

**PROCESSES AND DOCUMENTS PRESCRIBED IN TERMS OF**

**THE AUDITING PROFESSION ACT, 26 OF 2005,**

**AS AMENDED BY THE AUDITING PROFESSION AMENDMENT ACT, 2 OF 2015 (APA)**

**A SUMMARY OF THE RELEVANT SECTIONS OF THE ACT**

**Section 6(1)(a), (c), (g)**

6(1) The Regulatory Board must, subject to this Act

(a) ***prescribe*** minimum qualifications, competency standards and requirements for registration of auditors and candidate auditors in addition to those provided for in this Act;

 (c) ***prescribe*** the period of validity of the registration of a registered auditor and a candidate auditor;

 (g) ***prescribe*** minimum requirements for the renewal of registration and re-registration of registered auditors and registered candidate auditors.

**Section 37(1), (1A) (2)(b)**

37(1) An individual must apply on the ***prescribed*** application form to the Regulatory Board for registration as an auditor or registered candidate auditor.

37(2) If, after considering an application, the Regulatory Board is satisfied that the applicant

(b) has complied with the ***prescribed*** education, training and competency requirements for a registered auditor or registered candidate auditor;

**Section 38(2), (3)**

38(2) On application by a firm which is a partnership fulfilling the conditions in subsection 1(a) or a sole proprietor, on the ***prescribed*** application form, the Regulatory Board must register the firm as a registered auditor on payment of the ***prescribed*** fee.

38(3) The Regulatory Board must register a company as a registered auditor on payment of the ***prescribed*** fee if the company meets the requirements set out in subsection (3)(a)-(d).

**Section 40(1), (2)**

40(1) A registered auditor or registered candidate auditor must apply in the ***prescribed*** manner to the Regulatory Board for the renewal of his or her registration.

40(2) A registered auditor or registered candidate auditor whose registration was terminated in terms of section 39 or cancelled in terms of section 51(3)(a)(iv) may apply for re-registration in the ***prescribed*** manner to the Regulatory Board.

**DETAIL OF DOCUMENTS AND PROCESSES PRESCRIBED IN TERMS OF THE AUDITING PROFESSION ACT, 26 OF 2005,**

**AS AMENDED BY THE AUDITING PROFESSION AMENDMENT ACT, 2 OF 2015 (APA)**

**SECTION 6:**

6(1) The Regulatory Board must, subject to this Act

(a) ***prescribe*** minimum qualifications, competency standards and requirements for registration

 of auditors and candidate auditors in addition to those provided for in this Act;

1. **Registration as a Registered auditor**

It is ***prescribed*** that the minimum qualifications, competency standards and requirements for registration of auditors in addition to those provided for in this Act are:

1.1 **For candidates who wrote the Public Practice Examination (PPE):**

1.1.1 The applicant must have successfully completed the PPE;

1.1.2 The applicant must have successfully completed a recognised training contract in public practice;

1.1.3 A determination by the Regulatory Board that the applicant is a fit and proper person to practise the profession; and

1.1.4 Proof that an applicant is a member in good standing of a professional body accredited by the Regulatory Board .

1.2 **For candidates who wrote the Assessment of Professional Competence (APC):**

1.2.1 The applicant must have successfully completed the APC;

1.2.2 The applicant must have successfully completed a recognised training contract;

1.2.3 The applicant must have successfully completed the Regulatory Board’s Audit Development Programme (ADP);

1.2.4 A determination by the Regulatory Board that the applicant is a fit and proper person to practise the profession, and

1.2.5 Proof that an applicant is a member in good standing of a professional body accredited by the Regulatory Board .

1.3 **For all candidates:**

If it has been more than three years since the applicant was last registered with the Regulatory Board, successfully completed the PPE, successfully completed their training contract (in the case of applicants who wrote the PPE), or successfully completed the ADP, whichever is the later date, the applicant is required to submit with their application their CV, evidence of CPD undertaken for the past three years, and a short explanation of why registration is required.

