false or fraudulent statement, declaration or representation, either verbal or in writing.

(f)

Public Accountants Registration (Amendment).

(f) (i) by omitting subsection one of section twenty-five and by inserting in lieu thereof the following subsection :— Sec. 25.
(Disciplinary provisions.)

5 (1) A complaint or charge that any registered public accountant—

(a) has been convicted of perjury or false swearing or of any offence involving fraud;

10 (b) has in the course of any work, office, engagement or employment, whether or not in his profession or calling as a public accountant—

15 (i) falsified or caused to be falsified any book, account, document, statement or return ;

20 (ii) stated, reported or given as his opinion that any book, account, document, statement or return is correct knowing such book, account, document, statement or return to be false in any material particular ; or

25 (iii) fraudulently retained or converted to his own use any money or valuable thing received by him on behalf of any person ;

30 (c) in his capacity as a public accountant or as a registered tax agent, as defined in section 251A of the Income Tax Assessment Act 1936 as amended by subsequent Acts of the Parliament of the Commonwealth, has, through his negligence, caused loss to any person ; or

35 (d) has otherwise howsoever been guilty of infamous conduct in his profession or calling as a public accountant,

may be preferred to the Board.

(ii)

Public Accountants Registration (Amendment).

- 5 (ii) by omitting from subsection five of the same section the words "Where the registered public accountant is adjudged guilty by the Board" and by inserting in lieu thereof the words "Where the Board finds that a complaint or charge preferred against a registered public accountant under subsection one of this section has been proved";
- 10 (iii) by inserting at the end of the same subsection the following new paragraph :—
- An order under paragraph (b) or (c) of this subsection shall not be made where the matter in respect of which the complaint or charge was preferred is such that, either from its trivial nature or from the circumstances in which it was committed, it does not render the registered public accountant against whom the complaint or charge was preferred unfit in the public interest to practise his profession or calling as a public accountant.
- 15
- 20 (g) by inserting at the end of paragraph (b) of subsection one of section twenty-six the following word and new paragraph :—
- ; or
- 25 (c) against the removal of the name of a registered public accountant from the Register of Registered Public Accountants pursuant to paragraph (b) or (d) of section twenty-four of this Act.
- 30 (h) (i) by inserting in paragraph (c) of subsection one of section twenty-eight after the words "Public Hospitals Act, 1929-1943" the words "or of the accounts of any registered society within the meaning of the Friendly Societies Act, 1912, as amended by subsequent Acts";
- 35 (ii)
- Sec. 28. (Disqualification of an unregistered person from holding appointments.)

Public Accountants Registration (Amendment).

(ii) by omitting subsection four of the same section and by inserting in lieu thereof the following subsection:—

5 (4) The Board may, upon application in the prescribed manner, exempt any person from the provisions of subsection one of this section in his capacity as auditor of such company referred to in paragraph (a) of that subsection, 10 or auditor for the purpose of auditing such accounts referred to in paragraph (b) of that subsection, or auditor of such accounts referred to in paragraph (c) of that subsection, as may be specified in the exemption.

15 Any such exemption shall be in force for the period specified therein by the Board.

(i) by inserting next after the same section the following new section:—

New sec. 28A.

20 28A. Where a registered public accountant in his capacity as—

Registered public accountant to add certain words after his signature on certain documents.

(a) auditor of any company under the Companies Act, 1936, as amended by subsequent Acts;

25 (b) auditor for the purpose of auditing any accounts referred to in paragraph (b) of subsection one of section twenty-eight of this Act; or

(c) auditor of any accounts referred to in paragraph (c) of subsection one of section twenty-eight of this Act,

30 signs any certificate with respect to, or report upon, any book, account, document, statement or return, or in his capacity as an auditor signs any certificate which is required to be furnished pursuant to any regulation made under the Auctioneers, Stock and Station and Real Estate Agents Act, 1941, as 35 amended by subsequent Acts, to the Council of the Auctioneers, Stock and Station Agents, Real Estate Agents

Public Accountants Registration (Amendment).

5 Agents and Business Agents constituted under that Act, he shall add after his signature appearing on such certificate or report the words "Registered under the Public Accountants Registration Act, 1945, as amended".

Any person guilty of an offence against this section shall be liable to a penalty not exceeding fifty pounds.

- (j) by omitting from section thirty-four the words "or police"; Sec. 34.
(Offences
and
penalties.)
- 10 (k) by omitting from subsection two of section thirty-five the words "and of prescribing examinations under section eighteen of this Act,". Sec. 35.
(Regulations.)

3. Where a person—

Validation.

- 15 (a) has before the commencement of this Act been registered under the Public Accountants Registration Act, 1945-1951;
- 20 (b) was so registered otherwise than by reason of his having been granted by the Board any exemption pursuant to subsection one or paragraph (a) of subsection (1A) of section nineteen of that Act; and
- 25 (c) was so registered by reason of his having passed examinations held by the New South Wales University of Technology, the University of New South Wales, the University of New England or any approved institute of accountants as defined in section seventeen of that Act,

such person shall be deemed to have been validly registered under that Act.

THE UNIVERSITY OF ALABAMA

OFFICE OF THE CHANCELLOR

100 UNIVERSITY BLVD

TUSCALOOSA, AL 35487

MEMORANDUM FOR THE CHANCELLOR

FROM: [Illegible]

SUBJECT: [Illegible]

[Illegible]

[Illegible]

[Illegible]

[Illegible]

[Illegible]

[Illegible]

No. , 1958.

