

No. 20 of 2003.

*Accountants (Amendment) Act 2003.*

Certified on: 13.04.04



**INDEPENDENT STATE OF PAPUA NEW GUINEA.**

No.        of 2003.

***Accountants (Amendment) Act 2003.***

**ARRANGEMENT OF SECTIONS.**

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11. Papua New Guinea Institute of Accountants (Amendment of Section 23).
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**"64. LIST OF REGISTERED ACCOUNTANTS, ETC., TO BE PUBLISHED."**

35. Rules (Amendment of Section 68).
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37. Repeal of Part X.



**INDEPENDENT STATE OF PAPUA NEW GUINEA.**

No. of 2003.

AN ACT

entitled

***Accountants (Amendment) Act 2003,***

Being an Act to amend the *Accountants Act 1996,*

MADE by the National Parliament to come into operation in accordance with a notice in the National Gazette by the Head of State, acting with, and in accordance with, the advice of the Minister.

**1. AMENDMENT OF THE LONG TITLE.**

The Long Title to the Principal Act is amended by repealing the words "Papua New Guinea Institute of Accountants" and replacing them with the following:-

"Certified Practising Accountants of Papua New Guinea".

**2. INTERPRETATION (AMENDMENT OF SECTION 2).**

Section 2 of the Principal Act is amended by –

- (a) inserting immediately after the definition "certificate of registration" the following new definitions:-

"Certified Practising Accountant" means an accountant professionally qualified by examination;

'Certified Practising Accountants of Papua New Guinea' means the Certified Practising Accountants of Papua New Guinea established under Section 23."; and

- (b) repealing from the definition "Council" the words "Papua New Guinea Institute of Accountants" and replacing them with the following:-

"Certified Practising Accountants of Papua New Guinea";  
and

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- (c) repealing the definition "Institute"; and
- (d) repealing the definition "Registrar" and replacing it with the following:-

"Registrar" means the Registrar of Accountants Registration Board appointed under Section 19;"

**3. CONSTITUTION OF THE BOARD (AMENDMENT OF SECTION 5).**

Section 5 of the Principal Act is amended –

- (a) in Subsection (1) by -
  - (i) repealing from Paragraph (b) the words "Papua New Guinea Institute of Accountants" and replacing them with the following:-

"Certified Practising Accountants of Papua New Guinea"; and

- (ii) repealing Paragraph (d) and replacing it with the following:-

"(d) a professor or a lecturer in accountancy or in accountancy matters; and"; and

- (iii) repealing Paragraph (f).
- (b) in Subsection (2) by -
  - (i) repealing from Paragraph (a) the words "Papua New Guinea Institute of Accountants" and replacing them with the following:-

"Certified Practising Accountants of Papua New Guinea"; and

- (ii) repealing Paragraph (d).

**4. FUNCTIONS OF THE BOARD (AMENDMENT OF SECTION 15).**

Section 15 of the Principal Act is amended by repealing Paragraph (d).

**5. REPEAL OF SECTION 18.**

Section 18 of the Principal Act is repealed.

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**6. REPEAL AND REPLACEMENT OF SECTION 19.**

Section 19 of the Principal Act is repealed and is replaced with the following:-

**"19. REGISTRAR OF ACCOUNTANTS REGISTRATION BOARD.**

(1) There is established an office of the Registrar of Accountants Registration Board.

"(2) The Registrar –

(a) shall be appointed by the Board for a term of three years and is eligible for re-appointment; and

(b) subject to the *Salaries and Conditions Monitoring Committee Act 1988*, hold office on such terms and conditions as determined by the Board.

"(3) Where the Registrar is, immediately prior to his appointment, an officer of the National Public Service, his service as the Registrar shall, for the purpose of determining his existing and accruing rights, be counted as service in the Public Service."

**7. FUNCTIONS OF THE REGISTRAR (AMENDMENT OF SECTION 20).**

Section 20 of the Principal Act is amended by repealing Paragraph (a).

**8. REGISTERS (AMENDMENT OF SECTION 21).**

Section 21 of the Principal Act is amended by repealing Paragraphs (a) and (b).

