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1. DEFINITIONS AND INTERPRETATION

1.1 In these Rules the following words and phrases have the meaning assigned to them below:

Affiliate – a person who is not a Member but is subject to the Rules and Regulations as defined in Rule 2.2.1

Appointed – means a person who has been elected or co-opted to Council

Authorised Training Office – an office which is authorised in accordance with Regulations made under these Rules to train CA Student Members

CA Student Member – a person as defined in Rule 2.1.2

CA Qualification – a qualification that is defined in Rule 9.6

Chartered Accountants Ireland – is the Institute of Chartered Accountants in Ireland incorporated by Royal Charter

Charter – the Royal Charter of 1854 granted to the Society of Accountants in Edinburgh, the Supplementary Charter of 1951 when The Society of Accountants in Edinburgh, The Institute of Accountants and Actuaries in Glasgow, and The Society of Accountants in Aberdeen joined together as The Institute of Chartered Accountants of Scotland, as varied from time to time by Supplementary Charters

Chartered Accountant – a person defined in Rule 2.1.1

Council – means the Council of ICAS as constituted under these Rules

Designated Price Index – the price index approved by Council in Regulations

Firm – an entity that is subject to the Rules and Regulations as defined in Rule 2.2.2

General Meeting – a meeting of the Members of ICAS held in accordance with Rule 10.1

ICAEW – The Institute of Chartered Accountants in England and Wales incorporated by Royal Charter

ICAS – The Institute of Chartered Accountants of Scotland incorporated by Royal Charter

‘Insolvency’ and/or ‘insolvent’ – any form of arrangement (statutory or non-statutory) for the purpose of management and repayment of a Member or Affiliate’s debts to his or her creditors

Member – a person admitted to ICAS in accordance with Rule 2.1.1

Membership – has the meaning given in Rule 2.1
Office Bearers – are a President, and Vice Presidents howsoever designed

Objects – are the objects of ICAS as specified in the Charter

Principal – a sole practitioner or a partner or member or director of an entity

Professional incompetence - the performance of professional work, whether as a principal, director, employee or as an individual, incompetently to such an extent or on such a number of occasions as to fall significantly short of the standards expected of a Member, CA Student Member, Affiliate, or Firm

Professional misconduct – includes, but is not limited to, any serious act or default, whether in the course of carrying out professional work or otherwise likely to bring discredit to himself, ICAS or the profession of accountancy, or any serious departure from the standards to be expected of a Member, CA Student Member or Affiliate of ICAS

Public Disciplinary Scheme – an arrangement for independent investigation for disciplinary purposes of public interest cases

Public Interest Member – someone, other than an accountant, appointed as a representative of the public interest

Regulations – the Regulations made by the Council in accordance with these Rules.

Regulatory Committee – a committee appointed by the Regulation Board to exercise the powers of ICAS in respect of regulatory matters

Rules – the Rules of ICAS, made from time to time in accordance with the Royal Charter and approved by Members

Secretary – is the person appointed by ICAS to carry out company secretarial activities

Training Contract – is a contract that binds an individual to be trained and is in a form specified in Regulations

Unsatisfactory professional conduct – includes, but is not limited to, any act or default, whether in the course of carrying out professional work or otherwise which falls below the standards to be expected of a Member, CA Student Member or Affiliate of ICAS but which does not amount to professional misconduct.

Interpretation
1.2 The Interpretation Act 1978 shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.
2. MEMBERSHIP

Members and CA Student Members
2.1 The Membership of ICAS shall consist of:
2.1.1 persons who have been admitted as Members in accordance with the Rules; and
2.1.2 persons who have been admitted as CA Student Members in accordance with the Rules.

Affiliates and Firms
2.2 Council may make Regulations relating to the regulation by ICAS of:
2.2.1 individuals who are neither Members nor CA Student Members and who shall be called Affiliates; and,
2.2.2 Firms.

2.3 The Membership of ICAS shall not include Affiliates or Firms.

3. ADMISSION

3.1 All admissions to and refusals of Membership shall be made by Council.

3.2 Any refusal to grant admission for the purposes of Rule 3.1 may be appealed to a tribunal established by Council for this purpose.