A BILL

To make further provision with respect to the registration of persons as registered public accountants; for this and other purposes to amend the Public Accountants Registration Act, 1945, as amended by subsequent Acts; to validate certain matters; and for purposes connected therewith.

[Mr. SHEAHAN;—16 *September*, 1958.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Public Accountants Registration (Amendment) Act, 1958".

Short title
and
citation.

Public Accountants Registration (Amendment).

(2) The Public Accountants Registration Act, 1945, as amended by subsequent Acts and by this Act, may be cited as the Public Accountants Registration Act, 1945-1958.

2. The Public Accountants Registration Act, 1945, as amended by subsequent Acts, is amended—

Amendment
of Act
No. 18,
1945.

- (a) by omitting from the definition of "Public Accountant" in section two the words "and whose services are not either entirely or mainly at the disposal of any individual firm, trust or association (whether incorporate or unincorporate)";
- 10
- (b) by omitting from subparagraph (ii) of paragraph (c) of subsection one of section eighteen the words "prescribed before examiners appointed" and by inserting in lieu thereof the words "conducted or approved by the Board before examiners appointed or approved";
- 15
- (c) (i) by omitting from subsection one of section nineteen the words "prescribed under" and by inserting in lieu thereof the words "referred to in";
- 20
- (ii) by inserting in the same subsection after the words "University of Sydney" the words "the New South Wales University of Technology, the University of New England";
- 25
- (iii) by omitting subsection (1A) of the same section and by inserting in lieu thereof the following subsection:—
- (1A) (a) Where a person has, before the commencement of the Public Accountants Registration (Amendment) Act, 1958—
- 30
- (i) passed any or all of the examinations prescribed under subparagraph (ii) of paragraph (c) of subsection one of section

Sec. 2.
(Definitions.)

Sec. 18.
(Qualifications for registration as registered public accountant.)

Sec. 19.
(Exemption from prescribed examinations.)

Public Accountants Registration (Amendment).

section eighteen of the Public Accountants Registration Act, 1945, as amended by subsequent Acts as enacted before such commencement; or

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(ii) passed an examination or examinations of any approved institute of accountants and produces evidence satisfactory to the Board of having done so,

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he shall be exempt from any examination or examinations, referred to in subparagraph (ii) of paragraph (c) of subsection one of section eighteen of this Act, to which the examination or examinations he has passed as aforesaid is or are, in the opinion of the Board, equivalent.

15

(b) The amendment made by subparagraph (iii) of paragraph (c) of section two of the Public Accountants Registration (Amendment) Act, 1958, shall not take away or in any way affect the right of any person to be registered under this Act, but such person shall be entitled to be so registered as if such amendment had not been made.

20

25

(d) by omitting from subsection two of section twenty the words “, shall be made in duplicate,”;

Sec. 20.
(Application for registration.)

(e) by inserting at the end of section twenty-four the following new paragraph :—

Sec. 24.
(Removal from register of certain persons.)

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(d) every registered public accountant who has been registered under this Act erroneously or in consequence of any false or fraudulent statement, declaration or representation, either verbal or in writing.

(f)

Public Accountants Registration (Amendment).

(f) (i) by omitting subsection one of section twenty-five and by inserting in lieu thereof the following subsection :—

Sec. 25.
(Disciplinary provisions.)

- 5 (1) A complaint or charge that any registered public accountant—
- (a) has been convicted of perjury or false swearing or of any offence involving fraud;
- 10 (b) has in the course of any work, office, engagement or employment, whether or not in his profession or calling as a public accountant—
- 15 (i) falsified or caused to be falsified any book, account, document, statement or return ;
- (ii) stated, reported or given as his opinion that any book, account, document, statement or return is correct knowing such book, account, document, statement or return to be false in any material particular ; or
- 20 (iii) fraudulently retained or converted to his own use any money or valuable thing received by him on behalf of any person ;
- 25 (c) in his capacity as a public accountant or as a registered tax agent, as defined in section 251A of the Income Tax Assessment Act 1936 as amended by subsequent Acts of the Parliament of the Commonwealth, has, through his negligence, caused loss to any person ; or
- 30 (d) has otherwise howsoever been guilty of infamous conduct in his profession or calling as a public accountant,
- 35 may be preferred to the Board.

(ii)

Public Accountants Registration (Amendment).

5 (ii) by omitting from subsection five of the same section the words "Where the registered public accountant is adjudged guilty by the Board" and by inserting in lieu thereof the words "Where the Board finds that a complaint or charge preferred against a registered public accountant under subsection one of this section has been proved";

10 (iii) by inserting at the end of the same subsection the following new paragraph :—

15 An order under paragraph (b) or (c) of this subsection shall not be made where the matter in respect of which the complaint or charge was preferred is such that, either from its trivial nature or from the circumstances in which it was committed, it does not render the registered public accountant against whom the complaint or charge was preferred unfit in the public interest to practise his profession or calling as a public accountant.

(g) by inserting at the end of paragraph (b) of subsection one of section twenty-six the following word and new paragraph :—

; or

25 (c) against the removal of the name of a registered public accountant from the Register of Registered Public Accountants pursuant to paragraph (b) or (d) of section twenty-four of this Act.

30 (h) (i) by inserting in paragraph (c) of subsection one of section twenty-eight after the words "Public Hospitals Act, 1929-1943" the words "or of the accounts of any registered society within the meaning of the Friendly Societies Act, 1912, as amended by subsequent Acts";

Sec. 28. (Disqualification of an unregistered person from holding appointments.)