If the applicant is joining a firm already registered with the Regulatory Board, the applicant must also provide a letter signed by the Senior Partner or equivalent of the firm confirming their position within the firm and their audit proficiency.

The applicant may be required to attend a proficiency assessment.

1.4 **For candidates who are tax practitioners or are intending to be tax practitioners:**

It is ***prescribed*** that, in addition to applying for registration in terms of paragraphs 1.1, 1.2 and 1.3 above, if an applicant is a tax practitioner, and requires the IRBA to be his/her Recognised Controlling Body in terms of the Tax Administration Act, 28 of 2011, as amended, the candidate must provide the following:

1.4.1 A completed application form for recognition as a tax practitioner by the Regulatory Board as their Recognised Controlling Body (RCB) on Form 4 **(ANNEXURE D)**.

1.4.2 Payment of the ***prescribed*** fee.

The Regulatory Board will only be recognised as a tax practitioner’s controlling body once their individual application for registration as a registered auditor has been approved.

2. **Registration as a registered candidate auditor**

It is ***prescribed*** that the minimum qualifications, competency standards and requirements for registration of registered candidate auditors in addition to those provided for in this Act are:

2.1 The applicant must have successfully completed a recognised academic programme at an accredited university;

2.2 The applicant must have successfully completed a recognised core assessment programme;

2.3 The applicant must have completed a recognised professional development and assessment programme;

2.4 The application must be determined by the Regulatory Board to be a fit and proper person to enter into the Audit Development Programme (ADP); and

2.5 Proof that an applicant is a member in good standing of a professional body accredited by the Regulatory Board .

3. **Registration of firms**

It is ***prescribed*** that the minimum qualifications, competency standards and requirements for registration of firms in addition to those provided for in this Act are:

3.1 Submission of the completed ***prescribed*** Form 2 **(ANNEXURE B**);

3.2 Submission of a quality manual drafted in accordance with ISQC1;

3.3 Submission of the name and Regulatory Board number of the registered auditor, or other person acceptable to the Regulatory Board, identified as the firm’s Quality Reviewer;

3.4 Submission of a signed copy of the quality reviewer agreement entered into with the

Quality Reviewer; and

3.5 Submission of confirmation of firm ownership:

3.5.1 If the firm is an incorporated company, a copy of the shareholders agreement, memorandum of incorporation, shareholders register / securities register / share certificates and the latest COR39 from CIPC confirming directors of the firm;

3.5.2 If firm is a partnership, a copy of the partnership agreement or equivalent.

3.6 If a firm wishes to register additional branches once the firm is registered with the Regulatory Board, the firm must complete and submit a Form 2A **(ANNEXURE C).**

4. **Recognition of a registered auditor as a tax practitioner with the REGULATORY BOARD as Recognised Controlling Body (RCB)**

It is ***prescribed*** that the minimum requirements for the regulatory board to be recognised as the tax practitioner’s controlling body are:

4.1 Submission of completed Form 4 **(ANNEXURE D)**;

4.2 Registration as a registered auditor with the Regulatory Board;

4.2 Registration as a tax practitioner with the South African Revenue Services (SARS); and

4.3 Payment of the ***prescribed*** fee;

 (c) ***prescribe*** the period of validity of the registration of a registered auditor and a registered candidate auditor;

5. **Period of validity of the registration of a Registered auditor**

It is ***prescribed*** that the period of validity of the registration of a registered auditor, being both defined on a continuous registration basis and on an annual basis, is:

5.1 On a continuous basis, from the date of first registration until termination for whatever reason;

5.2 On an annual basis, from 1 April to 31 March of each year, provided the registered auditor pays the required annual fees, submits the required annual documents and compliance with the annual renewal requirements,

6. **Period of validity of the registration of a registered candidate auditor**

It is ***prescribed*** that the period of validity of the registration of a registered candidate auditor is:

The candidate shall be registered as a registered candidate auditor until:

6.1 the candidate has satisfied all the (ADP) requirements, which include:

6.1.1 the candidate has submitted a portfolio of evidence; and

6.1.2 the Regulatory Board has evaluated the portfolio of evidence and has reached a decision that the candidate has successfully completed the ADP; and

6.1.3 An ADP monitoring visit has been conducted at the firm where the candidate has completed the ADP and the environment has been assessed as conducive to the development of professional competence; or

6.1.4 the candidate withdraws from the ADP.