3.3 The procedure for admission to Membership shall be prescribed in Regulations.

3.4 A Member may resign from Membership by sending notice in writing and the resignation shall be effective only on its acceptance by Council.

3.5 An application by an Affiliate or Firm to be regulated by ICAS shall be determined by the relevant Regulatory Committee established by Council for that purpose.

3.6 Council may:
3.6.1 prescribe in Regulations the requirements as to the character, suitability and fitness of applicants, and such other conditions that must be complied with by applicants for Membership;
3.6.2 delegate to its committees any application for Membership, or application for retention in terms of Rule 3.13.2, which requires further investigation or other consideration;
3.6.3 in any particular case where it considers it desirable to do so admit a person to Membership notwithstanding any deficiency in that person's training contract or approved training or other matters set down in the Rules or Regulations.

Eligibility
3.7 A person on first registration of their Training Contract and who has met the criteria set out in these Rules and prescribed in Regulations shall be eligible to be admitted as a CA Student Member.

3.8 A CA Student Member who has successfully completed a Training Contract and met the criteria set out in these Rules and prescribed in Regulations shall be eligible to be admitted as a Member.
3.9 A former Member who has met the criteria set out in these Rules and prescribed in Regulations shall be eligible to be re-admitted as a Member.

3.10 An individual may apply to be regulated by ICAS as an Affiliate where that individual has fulfilled such terms and conditions as Council may specify in Regulations.

3.11 A Firm may apply to be regulated by ICAS where that Firm has fulfilled such terms and conditions as Council may specify in Regulations.

Recognition of other Professional Bodies

3.12 Council shall have power, in its absolute discretion, to admit to Membership of ICAS:

3.12.1 any qualified member of the ICAEW or of the Chartered Accountants Ireland upon such terms and conditions as Council considers appropriate, provided that such terms and conditions are also approved by the Council of the other Institute in question; and

3.12.2 any qualified member of any accountancy body outside the United Kingdom and the Republic of Ireland upon such terms and conditions as Council considers appropriate.

Insolvency

3.13 If at any time any Member or Affiliate becomes insolvent, such Member or Affiliate shall:

3.13.1 immediately cease to be entitled to engage in insolvency practice in the United Kingdom and any insolvency permit issued to the person shall be withdrawn; and

3.13.2 unless he has submitted an application to Council to be retained in Membership cease to be a Member or Affiliate on the expiry of fourteen days from the date of being made insolvent or on the expiry of such extended period or periods as Council in its discretion may decide.

4. PRIVILEGES AND OBLIGATIONS

4.1 Every person on being admitted as a Member shall receive a certificate under the seal of ICAS.

4.2 Where an applicant applies for either admission to Membership or to be regulated as an Affiliate or Firm, that applicant shall undertake, if admitted or accepted for regulation, to:

4.2.1 be bound by the Charter, Rules and Regulations;

4.2.2 comply with such other requirements as Council shall determine;

4.2.3 be liable whilst admitted to, or accepted to be regulated by, ICAS, and to remain liable thereafter, to pay promptly on demand any monies payable to ICAS including but not limited to any fee, subscriptions, levies, fine or other penalty, or reimbursement in accordance with any scheme of compensation.

4.3 A Member or Affiliate engaging in practice with a non-member shall be responsible so far as is reasonably practical for ensuring that the non-member conforms to the same standards as a Member.

4.4 Council shall prescribe in Regulations the obligations of each Member, CA Student Member, Affiliate and Firm to supply such information as may be required by ICAS.
5. DESIGNATIONS AND DESCRIPTIONS

Members
5.1 The professional designation of a Member shall be ‘Chartered Accountant’ indicated by the use after the Member’s name of the designatory letters ‘CA’.

Designations
5.2 Council may prescribe in Regulations the circumstances in which a Firm may describe itself as ‘Chartered Accountants’ or use the letters ‘CA’.

5.3 No Member shall permit or be a party to the use of the description ‘Chartered Accountants’ or the designatory letters ‘CA’ by any Firm otherwise than in accordance with the Regulations.

New Designations
5.4 Council may grant further designations and permit new descriptions in relation to ICAS regulatory and other activities.