(ii)

35

Public Accountants Registration (Amendment).

(ii) by omitting subsection four of the same section and by inserting in lieu thereof the following subsection: —

5 (4) The Board may, upon application in the prescribed manner, exempt any person from the provisions of subsection one of this section in his capacity as auditor of such company referred to in paragraph (a) of that subsection, or auditor for the purpose of auditing such
10 accounts referred to in paragraph (b) of that subsection, or auditor of such accounts referred to in paragraph (c) of that subsection, as may be specified in the exemption.

15 Any such exemption shall be in force for the period specified therein by the Board.

(i) by inserting next after the same section the following new section : — New sec. 28A.

28A. Where a registered public accountant in his capacity as— Registered public accountant to add certain words after his signature on certain documents.

20 (a) auditor of any company under the Companies Act, 1936, as amended by subsequent Acts;

(b) auditor for the purpose of auditing any
25 accounts referred to in paragraph (b) of subsection one of section twenty-eight of this Act; or

(c) auditor of any accounts referred to in
30 paragraph (c) of subsection one of section twenty-eight of this Act,

35 signs any certificate with respect to, or report upon, any book, account, document, statement or return, or in his capacity as an auditor signs any certificate which is required to be furnished pursuant to any regulation made under the Auctioneers, Stock and Station and Real Estate Agents Act, 1941, as amended by subsequent Acts, to the Council of the Auctioneers, Stock and Station Agents, Real Estate Agents

Public Accountants Registration (Amendment).

5 Agents and Business Agents constituted under that Act, he shall add after his signature appearing on such certificate or report the words "Registered under the Public Accountants Registration Act, 1945, as amended".

Any person guilty of an offence against this section shall be liable to a penalty not exceeding fifty pounds.

- (j) by omitting from section thirty-four the words "or police"; Sec. 34.
(Offences
and
penalties.)
- 10 (k) by omitting from subsection two of section thirty-five the words "and of prescribing examinations under section eighteen of this Act,". Sec. 35.
(Regulations.)

3. Where a person—

Validation.

- 15 (a) has before the commencement of this Act been registered under the Public Accountants Registration Act, 1945-1951;
- 20 (b) was so registered otherwise than by reason of his having been granted by the Board any exemption pursuant to subsection one or paragraph (a) of subsection (1A) of section nineteen of that Act; and
- 25 (c) was so registered by reason of his having passed examinations held by the New South Wales University of Technology, the University of New England or any approved institute of accountants as defined in section seventeen of that Act,

such person shall be deemed to have been validly registered under that Act.

And it shall be the duty of the Board to cause to be prepared and published a list of the names of the persons who are registered under this Act, and to cause to be published a list of the names of the persons who are not registered under this Act.

(1) The Board shall have the right to require any person who is registered under this Act to furnish to the Board such information as the Board may require for the purpose of carrying out its functions.

(2) Any person who fails to comply with the requirements of this section shall be liable to a fine not exceeding five hundred dollars.

J. Where a person

(a) has before the commencement of this Act been registered under the Public Accountants Regulation Act, 1915-1931;

(b) was so registered otherwise than by reason of his having been named by the Board as an exemption pursuant to subsection (1) of section 11 of this Act; and

(c) was so registered by reason of his having passed examinations held by the Law Society of New Zealand or any other body of persons or institutions as defined in section 11 of this Act;

such person shall be deemed to have been validly registered under this Act.

**PUBLIC ACCOUNTANTS REGISTRATION (AMENDMENT)
BILL, 1958.**

EXPLANATORY NOTE.

THE objects of this Bill are—

- (a) to redefine the expression "public accountant" in the Public Accountants Registration Act, 1945, as amended by subsequent Acts, so that a person who works part time as a registered public accountant is included in the expression ;
- (b) to provide that the examinations to be passed by certain applicants for registration as registered public accountants shall be either conducted or approved by the Public Accountants Registration Board before examiners appointed or approved by the Board ;
- (c) to authorise the Board to exempt from examinations so conducted or approved persons who have passed certain equivalent examinations ;
- (d) to remove the necessity for making applications for registration as a registered public accountant in duplicate ;
- (e) to require the Board to cause to be removed from the Register of Registered Public Accountants the names of registered public accountants registered erroneously or in consequence of any false or fraudulent statement, declaration or representation ;
- (f) to extend the disciplinary provisions of the Public Accountants Registration Act, 1945, as amended by subsequent Acts, relating to the removal from the Register of the names of registered public accountants against whom the Board has found certain complaints or charges to have been proved ;
- (g) to vary the Board's powers of exemption under section 28 of the Public Accountants Registration Act, 1945, as amended by subsequent Acts, which prohibits persons other than registered public accountants from acting as auditor of companies or for the purpose of auditing certain accounts ;
- (h) to require a registered public accountant to add after his signature on certain certificates and reports the words "Registered under the Public Accountants Registration Act, 1945, as amended" ;
- (i) to validate certain registrations in the Register of Registered Public Accountants ;
- (j) to make other amendments of a consequential character.