In the premise, where the candidate has complied with paragraphs 6.1.1, 6.1.2 and 6.1.3, the candidate will then be eligible to apply for registration as a registered auditor.

7. **Period of validity of the registration of a firm**

It is ***prescribed*** that the period of validity of a firm is from date of registration until registration is terminated

for whatever reason.

8. **Period of validity of the recognition of a Registered auditor as a tax practitioner with the Regulatory Board as RCB**

It is ***prescribed*** that the period of validity of the Regulatory Board being the recognised controlling body for a tax practitioner, defined both on a continuous registration basis and on an annual basis, is:

8.1 On a continuous basis, from the date of first registration until termination for whatever reason, including termination of the registered auditor’s registration with the Regulatory Board and/or termination by the South African Revenue Services of that registered auditor’s tax practitioner status.

8.2 On an annual basis, from 1 April to 31 March of each year, provided the registered auditor pays the required tax practitioner annual fees and compliance with the annual renewal requirements as prescribed by the IRBA.

 (g) ***prescribe*** minimum requirements for the renewal of registration and re-registration of registered auditors and registered candidate auditors.

9. **Requirements for renewal of registration and re-registration of registered auditors**

9.1 **Renewal of registration of registered auditors**

It is ***prescribed*** that the minimum requirements for the renewal of registration are:

9.1.1 Payment of the annual fees by a specified date, which fee is ***prescribed*** by the Regulatory Board from time to time;

9.1.2 Completion and submission by a specified date of an individual Annual Return;

9.1.3 With effect from the year starting 1 April 2022, compliance with the Regulatory Board’s CPD Policy, as amended from time to time;.

 9.1.4 Continued residence within the Republic of South Africa;

9.1.5 Proof of continued membership in good standing with a professional body accredited by the Regulatory Board; and

9.1.6 A determination by the Regulatory Board to be a fit and proper person to continue to practice the profession.

9.2 **Re-registration of registered auditors**

It is ***prescribed*** that the minimum requirements for re-registration are:

9.2.1 Payment of a registration fee, which fee is ***prescribed*** by the Regulatory Board from time to time;

9.2.2 Completion and submission of Form 1 (Application by an Individual for Admission to the Register of Auditors) **[see ANNEXURE A];**

9.2.3 A determination by the Regulatory Board that the applicant is a fit and proper person to practise the profession;

9.2.4 Proof that the applicant is a member in good standing with a professional body accredited by the Regulatory Board;

9.2.5 Compliance with all the requirements that would apply if the applicant were applying for registration for the first time as specified in section 37 of Act 26 of 2005;

9.2.6 If it has been more than three years since the applicant was last registered with the Regulatory Board, successfully completed the PPE, successfully completed their training contract (in the case of applicants who wrote the PPE), or successfully completed the ADP, whichever is the later date, the applicant is required to submit with their application their CV, evidence of CPD undertaken for the past three years, and a short explanation of why registration is required. If the applicant is joining a firm already registered with the Regulatory Board, the applicant must also provide a letter signed by the Senior Partner or equivalent of the firm confirming their position within the firm and their audit proficiency. The applicant may be required to undergo a proficiency assessment.

10. **Requirements for renewal of registration and re-registration for registered candidate auditors**

There are no specific requirements for the renewal of registration or re-registration of registered candidate auditors.