5.5 Any new designation which includes the use of the term ‘Chartered’ shall require consultation with and the approval of the Privy Council.

5.6 Council may prescribe in Regulations the circumstances in which any further designations granted by Council may be used.

6. FEES, SUBSCRIPTIONS AND OTHER PAYMENTS

6.1 Council shall determine the amount of fees payable:
   6.1.1 on admission to Membership and all related training fees;
   6.1.2 by a Member by way of annual subscription;
   6.1.3 on the issue or annual renewal of a practising certificate;
   6.1.4 on the issue or annual renewal of a regulatory permit;
   6.1.5 on acceptance of an Affiliate or Firm for regulation;
   6.1.6 by an Affiliate or Firm by way of annual subscription;
   6.1.7 provided that where any increase proposed by Council is more than a Designated Price Index plus 2% the proposal shall be approved at a General Meeting.

6.2 Council may raise funds by means of a levy on Members towards the cost of organising, financing and maintaining a Public Disciplinary Scheme, which may not exceed in any year an amount of twice the annual subscription.

6.3 Council may:
   6.3.1 in its discretion reduce or waive the annual subscription of any Member;
   6.3.2 make Regulations as to the Designated Price Index and the payment of fees, subscriptions, levies, or other payments owing to ICAS.

Effect of non-payment
6.4 Failure to pay any sums due in accordance with Rules 6.1 to 6.3, 13.19 and 13.20, or other fines or monies owed to ICAS and in accordance with the associated Regulations shall:
6.4.1 render the Member or CA Student Member liable to removal from Membership without further notice or from such date as Council may direct;

6.4.2 permit ICAS to stop regulating the Affiliate or Firm without further notice or from such date as Council or the relevant Regulatory Committee may direct.

6.5 A Member removed from Membership under this Rule shall be entitled to be re-instated to Membership on application to Council in writing before the end of the year for which the fees, subscriptions, levies, or other payments were due and on payment of all sums due together with a re-instatement fee as may be prescribed by Council.

7. PRACTICE AND PRACTISING CERTIFICATES

Public Practice
7.1 A Member of ICAS shall only engage in practice if that Member complies with Regulations made by Council. Council shall prescribe in Regulations:
7.1.1 the circumstances in which a Member is regarded as engaging in practice; and
7.1.2 the conditions for eligibility, issue, renewal, suspension and withdrawal of a practising certificate and any exemptions from the need to hold a practising certificate.

Entitlement to a Practising Certificate
7.2 A Member shall be entitled to hold a practising certificate if that Member satisfies ICAS that the conditions precedent to the granting of a practising certificate set out in the Regulations have been complied with and the practising certificate fee has been paid.

8. ICAS POWER TO MAKE REGULATIONS FOR CARRYING OUT FUNCTIONS UNDER LEGISLATION

8.1 Council may make Regulations to facilitate ICAS carrying out functions which are prescribed or permitted under applicable legislation whether within the United Kingdom, the Isle of Man, the Channel Islands or the Republic of Ireland, or under equivalent legislation in other jurisdictions.

9. PRELIMINARY QUALIFICATION, TRAINING CONTRACTS AND THE CA QUALIFICATION

Preliminary Qualification
9.1 Council shall make Regulations laying down the preliminary qualifications and other requirements which an individual must satisfy prior to registration of any Training Contract to which the individual is a party.

Training Contract
9.2 Council shall prescribe in Regulations a form or forms of Training Contract and the Training Contract shall be evidenced in such manner as the CA Student Member, the Authorised Training Office and Council shall agree.

9.3 The period of service under a Training Contract shall be prescribed in Regulations by Council and different periods may be prescribed for CA Student Members with differing preliminary qualifications, or for other reasons.
Authorisation of Training Offices

9.4 Council shall prescribe in Regulations:

9.4.1 the terms and conditions upon which an office may become an Authorised Training Office, including the fees to be paid when applying for such authorisation;

9.4.2 the circumstances in which the authorisation of a training office may be withdrawn or restricted and the procedures by which such withdrawal or restriction may be effected including any rights of appeal; and

9.4.3 any other matters connected with or incidental to the authorisation of training offices.