PUBLIC ACCOUNTANTS REGISTRATION (AMENDMENT)
BILL, 1958

EXPLANATORY NOTE

The objects of this Bill are—

- (a) to extend the expression "public accountant" in the Public Accountants Registration Act, 1947, as amended, to include persons who work part-time as registered public accountants in the profession;
- (b) to provide that the Commission to be passed by certain applications for registration as registered public accountants shall be subject to the approval of the Public Accountants Registration Board before being appointed or approved by the Board;
- (c) to authorize the Board to exempt from examination or exempt persons who have passed certain specified examinations;
- (d) to remove the necessity for making applications for registration as a registered public accountant in duplicate;
- (e) to require the Board to cause to be returned from the Registrar to registered Public Accountants the names of registered public accountants who have been removed or in consequence of any late or fraudulent payment of fees or representation;
- (f) to extend the disciplinary provisions of the Public Accountants Registration Act, 1947, as amended, to include persons who are in the removal from the Register of the names of registered public accountants against whom the Board has found certain complaints or charges to have been proved;
- (g) to vary the Board's power of exemption under section 28 of the Public Accountants Registration Act, 1947, as amended, in subsection (1) of section 28, which prohibits persons other than registered public accountants from being subject to discipline for the purpose of maintaining the integrity of the profession;
- (h) to require a registered public accountant to add to the accounts and returns submitted and reports the Board requires the Board to require;
- (i) to enable certain regulations in the Bill of Registered Public Accountants to be made.

(1) to make other amendments of a consequential character

No. 1958.

A BILL

To make further provision with respect to the registration of persons as registered public accountants; for this and other purposes to amend the Public Accountants Registration Act, 1945, as amended by subsequent Acts; to validate certain matters; and for purposes connected therewith.

[Mr. SHEAHAN;—16 September, 1958.]

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Short title and citation.

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2. The Public Accountants Registration Act, 1945, as amended by subsequent Acts, is amended—

Amendment
of Act
No. 18,
1945.

- (a) by omitting from the definition of "Public Accountant" in section two the words "and whose services are not either entirely or mainly at the disposal of any individual firm, trust or association (whether incorporate or unincorporate)";
- 10
- (b) by omitting from subparagraph (ii) of paragraph (c) of subsection one of section eighteen the words "prescribed before examiners appointed" and by inserting in lieu thereof the words "conducted or approved by the Board before examiners appointed or approved";
- 15
- (c) (i) by omitting from subsection one of section nineteen the words "prescribed under" and by inserting in lieu thereof the words "referred to in";
- 20
- (ii) by inserting in the same subsection after the words "University of Sydney" the words ", the New South Wales University of Technology, the University of New England";
- 25
- (iii) by omitting subsection (1A) of the same section and by inserting in lieu thereof the following subsection:—
- (1A) (a) Where a person has, before the commencement of the Public Accountants Registration (Amendment) Act, 1958—
- 30
- (i) passed any or all of the examinations prescribed under subparagraph (ii) of paragraph (c) of subsection one of section

Sec. 2.
(Definitions.)

Sec. 18.
(Qualifications for registration as registered public accountant.)

Sec. 19.
(Exemption from prescribed examinations.)

Public Accountants Registration (Amendment).

section eighteen of the Public Accountants Registration Act, 1945, as amended by subsequent Acts as enacted before such commencement; or

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(ii) passed an examination or examinations of any approved institute of accountants and produces evidence satisfactory to the Board of having done so,

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he shall be exempt from any examination or examinations, referred to in subparagraph (ii) of paragraph (c) of subsection one of section eighteen of this Act, to which the examination or examinations he has passed as aforesaid is or are, in the opinion of the Board, equivalent.

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(b) The amendment made by subparagraph (iii) of paragraph (c) of section two of the Public Accountants Registration (Amendment) Act, 1958, shall not take away or in any way affect the right of any person to be registered under this Act, but such person shall be entitled to be so registered as if such amendment had not been made.

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25 (d) by omitting from subsection two of section twenty the words “, shall be made in duplicate,”; Sec. 20.
(Application for registration.)

(e) by inserting at the end of section twenty-four the following new paragraph : — Sec. 24.
(Removal from register of certain persons.)

(d) every registered public accountant who has been registered under this Act erroneously or in consequence of any false or fraudulent statement, declaration or representation, either verbal or in writing.

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(f) (i) by omitting subsection one of section twenty-five and by inserting in lieu thereof the following subsection : — Sec. 25.
(Disciplinary provisions.)

5 (1) A complaint or charge that any registered public accountant—

(a) has been convicted of perjury or false swearing or of any offence involving fraud;

10 (b) has in the course of any work, office, engagement or employment, whether or not in his profession or calling as a public accountant—

15 (i) falsified or caused to be falsified any book, account, document, statement or return ;

20 (ii) stated, reported or given as his opinion that any book, account, document, statement or return is correct knowing such book, account, document, statement or return to be false in any material particular ; or

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30 (c) in his capacity as a public accountant or as a registered tax agent, as defined in section 251A of the Income Tax Assessment Act 1936 as amended by subsequent Acts of the Parliament of the Commonwealth, has, through his negligence, caused loss to any person ; or

35 (d) has otherwise howsoever been guilty of infamous conduct in his profession or calling as a public accountant,

may be preferred to the Board.

(i)

(ii)

Public Accountants Registration (Amendment).

5 (ii) by omitting from subsection five of the same section the words "Where the registered public accountant is adjudged guilty by the Board" and by inserting in lieu thereof the words "Where the Board finds that a complaint or charge preferred against a registered public accountant under subsection one of this section has been proved";

10 (iii) by inserting at the end of the same subsection the following new paragraph : —

15 An order under paragraph (b) or (c) of this subsection shall not be made where the matter in respect of which the complaint or charge was preferred is such that, either from its trivial nature or from the circumstances in which it was committed, it does not render the registered public accountant against whom the complaint or charge was preferred unfit in the public interest to practise his profession or calling as a public accountant.