11. **Requirements for renewal of registration and re-registration for firms**

11.1 There are no specific requirements for the renewal of registration of firms.

11.2 It is ***prescribed*** that the minimum requirements for re-registration are:

112.1 Payment of a registration fee, which fee is ***prescribed*** by the Regulatory Board from time to time;

11.2.2 Compliance with all the requirements that would apply if the applicant were applying for registration for the first time as specified in section 38 of Act 26 of 2005, including:

11.2.2.1 Completion and submission of Form 2 (Application by a Firm for Admission to the Register of Auditors) **[see ANNEXURE B];**

11.2.2.2 Submission of a quality manual drafted in accordance with ISQC1;

11.2.2.3 Submission of the name and Regulatory Board number of the registered auditor identified as the firm’s Quality Reviewer; and

11.2.2.4 Submission of the agreement entered into with the Quality Reviewer.

11.2.2.5 Submission of confirmation of firm ownership:

11.2.2.5.1 If firm is an incorporated company, a copy of the shareholders agreement / share certificates and the latest COR39 from CIPC confirming directors of the firm;

11.2.2.5.2 If firm is a partnership, a copy of the partnership agreement or equivalent.

11.2.6 The requirements set out in paragraph 11.2 also apply to firms merging or unmerging who have not previously submitted these documents.

12. **Requirements for the renewal and re-application for recognition of a registered auditor as a tax practitioner with Regulatory Board as RCB**

12.1 **Renewal of a registered auditor as a tax practitioner**

It is ***prescribed*** that the minimum requirements for the renewal of registration are:

12.1.1 Payment of the tax practitioner annual fees by a specified date, which fee is ***prescribed*** by the Regulatory Board from time to time;

12.1.2 Continued registration as a registered auditor with the Regulatory Board; and

12.1.3. Continued registration as a tax practitioner with SARS.

12.2 **Re-application for the Regulatory Board to be recognised as the tax practitioner’s controlling body**

It is ***prescribed*** that the minimum requirements for the re-application for recognition by a registered auditor as a tax practitioner are:

12.2.1 Submission of completed Form 4 **(ANNEXURE D)**;

12.2.2 Payment of the ***prescribed*** fee;

12.2.3 Registration as a registered auditor with the Regulatory Board; and

12.2.4 Registration as a tax practitioner with SARS.

**SECTION 37:**

37(1) An individual must apply on the ***prescribed*** application form to the Regulatory Board for registration as an auditor or candidate auditor.

13. **Application forms for registered auditors, registered candidate auditors and tax practitioner application**

13.1 The ***prescribed*** application form for registration as a registered auditor is attached as **ANNEXURE A**.

13.2 The ***prescribed*** application form for registration as a registered candidate auditor is attached as **ANNEXURE E.**

13.3 The ***prescribed*** application form for the Regulatory Board to be recognised as the tax practitioner’s controlling body is attached as **ANNEXURE D**.

37(2) If, after considering an application, the Regulatory Board is satisfied that the applicant

(a has complied with the ***prescribed*** education, training and competency requirements for a

 registered auditor or registered candidate auditor.

14. **Education, training and competency requirements for registered auditors or registered candidate auditors**

The ***prescribed*** education, training and competency requirements are detailed in this document under

paragraphs 1, 2, 3 and 4 of this document.

**SECTION 38**

38(2) On application by a firm which is a partnership fulfilling the conditions in subsection 1(a) or a sole proprietor, on the ***prescribed*** application form, the Regulatory Board must register the firm as a registered auditor on payment of the ***prescribed*** fee.

38(3) The Regulatory Board must register a company as a registered auditor on payment of the ***prescribed*** fee if…

15. **Application form for firm registration**

The ***prescribed*** application form for all applications to register a firm is attached as **ANNEXURE B**, and the fee is determined and ***prescribed*** by the Regulatory Board from time to time**.**

**SECTION 40**

40(1) A registered auditor or registered candidate auditor must apply in the ***prescribed*** manner to the Regulatory Board for the renewal of his or her registration.