Control of training

9.5 Council shall prescribe in Regulations:

9.5.1 the manner in which a CA Student Member’s training is to be organised;

9.5.2 the content of the training which a CA Student Member is to receive;

9.5.3 the obligations upon a CA Student Member in respect of their attendance and the work they must perform;

9.5.4 that an Authorised Training Office must nominate a suitable Member or Members to undertake functions in relation to the training of a CA Student Member;

9.5.5 the functions to be undertaken by the nominated Member(s);

9.5.6 that a record of the nature and extent of the work undertaken by a CA Student Member be kept by the CA Student Member; and

9.5.7 that the record is authenticated by such person or persons as may be prescribed and that such record be exhibited to ICAS when required.

ICAS CA Qualification

9.6 Council shall prescribe in Regulations:

9.6.1 the syllabus of the CA Qualification;

9.6.2 the parts into which that CA Qualification shall be divided;

9.6.3 the times at which each part may be examined;

9.6.4 the maximum number of times which any examination may be attempted;

9.6.5 the length of time during which a CA Student Member remains eligible to attempt any examination; and

9.6.6 other matters incidental to or arising from the conduct of the CA Qualification.

10. MEETINGS

10.1 The General Meetings of ICAS shall be:

10.1.1 Annual General Meetings;

10.1.2 Special General Meetings.

10.2 Council shall make Regulations to govern the giving of notice, service of documents, proceedings (including voting and the procedure for appointing a proxy), and adjournment of any General Meeting of ICAS.

10.3 The quorum at any General Meeting shall be 15 Members who are present in person and entitled to vote.
Annual General Meetings

10.4 ICAS shall hold an Annual General Meeting (AGM) for each year. The AGM shall be at such time and place as Council shall decide and announced no less than 60 days beforehand. It shall be held no later than 15 months after the last AGM and at least once in each calendar year.

10.5 The ordinary business of an Annual General Meeting shall be to:
10.5.1 receive and approve the annual report of Council;
10.5.2 receive a report from the Public Interest Members;
10.5.3 receive and approve the annual financial statements of ICAS;
10.5.4 announce the election of Office-bearers;
10.5.5 announce the election of members of Council;
10.5.6 appoint the Auditor; and
10.5.7 conduct any other business which may be introduced by Council.

Special General Meetings

10.6 A Special General Meeting shall be held on any occasions where Council determines it necessary or where a requisition requesting a Special General Meeting is delivered to the Secretary signed by:
10.6.1 an Office Bearer; or
10.6.2 5 members of Council; or
10.6.3 50 Members.

10.7 A Special General Meeting shall be at such time and place as Council shall decide and announce in writing no less than 28 days beforehand.

Resolutions

10.8 Only Members of ICAS are eligible to vote at General Meetings. Suspended Members are not eligible to vote, nor are CA Student Members.

10.9 All questions brought before General Meetings shall, except where expressly provided for in these Rules, be determined by a majority of votes of the Members voting.

10.10 No alteration of these Rules shall be made unless such alteration has been approved by a majority of two thirds of the votes of the Members voting at a Special General Meeting. Voting may be in person or by proxy.
11. COUNCIL AND OFFICE BEARERS

Council

11.1 The membership of Council shall be comprised of:
   11.1.1 at least 80% of Members;
   11.1.2 at least 65% of Members who have been elected;
   11.1.3 at least 10% of Public Interest Members.

11.2 The composition and number of members of Council shall be specified in Regulations.

11.3 Council may act notwithstanding any vacancy in its body.

11.4 Excluding the Office Bearers, each person Appointed to Council shall serve for a period of four years and may be re-appointed for a further three years. Thereafter that person may not seek re-appointment for a further three years.

11.5 Council shall make Regulations to govern:
   11.5.1 eligibility for election to Council; and
   11.5.2 the procedure for elections and appointments to Council.

11.6 Council shall make Regulations to govern:
   11.6.1 eligibility for election as an Office Bearer;
   11.6.2 the procedure for elections and appointments as Office Bearer; and
   11.6.3 the term of appointment for Office Bearers.