20

(g) by inserting at the end of paragraph (b) of subsection one of section twenty-six the following word and new paragraph : —

Sec. 26. (Appeals.)

; or

25 (c) against the removal of the name of a registered public accountant from the Register of Registered Public Accountants pursuant to paragraph (b) or (d) of section twenty-four of this Act.

30 (h) (i) by inserting in paragraph (c) of subsection one of section twenty-eight after the words "Public Hospitals Act, 1929-1943" the words "or of the accounts of any registered society within the meaning of the Friendly Societies Act, 1912, as amended by subsequent Acts";

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Sec. 28. (Disqualification of an unregistered person from holding appointments.)

(ii)

Public Accountants Registration (Amendment).

(ii) by omitting subsection four of the same section and by inserting in lieu thereof the following subsection:—

5 (4) The Board may, upon application in the prescribed manner, exempt any person from the provisions of subsection one of this section in his capacity as auditor of such company referred to in paragraph (a) of that subsection, or auditor for the purpose of auditing such
10 accounts referred to in paragraph (b) of that subsection, or auditor of such accounts referred to in paragraph (c) of that subsection, as may be specified in the exemption.

15 Any such exemption shall be in force for the period specified therein by the Board.

(i) by inserting next after the same section the following new section :—

New sec. 28A.

20 28A. Where a registered public accountant in his capacity as—

Registered public accountant to add certain words after his signature on certain documents.

(a) auditor of any company under the Companies Act, 1936, as amended by subsequent Acts;

25 (b) auditor for the purpose of auditing any accounts referred to in paragraph (b) of subsection one of section twenty-eight of this Act; or

(c) auditor of any accounts referred to in paragraph (c) of subsection one of section twenty-eight of this Act,

30 signs any certificate with respect to, or report upon, any book, account, document, statement or return, or in his capacity as an auditor signs any certificate which is required to be furnished pursuant to any regulation made under the Auctioneers, Stock and
35 Station and Real Estate Agents Act, 1941, as amended by subsequent Acts, to the Council of the Auctioneers, Stock and Station Agents, Real Estate Agents

Public Accountants Registration (Amendment).

Agents and Business Agents constituted under that Act, he shall add after his signature appearing on such certificate or report the words "Registered under the Public Accountants Registration Act, 1945, as amended".

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Any person guilty of an offence against this section shall be liable to a penalty not exceeding fifty pounds.

- (j) by omitting from section thirty-four the words "or police"; Sec. 34.
(Offences and penalties.)
- 10 (k) by omitting from subsection two of section thirty-five the words "and of prescribing examinations under section eighteen of this Act,". Sec. 35.
(Regulations.)

3. Where a person—

Validation.

- 15 (a) has before the commencement of this Act been registered under the Public Accountants Registration Act, 1945-1951;
- 20 (b) was so registered otherwise than by reason of his having been granted by the Board any exemption pursuant to subsection one or paragraph (a) of subsection (1A) of section nineteen of that Act; and
- 25 (c) was so registered by reason of his having passed examinations held by the New South Wales University of Technology, the University of New England or any approved institute of accountants as defined in section seventeen of that Act,

such person shall be deemed to have been validly registered under that Act.

Public Accountants Registration (Amendment)

Agents and Business Agents constituted under that Act be shall add after his signature appearing on such certificate or report the words "Registered under the Public Accountants Registration Act, 1942, as amended."

Any person guilty of an offence against this section shall be liable to a penalty not exceeding fifty pounds.

(j) by omitting from section thirty-four the words "or Sec. 24 (Officers and penalties)";

(k) by omitting from subsection two of section thirty-five the words "and of prescribing examinations (here) under section thirteen of this Act."

3. Where a person—

(a) has before the commencement of this Act been registered under the Public Accountants Registration Act, 1942-1951;

(b) was so registered otherwise than by reason of his having been granted by the Board any exemption pursuant to subsection one or paragraph (a) of sub-section (1A) of section nineteen of that Act; and

(c) was so registered by reason of his having passed examinations held by the New South Wales University of Technology, the University of New England or any approved institute of accountants as defined in section seventeen of that Act.

such person shall be deemed to have been validly registered under that Act.

Validation

New South Wales



ANNO SEPTIMO

ELIZABETHÆ II REGINÆ

Act No. 31, 1958.

An Act to make further provision with respect to the registration of persons as registered public accountants; for this and other purposes to amend the Public Accountants Registration Act, 1945, as amended by subsequent Acts; to validate certain matters; and for purposes connected therewith. [Assented to, 9th December, 1958.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Public Accountants Registration (Amendment) Act, 1958".

Short title
and
citation.

49647

[4d.]

(2)

Public Accountants Registration (Amendment).

(2) The Public Accountants Registration Act, 1945, as amended by subsequent Acts and by this Act, may be cited as the Public Accountants Registration Act, 1945-1958.

Amendment
of Act
No. 18,
1945.

2. The Public Accountants Registration Act, 1945, as amended by subsequent Acts, is amended—

Sec. 2.
(Defini-
tions.)

(a) by omitting from the definition of "Public Accountant" in section two the words "and whose services are not either entirely or mainly at the disposal of any individual firm, trust or association (whether incorporate or unincorporate)";

Sec. 18.
(Qualifica-
tions for
registration
as registered
public
accountant.)