16. **Renewal of registration for Registered Auditors**

16.1 In order to renew his or her registration with the Regulatory Board on an annual basis it is ***prescribed*** that a registered auditor must:

16.1.1 Pay an annual fee by a specified date, which fee is ***prescribed*** by the Regulatory Board from time to time;

16.1.2 Pay an annual tax practitioner renewal fee by a specified date, if the registered auditor has selected the Regulatory Board as its recognised controlling body, which fee is ***prescribed*** by the Regulatory Board from time to time;

16.1.3 Ordinarily reside within the Republic of South Africa;

16.14 Proof of continued membership in good standing with a professional body accredited by the Regulatory Board; and

16.1.5 With effect from 1 April 2022, comply with the IRBA CPD policy as amened from time to time; and

16.1.6 Complete and submit an individual Annual Return by a specified date, which Annual Return comprises:

16.1.7.1 a compliance questionnaire relating to the Financial Intelligence Centre Act, 38 of 2001;

16.1.7.2 a public practice information questionnaire, including questions about a Registered auditor’s assurance status;

 16.1.7.3 a Continuing Professional Development questionnaire;

 16.1.7.4 a Fit and Proper questionnaire; and

 16.1.8.5 a tax practitioner status questionnaire.

*The content of the questionnaires comprising the Individual Annual Return may change from*

*time to time as determined by the Regulatory Board.*

16.2 It is further ***prescribed*** that if the registered auditor fails to pay his annual fees by the specified

date, the registered auditor’s registration automatically lapses in terms of section 39(5) of the APA.

16.3 It is further ***prescribed*** that if the registered auditor fails to submit his complete Individual Annual Return by the specified date, the registered auditor’s registration will be cancelled in terms of section 40(2) read with 39(3) of the APA for failing to meet the annual renewal requirements.

16.4 It is further ***prescribed*** that, with effect from the year starting 1 April 2022, failure to comply with the Regulatory Board’s CPD Policy, as amended, and its requirements will result in the RA’s registration not being renewed.

16.5 It is further ***prescribed*** that if the registered auditor, who has selected the Regulatory Board as his/her recognised controlling body, fails to pay the tax practitioner annual fee by due date, his or her status as a recognised tax practitioner will be terminated.

16.6 It is further ***prescribed*** that a Registered Auditor who is no longer residing within the Republic of South Africa will not be eligible for the renewal of his/her registration..

16.7 **Reinstatement of a registered auditor whose registration has lapsed or been cancelled in terms of paragraph 16.2 and 16.3 above**

16.7.1 It is ***prescribed*** that if the registered auditor’s registration is lapsed or cancelled in terms of paragraph 16.2 or 16.3 above, the registered auditor may request reinstatement on payment of a ***prescribed*** administration fee, together with payment of the outstanding annual fees and/or submission of the outstanding Annual Return and any other fees or documents that are outstanding to the Regulatory Board.

16.7.2 It is further ***prescribed*** that the registered auditor may apply for reinstatement in terms of paragraph 16.7.1 above up until 31 January of the year following the year of lapsing or cancellation of registration. Late reinstatements may be considered based on the registered auditor’s individual circumstances.

16.7.3 It is further ***prescribed*** that if the registered auditor does not apply for reinstatement before 31 January of the year following the year of the annual renewal process in which he/she was lapsed or cancelled, the registered auditor may apply for re-registration of registration from 1 February of the calendar year following the calendar year of lapsing or cancellation of registration.

16.7.4 It is further ***prescribed*** that, if a registered auditor whose registration has lapsed or been cancelled does not apply for re-instatement, the registered auditor may not apply for re-registration until 1 February of the calendar year following the calendar year of lapsing or cancellation.