11.7 Regulations made under Rules 11.1 to 11.6 shall be approved at a General Meeting.

Resignation

11.8 A member of Council may at any time resign from office by writing to the Secretary and such resignation shall take effect upon the delivery of the notice or on a date agreed between the Council member and the Secretary.

11.9 The office of a member of Council shall be vacated if such member is absent without leave for three consecutive meetings.

Removal from office

11.10 At a General Meeting convened for the purpose the Members may remove any member of Council with immediate effect.

Powers, duties and business of Council

11.11 Council:
   11.11.1 shall manage and direct the affairs of ICAS and deliberate and advise on all matters affecting its interests;
   11.11.2 may make Regulations as it sees necessary or desirable to ensure the more efficient functioning of ICAS or furtherance of its Objects;
   11.11.3 may establish any such boards and committees as it considers necessary for the purposes of promoting, furthering or protecting the Objects of ICAS;
   11.11.4 shall make Regulations concerning the composition of boards and committees, terms of reference, accountability and reporting requirements, and such other matters as it considers appropriate for each of the boards and committees to which it delegates any duties;
11.11.5 shall be entitled to delegate (including the power to sub-delegate) its powers and functions to the appropriate boards and committees and the executive management apart from any matters that are detailed in Regulations agreed in General Meeting;

11.11.6 shall be entitled to approve and adopt any scheme for the granting of diplomas, certificates and other awards, in any activity with which the accountancy profession is concerned, and make Regulations for the organising and financing of the scheme;

11.11.7 may grant such permits, licences, certificates and other authorisations that ICAS is from time to time competent to award.

11.12 Council shall have power to establish alone or to enter into with others any scheme designed to provide an:

11.12.1 independent mechanism to ensure and to demonstrate that the setting of technical and ethical standards and the regulatory and disciplinary procedures of ICAS are such as to maintain and enhance the reputation of the accountancy profession and to ensure that the public interest is being served in terms of the Charter and its other responsibilities; and

11.12.2 assessment of the quality of work carried on by members in practice and to ensure, and where appropriate enforce, a high standard of such work.

Conduct of business

11.13 At all Council Meetings an Office Bearer will act as chairman, failing which a member of Council will be elected by a majority of those present.

11.14 A quorum of a meeting of Council shall be five members of Council of whom no more than one shall be an Office Bearer, and not less than one shall be a Public Interest Member.

11.15 All questions brought before a Council meeting shall be determined by a majority of votes of those members present at the Council meeting, and in the case of an equality of votes the chairman of the meeting shall be entitled to a second or casting vote.

11.16 Council shall meet a minimum of three times each year.
12. BOARDS AND COMMITTEES

12.1 Council shall establish the following boards and committees:
   12.1.1 The Audit Committee;
   12.1.2 The Discipline Board; and
   12.1.3 The Regulation Board.

Constitution and function of the Discipline Board

12.2 Council shall make Regulations governing the constitution, composition, conduct of business, powers and functions of the Discipline Board and the tenure and remuneration of its members.

12.3 The Discipline Board shall propose Regulations for Council to make governing the constitution, composition, conduct of business, powers and functions of the disciplinary and appeals panels of ICAS.

12.4 Council shall have power of veto (but not of amendment) in respect of any Regulations proposed by the Discipline Board in accordance with Rule 12.3 above.

Constitution and function of the Regulation Board

12.5 Council shall make Regulations governing the constitution, composition, conduct of business, powers and functions of the Regulation Board and the tenure and remuneration of its members.

12.6 The Regulation Board shall propose Regulations for Council to make governing the constitution, composition, conduct of business, powers and functions of the regulatory committees of ICAS.

12.7 Council shall have power of veto (but not of amendment) in respect of any Regulations proposed by the Regulation Board in accordance with Rule 12.6 above.

13. INVESTIGATIONS AND DISCIPLINE

Liability of Members, CA Student Members, and Affiliates to disciplinary action

13.1 Liability to disciplinary action in accordance with these Rules shall arise where a Member, CA Student Member or Affiliate is guilty of:
   13.1.1 professional incompetence; and/or
   13.1.2 professional misconduct; and/or
   13.1.3 unsatisfactory professional conduct.