**9. REPEAL AND REPLACEMENT OF HEADING TO PART IV OF THE ACT.**

The Principal Act is amended by repealing the title to Part IV and replacing it with the following:-

**"CERTIFIED PRACTISING ACCOUNTANTS OF PAPUA NEW GUINEA."**

**10. REPEAL AND REPLACEMENT OF HEADING OF DIVISION IV.1 OF THE ACT.**

The Principal Act is amended by repealing the heading to Division IV.1 and replacing it with the following:-

***"Certified Practising Accountants of Papua New Guinea."***

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**11. PAPUA NEW GUINEA INSTITUTE OF ACCOUNTANTS (AMENDMENT OF SECTION 23).**

Section 23 of the Principal Act is amended -

- (a) by repealing the heading to the section and replacing it with the following:-

**"CERTIFIED PRACTISING ACCOUNTANTS OF PAPUA NEW GUINEA."**

- (b) in Subsection (1), by repealing the words "Papua New Guinea Institute of Accountants" (twice occurring) and replacing them with the following:-

"Certified Practising Accountants of Papua New Guinea";  
and

- (c) in Subsection (2), by repealing the words "Institute" and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea";  
and

- (d) in Subsection (3), by repealing the word "Institute" and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea."

**12. FUNCTIONS OF THE INSTITUTE (AMENDMENT OF SECTION 24).**

Section 24 of the Principal Act is amended -

- (a) by repealing from the heading to the section the word "INSTITUTE" and replacing it with the following:-

"CERTIFIED PRACTISING ACCOUNTANTS OF PAPUA NEW GUINEA"; and

- (b) in the opening sentence of Subsection (1), by repealing the word, "Institute" and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea";  
and

- (c) in Subsection (1) -

- (i) by repealing Paragraph (c); and

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- (ii) in Paragraph (d), by repealing the word "Institute" and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea"; and

- (iii) in Paragraph (n), by repealing the word "Institute" and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea"; and

- (d) in Subsection (2) -

- (i) by repealing from the opening sentence of the subsection, the word "Institute" and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea"; and

- (ii) in Paragraph (a), by repealing the word "Institute" and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea"; and

- (e) in Subsection (3), by repealing the word "Institute" (twice occurring) and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea".

**13. COUNCIL (AMENDMENT OF SECTION 25).**

Section 25 of the Principal Act is amended -

- (a) in Subsection (1), by the word "Institute" and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea"; and

- (b) in Subsection (2) -

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- (i) by repealing Paragraph (a) and replacing it with the following:-

"(a) shall be Fellows of the Certified Practising Accountants of Papua New Guinea or Certified Practising Accountants of Papua New Guinea; and"; and

- (ii) by repealing from Paragraph (b), the word "Institute" and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea"; and

- (c) in Subsection (3), by repealing the word "Institute" and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea".

**14. EDUCATION AND EXAMINATION COMMITTEE (AMENDMENT OF SECTION 29).**

Section 29 of the Principal Act is amended –

- (a) in Subsection (2), by repealing from Paragraph (c) the words "Associate or Fellow status in the Institute" and replacing them with the following:-

"membership with the Certified Practising Accountants of Papua New Guinea or Fellow status with the Certified Practising Accountants of Papua New Guinea"; and

- (b) in Subsection (6), by repealing from -

- (i) Paragraph (a), the word "Institute" and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea"; and

- (ii) Paragraph (b), the word "Institute" and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea".

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**15. GENERAL POWERS OF THE COUNCIL (AMENDMENT OF SECTION 31).**

Section 31 of the Principal Act is amended by repealing the word "Institute" (four times occurring) and replacing it with the following:-

**"Certified Practising Accountants of Papua New Guinea".**

**16. RULES (AMENDMENT OF SECTION 32).**

Section 32 of the Principal Act is amended -

(a) in Subsection (1), by repealing from -

(i) Paragraph (c), the word "Institute" and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea"; and

(ii) Paragraph (d), the word "Institute" and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea"; and

(iii) Paragraph (e), the word "Institute" and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea"; and

(iv) Paragraph (f), the word "Institute" and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea"; and

(v) Paragraph (g), the word "Institute" and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea"; and

(b) in Subsection (2), by repealing the words "the Chairman of the Board" and replacing them with the words "the President"; and

(c) in Subsection (3), by repealing the words "the Chairman of the Board" and replacing them with the words "the President".