16.8 **Reinstatement of a registered auditor whose registration has not been renewed as a result of non-residence within South Africa**

16.8.1 It is ***prescribed*** that a registered auditor whose registration has not been renewed as a result of non-residence within South Africa, may only be reinstated if he/she provides evidence of residence within South Africa by 31 January of the calendar year following the calendar year of the annual renewal process in which his/her registration was not renewed.

 16.8.2 It is further ***prescribed*** that a registered auditor described in 16.8.1 above, may only apply for re-registration:

16.8.2.1 after 1 February of the calendar year following the calendar year of the annual renewal process in which his/her registration was not renewed; and

16.8.2.2 if he/she provides evidence of his/her ordinary residence within South Africa, pays the prescribed fee and submits all outstanding documents to the Regulatory Board.

16.9 **Reinstatement of a registered auditor whose registration has not been renewed as a result of non-compliance with the IRBA’s CPD policy, as amended**

16.9.1 It is ***prescribed*** that a registered auditor whose registration has not been renewed as a result of non-compliance with the IRBA’s CPD policy, as amended, may only be reinstated if he/she has submitted evidence of compliance with the CPD policy by 31 January of the calendar year following the annual renewal process in which his/her registration was not renewed.

16.9.2. Evidence referred to in 16.9.1 above will be evaluated and must be confirmed as satisfactory to the Regulatory Board before 31 January of the year following the annual renewal year in which his/her registration was not renewed, before such a reinstatement can be processed.

16.9.2 It is ***prescribed*** that a registered auditor, whose registration has not been renewed as a result of non-compliance with the IRBA’s CPD policy, as amended, may only apply for re-registration:

16.9.2.1 after 1 February of the year following the calendar year of the annual renewal process in which his/her registration was not renewed; and

16.9.2.2 if he/she has submitted, to the satisfaction of the Regulatory Board, evidence of compliance with the CPD policy, and has paid the prescribed fee and submitted all outstanding documents to the Regulatory Board.

16.10 **Reinstatement of tax practitioner recognition status**

16.10.1 It is ***prescribed*** that, if a registered auditor’s tax practitioner status has been terminated in terms of paragraph 16.4 above, the registered auditor may apply for reinstatement of his tax practitioner status on payment of a ***prescribed*** administration fee together with the outstanding annual tax practitioner fee.

16.10.2 It is further ***prescribed*** that the registered auditor who is a tax practitioner recognised by the Regulatory Board may apply for reinstatement of his tax practitioner status in terms of paragraph 16.8.1 above up until 31 January of the year following the year of the termination of his tax practitioner status. Late reinstatements may be considered based on the registered auditor’s individual circumstances.

16.10.3 It is further ***prescribed*** that if the registered auditor who is a tax practitioner recognised by the Regulatory Board does not apply for reinstatement of his tax practitioner status before 31 January of the calendar year following the calendar year of the annual renewal process in which his/her registration was lapsed or cancelled, the registered auditor who is also a tax practitioner may re-apply for the Regulatory Board to be recognised as his/her controlling body from 1 February of the calendar year following the calendar year of the annual renewal process in which his/her registration was lapsed and cancelled.

16.10.4 It is further ***prescribed*** that, if a registered auditor who is a tax practitioner and whose tax practitioner status has been terminated does not apply for reinstatement of his tax practitioner status, that registered auditor may not apply for re-recognition as a tax practitioner until 1 February of the calendar year following the calendar year of the annual renewal process in which his/her tax practitioner status was terminated.

17. **Renewal of registration for registered candidate auditors**

There are no specific requirements for the renewal of registration of registered candidate auditors.

18. **Requirements for renewal of registration and re-registration for firms**

There are no specific requirements for the renewal of registration of firms.

40(2) A registered auditor or registered candidate auditor whose registration was terminated in terms of section 39 or cancelled in terms of section 51(3)(a)(iv) may apply for re-registration in the ***prescribed*** manner to the Regulatory Board.