13.2 Liability of a Member or Affiliate to disciplinary action under Rule 13.1 shall arise in respect of acts or defaults which took place prior to the person concerned becoming a Member or Affiliate of ICAS, but only if those acts or defaults were not disclosed fully to ICAS before that person became a Member or Affiliate.

13.3 A person who ceases to be a Member or Affiliate shall remain liable to disciplinary action in respect of professional incompetence, professional misconduct, or unsatisfactory professional conduct which took place while that person was a Member or Affiliate.
13.4 Liability to disciplinary action of a CA Student Member shall arise if that person has at any time been guilty of an act or default such as would render them unfit to become a Member, save for acts or defaults that took place and which had been fully disclosed to ICAS, prior to that CA Student Member’s admission to Membership as a CA Student Member.

13.5 In deciding whether a Member, CA Student Member, or Affiliate is liable to disciplinary action, regard may be had to:

13.5.1 any failure to observe the terms of any code of practice or other guidance, whether ethical or technical;

13.5.2 any failure to comply with any Rule or Regulation which imposes a duty on a Member, CA Student Member or Affiliate; and/or

13.5.3 any adverse finding by a statutory body, another accountancy body or other professional body or by any committee or person set up by any such body.

13.6 A Member, CA Student Member or Affiliate shall be presumed to be guilty of professional misconduct if:

13.6.1 convicted in the United Kingdom of an indictable offence;

13.6.2 sentenced to imprisonment on summary complaint;

13.6.3 convicted by the criminal courts of any other country of an offence which if committed in the United Kingdom would be an indictable offence or an offence which could result in a sentence of imprisonment;

13.6.4 an order of disqualification from acting as a director has been made against that person; or

13.6.5 a disqualification undertaking under applicable legislation in the UK has been accepted.

Liability of Firms to disciplinary action

13.7 A Firm which is subject to Regulations made under Rule 8 shall be liable to disciplinary action under these Rules, whether or not the Firm was regulated by ICAS at the time of the occurrence giving rise to liability, by reason of:

13.7.1 conduct liable to bring ICAS into disrepute;

13.7.2 professional incompetence;

13.7.3 a failure to adhere to these Rules or to Regulations or other guidance governing the regulation of Firms.

13.8 A Firm shall remain liable for disciplinary action even if one or more Principals have joined or left the Firm since the time of the acts or defaults which are the subject of the disciplinary action.

13.9 Liability of a Firm for disciplinary action may arise in respect of acts or defaults which took place prior to the Firm being regulated by ICAS, but only if those acts or defaults were not disclosed fully to ICAS before that Firm made an application to be accepted for regulation.

13.10 A Firm that ceases to be regulated by ICAS shall remain liable to disciplinary action in respect of matters which took place while that Firm was regulated.
Matters of public concern

13.11 ICAS shall refer a matter to the Public Disciplinary Scheme to be dealt with in accordance with that Scheme if ICAS:
13.11.1 considers that a matter raises or appears to raise important issues affecting the public interest in the United Kingdom such as requires consideration under the Public Disciplinary Scheme; and
13.11.2 considers that one or more Members, Affiliates or Firms may have committed an act of misconduct in relation to that matter; and
13.11.3 is satisfied that no disciplinary proceedings have been instituted by a Public Disciplinary Scheme participant in relation to the conduct in question,

13.12 If the Public Disciplinary Scheme declines such a reference, ICAS shall deal with it in accordance with the following provisions of these Rules as facts or matters coming to its attention.

13.13 If ICAS is formally notified by the Public Disciplinary Scheme that a matter which it has under its investigation should be dealt with by the Public Disciplinary Scheme, ICAS shall forthwith suspend any investigation relating to such a matter.

Powers

13.14 ICAS shall have the power to:
13.14.1 monitor and enforce compliance with the requirements of these Rules, or any Regulations made under them; and
13.14.2 investigate complaints, allegations or suspicions of failure to comply with these Rules or any Regulations made under them.

13.15 ICAS shall have the power to impose one or more of the following penalties or regulatory sanctions if, after due enquiry, the Member, CA Student Member, Affiliate or Firm is found to have committed a breach of Rule 13.1 or 13.7 respectively.