(b) by omitting from subparagraph (ii) of paragraph (c) of subsection one of section eighteen the words "prescribed before examiners appointed" and by inserting in lieu thereof the words "conducted or approved by the Board before examiners appointed or approved";

Sec. 19.
(Exemption
from pre-
scribed
examina-
tions.)

(c) (i) by omitting from subsection one of section nineteen the words "prescribed under" and by inserting in lieu thereof the words "referred to in";

(ii) by inserting in the same subsection after the words "University of Sydney" the words " , the University of New South Wales, the University of New England";

(iii) by omitting subsection (1A) of the same section and by inserting in lieu thereof the following subsection :—

(1A) (a) Where a person has, before the commencement of the Public Accountants Registration (Amendment) Act, 1958—

(i) passed any or all of the examinations prescribed under subparagraph (ii) of paragraph (c) of subsection one of section

section

Public Accountants Registration (Amendment).

section eighteen of the Public Accountants Registration Act, 1945, as amended by subsequent Acts as enacted before such commencement; or

- (ii) passed an examination or examinations of any approved institute of accountants and produces evidence satisfactory to the Board of having done so,

he shall be exempt from any examination or examinations, referred to in subparagraph (ii) of paragraph (c) of subsection one of section eighteen of this Act, to which the examination or examinations he has passed as aforesaid is or are, in the opinion of the Board, equivalent.

(b) The amendment made by subparagraph (iii) of paragraph (c) of section two of the Public Accountants Registration (Amendment) Act, 1958, shall not take away or in any way affect the right of any person to be registered under this Act, but such person shall be entitled to be so registered as if such amendment had not been made.

- (d) by omitting from subsection two of section twenty the words “, shall be made in duplicate,”; Sec. 20.
(Application for registration.)
- (e) by inserting at the end of section twenty-four the following new paragraph :— Sec. 24.
(Removal from register of certain persons.)
- (d) every registered public accountant who has been registered under this Act erroneously or in consequence of any false or fraudulent statement, declaration or representation, either verbal or in writing.

(f)

Public Accountants Registration (Amendment).

Sec. 25.
(Disciplinary
provisions.)

(f) (i) by omitting subsection one of section twenty-five and by inserting in lieu thereof the following subsection :—

(1) A complaint or charge that any registered public accountant—

(a) has been convicted of perjury or false swearing or of any offence involving fraud;

(b) has in the course of any work, office, engagement or employment, whether or not in his profession or calling as a public accountant—

(i) falsified or caused to be falsified any book, account, document, statement or return ;

(ii) stated, reported or given as his opinion that any book, account, document, statement or return is correct knowing such book, account, document, statement or return to be false in any material particular ; or

(iii) fraudulently retained or converted to his own use any money or valuable thing received by him on behalf of any person ;

(c) in his capacity as a public accountant or as a registered tax agent, as defined in section 251A of the Income Tax Assessment Act 1936 as amended by subsequent Acts of the Parliament of the Commonwealth, has, through his negligence, caused loss to any person ; or

(d) has otherwise howsoever been guilty of infamous conduct in his profession or calling as a public accountant,

may be preferred to the Board.

(ii)

Public Accountants Registration (Amendment).

- (ii) by omitting from subsection five of the same section the words "Where the registered public accountant is adjudged guilty by the Board" and by inserting in lieu thereof the words "Where the Board finds that a complaint or charge preferred against a registered public accountant under subsection one of this section has been proved";
- (iii) by inserting at the end of the same subsection the following new paragraph :—

An order under paragraph (b) or (c) of this subsection shall not be made where the matter in respect of which the complaint or charge was preferred is such that, either from its trivial nature or from the circumstances in which it was committed, it does not render the registered public accountant against whom the complaint or charge was preferred unfit in the public interest to practise his profession or calling as a public accountant.

- (g) by inserting at the end of paragraph (b) of subsection one of section twenty-six the following word and new paragraph :—

Sec. 26.
(Appeals.)

; or

- (c) against the removal of the name of a registered public accountant from the Register of Registered Public Accountants pursuant to paragraph (b) or (d) of section twenty-four of this Act.

- (h) (i) by inserting in paragraph (c) of subsection one of section twenty-eight after the words "Public Hospitals Act, 1929-1943" the words "or of the accounts of any registered society within the meaning of the Friendly Societies Act, 1912, as amended by subsequent Acts";

Sec. 28.
(Disqualification of an unregistered person from holding appointments.)

(ii)

Public Accountants Registration (Amendment).

(ii) by omitting subsection four of the same section and by inserting in lieu thereof the following subsection:—

(4) The Board may, upon application in the prescribed manner, exempt any person from the provisions of subsection one of this section in his capacity as auditor of such company referred to in paragraph (a) of that subsection, or auditor for the purpose of auditing such accounts referred to in paragraph (b) of that subsection, or auditor of such accounts referred to in paragraph (c) of that subsection, as may be specified in the exemption.

Any such exemption shall be in force for the period specified therein by the Board.

New
sec. 28A.

(i) by inserting next after the same section the following new section:—

28A. Where a registered public accountant in his capacity as—

- (a) auditor of any company under the Companies Act, 1936, as amended by subsequent Acts;
- (b) auditor for the purpose of auditing any accounts referred to in paragraph (b) of subsection one of section twenty-eight of this Act; or
- (c) auditor of any accounts referred to in paragraph (c) of subsection one of section twenty-eight of this Act,

signs any certificate with respect to, or report upon, any book, account, document, statement or return, or in his capacity as an auditor signs any certificate which is required to be furnished pursuant to any regulation made under the Auctioneers, Stock and Station and Real Estate Agents Act, 1941, as amended by subsequent Acts, to the Council of the Auctioneers, Stock and Station Agents, Real Estate Agents

Registered public accountant to add certain words after his signature on certain documents.