19. **Re-registration for Registered auditors**

The ***prescribed*** manner of re-registration for registered auditors is as follows:

19.1 Payment of a registration fee, which fee is ***prescribed*** by the Regulatory Board from time to time;

19.2 Completion and submission of Form 1 (Application by an Individual for Admission to the Register of Auditors) **[see ANNEXURE A)**

19.3 A determination by the Regulatory Board that the applicant is a fit and proper person to practise the profession;

19.4 Proof that the applicant is a member in good standing of a professional body accredited by the Regulatory Board.

19.5 Compliance with all the requirements that would apply if the applicant were applying for registration for the first time as specified in section 37 of the APA and in terms of paragraphs 1.1, 1.2 and 1.3 of this document.

19.6 If it has been more than three years since the applicant was last registered with the Regulatory Board, successfully completed the PPE, successfully completed their training contract (in the case of applicants who wrote the PPE), or successfully completed the ADP, whichever is the later date, the applicant is required to submit with their application their CV, evidence of CPD undertaken for the past three years, and a short explanation of why registration is required. If the applicant is joining a firm already registered with the Regulatory Board, the applicant must also provide a letter signed by the Senior Partner or equivalent of the firm confirming their position within the firm and their audit proficiency. The applicant may be required to undergo a proficiency assessment.

20. **Re-registration for registered candidate auditors**

The ***prescribed*** manner of re-registration of registered candidate auditors is as follows:

20.1 Payment of a registration fee, which fee is ***prescribed*** by the Regulatory Board from time to time;

20.2 Completion and submission of Form 5 (Application by an Individual for Admission to the Register of Registered candidate auditors) **[see ANNEXURE E]**

20.3 A determination by the Regulatory Board that the applicant is a fit and proper person enter the Audit Development Programme (ADP);

20.4 Proof that the applicant is a member in good standing of a professional body accredited by the Regulatory Board;

20.5 Compliance with all the requirements that would apply if the applicant were applying for registration for the first time as specified in section 37 of the APA and in terms of paragraph 2 of this document.

21. **Re-registration of firms**

The ***prescribed*** manner of re-registration of firms is as follows:

21.1 Payment of a registration fee, which fee is ***prescribed*** by the Regulatory Board from time to time;

21.2 Compliance with all the requirements that would apply with the firm were applying for registration for the first time as specified in section 38 of the APA;

21.3 Completion and submission of Form 2 (Application by a Firm for Admission to the Register of Auditors)

 **[see ANNEXURE B];**

21.4 Submission of a quality manual drafted in accordance with ISQC1;

21.5 Submission of the name and Regulatory Board number of the registered auditor identified as the firm’s Quality Reviewer; and

21.6 Submission of the agreement entered into with the Quality Reviewer

21.7 Submission of confirmation of firm ownership:

21.7.1 If firm is an incorporated company, a copy of the shareholders agreement, memorandum of incorporation, shareholders register / securities register / share certificates and the latest COR39 from CIPC confirming directors of the firm;

21.7.2 If firm is a partnership, a copy of the partnership agreement or equivalent.

21.1.8 The requirements set out in paragraph 11.2 apply likewise to firms merging or unmerging who have not previously submitted these documents.

22. **Re-application for the Regulatory Board to be recognised as the tax practitioner’s controlling body**

It is ***prescribed*** that the minimum requirements for a registered auditor who is a tax practitioner to re-apply for the Regulatory Board to be recognised as his/her controlling body are:

22.1 Submission of completed Form 4 **(ANNEXURE D)**;

22.2 Registration as a registered auditor with the Regulatory Board;

22.3 Registration as a tax practitioner with SARS; and

22.2 Payment of the ***prescribed*** fee;

23. **ASSURANCE AND NON-ASSURANCE STATUS**

The following is ***prescribed*** in terms of Section 6(1)(a) and (g) and Section 37(1) and (2)(b) and Section 40(1) and (2):

23.1 **First and re-registration of applicant(s) as registered auditor (Sections 37 and 40):**

23.1.1 An applicant for registration as a registered auditor may apply for registration with an assurance or non-assurance status.