13.16 The penalties referred to in Rule 13.15 are:
13.16.1 to issue a formal written warning;
13.16.2 to admonish;
13.16.3 to reprimand;
13.16.4 to severely reprimand;
13.16.5 to have any permit, licence, certificate or other authorisation granted by ICAS withdrawn or made subject to conditions;
13.16.6 to be declared ineligible for any permit, licence, certificate or other authorisation;
13.16.7 to require the giving of one or more undertakings as to future conduct;
13.16.8 to impose conditions on continued Membership or regulation by ICAS;
13.16.9 to be suspended from Membership or other association with ICAS for such period, not exceeding one year;
13.16.10 to be excluded from Membership of or regulation by ICAS; and/or
13.16.11 to be required to pay to ICAS a financial penalty.

13.17 ICAS may declare a CA Student Member is unfit to become a Member of ICAS and cancel their Training Contract.
Interim orders

13.18 ICAS may, where it thinks fit, make an interim order for such period or until the occurrence of such event as it defines with respect to a Member, CA Student Member, Affiliate or Firm, to require that:

13.18.1 the Member or CA Student Member be suspended from Membership of ICAS;
13.18.2 the Member’s practising certificate be suspended or that specified conditions be attached to such certificate;
13.18.3 any permit, licence, certificate or other authorisation held by the Member, Affiliate or Firm be suspended or that specified conditions be attached to such permit, licence, certificate or other authorisation.

Costs

13.19 ICAS may make such order as it considers just and reasonable for a payment by a Member, CA Student Member, Affiliate or Firm in relation to its costs in connection with any investigation and/or hearing or in relation to costs of monitoring compliance.

13.20 Failure by a Firm to comply with an order by ICAS, including a consent order, for the payment of a penalty or a direction for the payment of costs by the date upon which the same fall due (or before the expiry of two months from the making of the order, if no date is stipulated) shall render all principals of that Firm who are Members of ICAS jointly and severally liable to pay such sum and, in addition, liable to disciplinary action.

Publication

13.21 ICAS may publish its findings and the courses of action taken under Rule 13.16 in such manner as it thinks fit.

Exercise of powers

13.22 The disciplinary and compliance powers referred to in Rules 13.14 to 13.17 above shall be exercised by such persons, committees or panels as set out in Regulations proposed by the Regulation Board and the Discipline Board and approved by Council.

Rights of appeal

13.23 Regulations proposed by the Discipline Board and approved by Council shall set out the circumstances and manner in which Members, CA Student Members and Affiliates and Firms may appeal against a penalty imposed under Rule 13.16.

13.24 The Chairman of the Regulation Board may appeal against a disciplinary order on the ground that it is too lenient in all the circumstances of the case.

Transitional provisions

13.25 Any complaints or allegations that came to the attention of ICAS before the date of implementation of any new Charter, Rules or Regulations shall be dealt with under the Charter, Rules, and Regulations in force at the time when the matter came to the attention of ICAS. For such purposes the Charter, Rules, or Regulations shall remain in force until the conclusion of the case.
14. **AUDITOR**

14.1 An Auditor shall be appointed by the Members at each Annual General Meeting.

14.2 The Auditor shall be entitled to require such information as is necessary for the performance of their duties from a Member or employee of ICAS or other person acting on behalf of ICAS.

15. **FUNDS**

**Application of funds**

15.1 The funds of ICAS shall be under the control of Council.

15.2 The funds may only be used to promote the Objects of ICAS as set out in the Charter.

**Investment**

15.3 Any ICAS funds not required immediately for the ordinary purposes of ICAS may be invested by Council.

**Borrowing**

15.4 Council may borrow money for the purposes of the Objects of ICAS and may pay interest thereon out of the funds of ICAS.

**Annual review and annual financial statements**

15.5 The annual financial statements of ICAS shall be prepared, audited, and presented to Members at the next AGM for approval, together with an annual review by Council and a report from the Public Interest Members.

16. **INDEMNITY**

16.1 Every member of Council, any board, committee or sub-committee and every other office-bearer, officer or staff of ICAS shall be indemnified by ICAS against all expenses and losses incurred by that member in the execution of their office or in relation thereto, unless the same shall have been incurred through their own wilful default or dishonesty.