Public Accountants Registration (Amendment).

Agents and Business Agents constituted under that Act, he shall add after his signature appearing on such certificate or report the words "Registered under the Public Accountants Registration Act, 1945, as amended".

Any person guilty of an offence against this section shall be liable to a penalty not exceeding fifty pounds.

- (j) by omitting from section thirty-four the words "or police"; Sec. 34.
(Offences and penalties.)
- (k) by omitting from subsection two of section thirty-five the words "and of prescribing examinations under section eighteen of this Act,". Sec. 35.
(Regulations.)

3. Where a person—

Validation.

- (a) has before the commencement of this Act been registered under the Public Accountants Registration Act, 1945-1951;
- (b) was so registered otherwise than by reason of his having been granted by the Board any exemption pursuant to subsection one or paragraph (a) of subsection (1A) of section nineteen of that Act; and
- (c) was so registered by reason of his having passed examinations held by the New South Wales University of Technology, the University of New South Wales, the University of New England or any approved institute of accountants as defined in section seventeen of that Act,

such person shall be deemed to have been validly registered under that Act.

By Authority:

V. C. N. BLIGHT, Government Printer, Sydney, 1958

PHILOSOPHY

The first part of the paper is devoted to a discussion of the nature of the problem. It is argued that the problem is not merely one of the interpretation of the data, but that it is a problem of the nature of the data itself. The second part of the paper is devoted to a discussion of the nature of the data. It is argued that the data are not merely a collection of facts, but that they are a collection of facts which are organized in a certain way. The third part of the paper is devoted to a discussion of the nature of the organization of the data. It is argued that the organization of the data is not merely a matter of convenience, but that it is a matter of necessity. The fourth part of the paper is devoted to a discussion of the nature of the necessity of the organization of the data. It is argued that the necessity of the organization of the data is not merely a matter of convenience, but that it is a matter of necessity.

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I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, 27 November, 1958.

New South Wales



ANNO SEPTIMO

ELIZABETHÆ II REGINÆ

Act No. 31, 1958.

An Act to make further provision with respect to the registration of persons as registered public accountants; for this and other purposes to amend the Public Accountants Registration Act, 1945, as amended by subsequent Acts; to validate certain matters; and for purposes connected therewith. [Assented to, 9th December, 1958.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Public Accountants Registration (Amendment) Act, 1958".

Short title and citation.

(2)

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

G. BOOTH,
Chairman of Committees of the Legislative Assembly.

Public Accountants Registration (Amendment).

(2) The Public Accountants Registration Act, 1945, as amended by subsequent Acts and by this Act, may be cited as the Public Accountants Registration Act, 1945-1958.

- Amendment of Act No. 18, 1945.
2. The Public Accountants Registration Act, 1945, as amended by subsequent Acts, is amended—
- Sec. 2.
(Definitions.)
- (a) by omitting from the definition of “Public Accountant” in section two the words “and whose services are not either entirely or mainly at the disposal of any individual firm, trust or association (whether incorporate or unincorporate)”;
- Sec. 18.
(Qualifications for registration as registered public accountant.)
- (b) by omitting from subparagraph (ii) of paragraph (c) of subsection one of section eighteen the words “prescribed before examiners appointed” and by inserting in lieu thereof the words “conducted or approved by the Board before examiners appointed or approved”;
- Sec. 19.
(Exemption from prescribed examinations.)
- (c) (i) by omitting from subsection one of section nineteen the words “prescribed under” and by inserting in lieu thereof the words “referred to in”;
- (ii) by inserting in the same subsection after the words “University of Sydney” the words “, the University of New South Wales, the University of New England”;
- (iii) by omitting subsection (1A) of the same section and by inserting in lieu thereof the following subsection :—
- (1A) (a) Where a person has, before the commencement of the Public Accountants Registration (Amendment) Act, 1958—
- (i) passed any or all of the examinations prescribed under subparagraph (ii) of paragraph (c) of subsection one of section
- section

Public Accountants Registration (Amendment).

section eighteen of the Public Accountants Registration Act, 1945, as amended by subsequent Acts as enacted before such commencement; or

- (ii) passed an examination or examinations of any approved institute of accountants and produces evidence satisfactory to the Board of having done so,

he shall be exempt from any examination or examinations, referred to in subparagraph (ii) of paragraph (c) of subsection one of section eighteen of this Act, to which the examination or examinations he has passed as aforesaid is or are, in the opinion of the Board, equivalent.

(b) The amendment made by subparagraph (iii) of paragraph (c) of section two of the Public Accountants Registration (Amendment) Act, 1958, shall not take away or in any way affect the right of any person to be registered under this Act, but such person shall be entitled to be so registered as if such amendment had not been made.

- (d) by omitting from subsection two of section twenty the words “, shall be made in duplicate,”; Sec. 20.
(Application for registration.)

- (e) by inserting at the end of section twenty-four the following new paragraph :— Sec. 24.
(Removal from register of certain persons.)

- (d) every registered public accountant who has been registered under this Act erroneously or in consequence of any false or fraudulent statement, declaration or representation, either verbal or in writing.

(f)

Public Accountants Registration (Amendment).

Sec. 25.
(Disciplinary
provisions.)