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**17. REPEAL AND REPLACEMENT OF HEADING TO DIVISION IV.2 OF THE ACT.**

The Principal Act is amended by repealing the heading to Division IV.2 and replacing it with the following:-

*"Membership of the Certified Practising Accountants of Papua New Guinea",*

**18. MEMBERSHIP OF THE INSTITUTE (AMENDMENT OF SECTION 33).**

Section 33 of the Principal Act is amended -

- (a) by repealing from the heading to the section, the word "INSTITUTE" and replacing it with the following:-

"CERTIFIED PRACTISING ACCOUNTANTS OF PAPUA  
NEW GUINEA"; and

- (b) in the opening sentence of Subsection (1), by repealing the words "Membership of the Institute" and replacing them with the following:-

"Subject to Subsection (2), Membership of the Certified  
Practising Accountants of Papua New Guinea"; and

- (c) in Subsection (1), by repealing Paragraph (d); and  
(d) by repealing Subsection (2) and replacing it with the following:-

"(2) All persons registered under this Act are required to  
be members of the Certified Practising Accountants of Papua New  
Guinea."

**19. CATEGORIES OF MEMBERSHIP (AMENDMENT OF SECTION 34).**

Section 34 of the Principal Act is amended -

- (a) by repealing the words "Membership of the Institute" and replacing them with the following:-

"Membership of the Certified Practising Accountants of  
Papua New Guinea"; and

- (b) in Paragraph (a), by repealing the word "Institute" and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea."  
and

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(c) by repealing Paragraph (b) and replacing it with the following:-

"(b) members of the Certified Practising Accountants of Papua New Guinea;"

**20. FELLOWS OF THE INSTITUTE (AMENDMENT OF SECTION 35).**

Section 35 of the Principal Act is amended -

(a) by repealing the heading to the section and replacing it with the following:-

"FELLOWS OF THE CERTIFIED PRACTISING ACCOUNTANTS OF PAPUA NEW GUINEA."

(b) by repealing the word "Institute" (twice occurring) and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea".

**21. ASSOCIATES OF THE INSTITUTE (AMENDMENT OF SECTION 36).**

Section 36 of the Principal Act is amended -

(a) by repealing the heading to the section and replacing it with the following:-

"CERTIFIED PRACTISING ACCOUNTANTS OF PAPUA NEW GUINEA"; and

(b) by repealing the word "Institute" (twice occurring) and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea".

**22. REPEAL AND REPLACEMENT OF SECTION 37.**

Section 37 of the Principal Act is repealed and is replaced with the following:-

**37. ACCOUNTING TECHNICIANS.**

The Rules of the Certified Practising Accountants of Papua New Guinea shall provide for the terms and conditions relating to the admission or advancement of a person as an Accounting Technician, and without limiting the foregoing, shall specify the required level of training, examination, period of service, experience and fitness for this level of membership."

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**23. REGISTERED GRADUATE (AMENDMENT OF SECTION 38).**

Section 38 of the Principal Act is amended by repealing from Subsection (3), the word "Institute" and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea".

**24. REPEAL OF SECTION 39.**

The Principal Act is amended by repealing Section 39.

**25. CATEGORIES OF REGISTRATION (AMENDMENT OF SECTION 42).**

Section 42 of the Principal Act is amended -

(a) in Subsection (1), by repealing Paragraph (a) and (b); and

(b) by repealing Subsection (2).

**26. REQUIREMENT OF REGISTRATION (AMENDMENT OF SECTION 43).**

Section 43 of the Principal Act is amended in Subsection (2), by repealing from -

(a) Paragraph (a), the word "Institute" and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea"; and

(b) Paragraph (b), the word "Institute" and replacing it with the following:-

"Certified Practising Accountants of Papua New Guinea".

**27. MODE OF REGISTRATION (AMENDMENT OF SECTION 44).**

Section 44 of the Principal Act is amended in Subsection (3), by repealing the words "a Registered Public Commercial Book-keeper".

**28. RECIPROCCAL ARRANGEMENTS (AMENDMENT OF SECTION 47).**

Section 47 of the Principal Act is amended in Subsection (1), by repealing from Paragraph (a), the words "Registered Public Commercial Book-keeper".