23.1.2 Assurance is determined by the definition of “assurance engagement” as it appears in the Regulatory Board’s Code of Professional Conduct, and includes “audit” as it is defined in the Auditing Profession Act, 26 of 2005.

23.1.3 An applicant who is registered with the Regulatory Board as a registered auditor with an assurance status means that he or she has informed the Regulatory Board that he or she intends to perform assurance work as defined in the Code of Professional Conduct and the Auditing Profession Act, 26 of 2005.

23.1.4 An applicant who is registered with the Regulatory Board as a registered auditor with a non-assurance status means that he or she has informed the Regulatory Board that he or she does not intend to perform assurance work as defined in the Code of Professional Conduct and the Auditing Profession Act 26 of 2005.

23.1.5 Any applicant may be required to attend an interview with the Regulatory Board’s Proficiency Assessment Panel.

23.1.5 The Regulatory Board, or the Proficiency Assessment Panel, may, at the time of considering the application for registration or re-registration as a registered auditor, require that an applicant who has requested to be registered with an assurance status instead be registered with a non-assurance status until certain criteria have been met.

23.1.6 An applicant who applies to be registered with the Regulatory Board as a registered auditor with an assurance status must be linked to a firm that is registered with the Regulatory Board.

23.2 **Annual renewal of registration of registered auditor (Section 40):**

23.2.1 A registered auditor must disclose in his or her Individual Annual Return whether he or she is currently performing assurance work.

23.2.2 If such disclosure reflects a change in the registered auditor’s current assurance status, the Regulatory Board will follow the procedure referred to in paragraphs 23.3.1 to 23.3.4 below.

23.3 **Change of assurance or non-assurance status:**

23.3.1 A registered auditor who wishes to change their assurance or non-assurance status must request such change from the Regulatory Board.

23.3.2 If a registered auditor wishes to change their status from non-assurance to assurance, such change must be requested on Form 6 **(ANNEXURE F)** and approved by the Regulatory Board prior to any assurance engagements being accepted or performed.

23.3.3 The Regulatory Board may request any information it requires from the registered auditor in order for it to come to a determination as to whether the registered auditor is proficient to change their status from non-assurance to assurance.

23.3.4 The Regulatory Board will assess the registered auditor’s request and may decline the request if the Registered auditor:

 23.3.4.1 is not linked to a firm registered with the Regulatory Board; and/or

23.3.4.2 is not determined by the Regulatory Board to be sufficiently proficient to perform assurance engagements; and/or

23.3.4.3 has not provided a letter from the firm to which the registered auditor is linked, if that registered auditor is an employee, consenting to changing their status to assurance; and/or

23.3.4.4 has not provided any other information which the Regulatory Board has requested in terms of paragraph 23.3.3 above.

23.3.5 If it has been more than three years since the applicant was last assurance, or if the applicant was registered as non-assurance with the Regulatory Board, the applicant may be required to attend an interview with the Regulatory Board’s Proficiency Assessment Panel.

23.3.6 A registered auditor may request his/her status be changed from assurance to non-assurance at any time during the year by sending an email to the regulatory board requesting such a change.

23.3.7 A registered auditor may also change his/her status from assurance to non-assurance by changing his/her status to non-assurance in the Individual Annual Return.

23.3.8 A registered auditor may not change his/her status from non-assurance to assurance by changing his/her status in the Individual Annual Return. A form 6 must be completed as referred to in paragraph 23.3.2 above.

23.3.9 If a registered auditor changes his/her status from assurance to non-assurance in his/her Individual Annual Return, the regulatory board will change his/her status to non-assurance in their register as being the current status of the registered auditor.

**ANNEXURES**