(f) (i) by omitting subsection one of section twenty-five and by inserting in lieu thereof the following subsection :—

(1) A complaint or charge that any registered public accountant—

(a) has been convicted of perjury or false swearing or of any offence involving fraud;

(b) has in the course of any work, office, engagement or employment, whether or not in his profession or calling as a public accountant—

(i) falsified or caused to be falsified any book, account, document, statement or return ;

(ii) stated, reported or given as his opinion that any book, account, document, statement or return is correct knowing such book, account, document, statement or return to be false in any material particular ; or

(iii) fraudulently retained or converted to his own use any money or valuable thing received by him on behalf of any person ;

(c) in his capacity as a public accountant or as a registered tax agent, as defined in section 251A of the Income Tax Assessment Act 1936 as amended by subsequent Acts of the Parliament of the Commonwealth, has, through his negligence, caused loss to any person ; or

(d) has otherwise howsoever been guilty of infamous conduct in his profession or calling as a public accountant,

may be preferred to the Board.

(ii)

Public Accountants Registration (Amendment).

(ii) by omitting from subsection five of the same section the words "Where the registered public accountant is adjudged guilty by the Board" and by inserting in lieu thereof the words "Where the Board finds that a complaint or charge preferred against a registered public accountant under subsection one of this section has been proved";

(iii) by inserting at the end of the same subsection the following new paragraph : —

An order under paragraph (b) or (c) of this subsection shall not be made where the matter in respect of which the complaint or charge was preferred is such that, either from its trivial nature or from the circumstances in which it was committed, it does not render the registered public accountant against whom the complaint or charge was preferred unfit in the public interest to practise his profession or calling as a public accountant.

(g) by inserting at the end of paragraph (b) of subsection one of section twenty-six the following word and new paragraph : —

; or

(c) against the removal of the name of a registered public accountant from the Register of Registered Public Accountants pursuant to paragraph (b) or (d) of section twenty-four of this Act.

(h) (i) by inserting in paragraph (c) of subsection one of section twenty-eight after the words "Public Hospitals Act, 1929-1943" the words "or of the accounts of any registered society within the meaning of the Friendly Societies Act, 1912, as amended by subsequent Acts";

Sec. 28.
(Disqualification of an unregistered person from holding appointments.)

(ii)

Public Accountants Registration (Amendment).

- (ii) by omitting subsection four of the same section and by inserting in lieu thereof the following subsection: —

(4) The Board may, upon application in the prescribed manner, exempt any person from the provisions of subsection one of this section in his capacity as auditor of such company referred to in paragraph (a) of that subsection, or auditor for the purpose of auditing such accounts referred to in paragraph (b) of that subsection, or auditor of such accounts referred to in paragraph (c) of that subsection, as may be specified in the exemption.

Any such exemption shall be in force for the period specified therein by the Board.

- (i) by inserting next after the same section the following new section: —

28A. Where a registered public accountant in his capacity as—

- (a) auditor of any company under the Companies Act, 1936, as amended by subsequent Acts;
- (b) auditor for the purpose of auditing any accounts referred to in paragraph (b) of subsection one of section twenty-eight of this Act; or
- (c) auditor of any accounts referred to in paragraph (c) of subsection one of section twenty-eight of this Act,

signs any certificate with respect to, or report upon, any book, account, document, statement or return, or in his capacity as an auditor signs any certificate which is required to be furnished pursuant to any regulation made under the Auctioneers, Stock and Station and Real Estate Agents Act, 1941, as amended by subsequent Acts, to the Council of the Auctioneers, Stock and Station Agents, Real Estate
Agents

New
sec. 28A.

Registered
public
accountant
to add cer-
tain words
after his
signature
on certain
documents.

Public Accountants Registration (Amendment).

Agents and Business Agents constituted under that Act, he shall add after his signature appearing on such certificate or report the words "Registered under the Public Accountants Registration Act, 1945, as amended".

Any person guilty of an offence against this section shall be liable to a penalty not exceeding fifty pounds.

- (j) by omitting from section thirty-four the words "or police"; Sec. 34.
(Offences
and
penalties.)
- (k) by omitting from subsection two of section thirty-five the words "and of prescribing examinations under section eighteen of this Act,". Sec. 35.
(Regulations.)

3. Where a person—

Validation.

- (a) has before the commencement of this Act been registered under the Public Accountants Registration Act, 1945-1951;
- (b) was so registered otherwise than by reason of his having been granted by the Board any exemption pursuant to subsection one or paragraph (a) of subsection (1A) of section nineteen of that Act; and
- (c) was so registered by reason of his having passed examinations held by the New South Wales University of Technology, the University of New South Wales, the University of New England or any approved institute of accountants as defined in section seventeen of that Act,

such person shall be deemed to have been validly registered under that Act.

In the name and on behalf of Her Majesty I assent to this Act.

E. W. WOODWARD,
Governor.

Government House,
Sydney, 9th December, 1958.

Public Accountants Examination (Amendment)

Section 1. The Public Accountants Examination Act, 1927, shall be amended to read as follows:—

Section 2. The Public Accountants Examination Act, 1927, shall be amended to read as follows:—

Section 3. The Public Accountants Examination Act, 1927, shall be amended to read as follows:—

Section 4. When a person is registered under this Act...

(1) If a person is registered under this Act...

(2) If a person is registered under this Act...

(3) If a person is registered under this Act...

and person shall be deemed to have been validly registered under this Act.

In the name and on behalf of the Minister I assent to this Act.

H. W. WOODWARD,

Governor.

Government House,

Sydney, 24th October, 1933.