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**29. CANCELLATION OR SUSPENSION OF REGISTRATION FOR FRAUD, ETC., (AMENDMENT OF SECTION 53).**

Section 53 of the Principal Act is amended in Paragraph (g), by repealing from Sub-paragraph (ii), the words "Registered Public Commercial Book-keeper".

**30. ACCOUNTANTS STATUTORY COMMITTEE (AMENDMENT OF SECTION 54).**

Section 54 of the Principal Act is amended -

- (a) by repealing Subsection (2) and replacing it with the following:-

"(2) The Accountants Statutory Committee shall comprise -

- (a) the Chairman of the Membership, Ethics and Discipline Committee of the Certified Practising Accountants of Papua New Guinea, who shall be the Chairman; and
- (b) the following persons appointed by the Certified Practising Accountants of Papua New Guinea:-
- (i) four practising accountants with the qualifications specified in the Accountants Registration and Practice Rules 2002; and
- (ii) a lawyer engaged in private practice."
- (b) in Subsection (4), by repealing from Paragraph (f), the words "the Chairman of the Board" and replacing them with the following:-

"the President of the Certified Practising Accountants of Papua New Guinea".

**31. CHAIRMAN AND DEPUTY CHAIRMAN OF THE ACCOUNTANTS STATUTORY COMMITTEE (AMENDMENT OF SECTION 55).**

Section 55 of the Principal Act is amended -

- (a) by repealing from the heading to section the words "CHAIRMAN AND"; and
- (b) by repealing from Subsection (1), the words "to be the Chairman of the Committee and another"; and
- (c) by repealing Subsection (3) and replacing it with the following:-

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"(3) The Deputy Chairman shall be appointed for a period of 12 months after which time the members of the Committee shall appoint another of their number to be the Deputy Chairman of the Committee for the next period of 12 months."; and

(d) in Subsection (4), by repealing from Paragraph (a) the words "three members" and replacing them with the following:-

"four members".

**32. INQUIRY TO BE HELD (AMENDMENT OF SECTION 57).**

Section 57 of the Principal Act is amended by repealing Subsections (4) and (8).

**33. REPEAL OF SECTION 59.**

Section 59 of the Principal Act is repealed.

**34. REPEAL AND REPLACEMENT OF SECTION 64.**

Section 64 of the Principal Act is repealed and is replaced with the following:-

**"64. LIST OF REGISTERED ACCOUNTANTS, ETC., TO BE PUBLISHED.**

"(1) The Registrar shall cause to be published in the National Gazette on 31 January in each year a list containing the names and addresses of all persons who, as at 1 January of that year, were registered as Registered Public Accountants, Registered Company Auditors and Registered Liquidators."

"(2) The Registrar shall cause to be published in the National Gazette on 31 July in each year a list containing the names and addresses of persons registered as Registered Public Accountants, Company Auditors and Registered Liquidators during the period 1 January to 30 June in that year."

**35. RULES (AMENDMENT OF SECTION 68).**

Section 68 of the Principal Act is amended -

(a) in Subsection (1) -

(i) by repealing the words "and the procedures to be adopted by Accountants in Employment, Registered Public Commercial Book-keepers" and replacing them with the word, "for"; and

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- (ii) by repealing the words "such practice or procedures." and replacing them with the following:-
  - "such practice."; and
- (b) in Subsection (2) -
  - (i) by repealing from Paragraphs (b) the words "accounting and"; and
  - (ii) by repealing Paragraph (d); and
- (c) by repealing Subsections (3) and replacing it with the following:-
  - "(3) In making rules under this section, the Board shall consider any recommendations made to it by the Certified Practising Accountants of Papua New Guinea"; and
- (d) by repealing Subsection (4).

**36. REGULATIONS (AMENDMENT OF SECTION 84).**

Section 84 of the Principal Act is amended, in Paragraph (c), by repealing Sub-paragraph (i).

**37. REPEAL OF PART X.**

Part X of the Principal Act is repealed.

I hereby certify that the above is a fair print of the *Accountants (Amendment) Act 2003* which has been made by the National Parliament.

*Clerk of the National Parliament.*

I hereby certify that the *Accountants (Amendment) Act 2003* was made by the National Parliament on 3 December 2003.

*Acting Speaker of the National Parliament.*