MALTA

ATT Nru. XVI ta' l-1991

ATT maħruġ b'liġi mill-Parlament ta' Malta.

ATT biex jemenda l-Att dwar il-Professjoni ta' l-*Accountancy*, Kap. 281.

ACT No. XVI of 1991

AN ACT enacted by the Parliament of Malta.

AN ACT to amend the Accountancy Profession Act, Cap. 281.

Naghti l-kunsens tieghi.

(L.S.)

ĊENSU TABONE
President

12 ta' Lulju, 1991

ATT Nru. XVI ta' l-1991

ATT biex jemenda l-Att dwar il-Professjoni ta' l-Accountancy, Kap. 281.

IL-PRESIDENT, bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqgħa f'dan il-Parlament, u bl-awtorità ta' l-istess, ħareġ b'liġi dan li ġej:—

1. (1) Dan l-Att jista' jissejjaħ l-Att ta' l-1991 li jemenda l-Att dwar il-Professjoni ta' l-*Accountancy*, u għandu jinqara u jiftiehem ħaġa waħda ma' l-Att dwar il-Professjoni ta' l-*Accountancy*, hawnhekk iżjed 'il quddiem imsejjaħ l-Att prinċipali". Titolu fil-qosor u bidu fis-seħħ. Kap. 281.

(2) Dan l-Att għandu jitqies li daħal fis-seħħ fl-1 ta' Ġunju, 1991.

2. L-artikolu 3 ta' l-Att prinċipali għandu jiġi emendat kif ġej: Emenda ta' l-artikolu 3 ta' l-Att prinċipali.

(a) minflok il-paragrafu (d) tas-subartikolu (3) għandu jidħol dan li ġej:

"(d) tkun kisbet il-grad ta' Baċillier ta' l-Arti (Bl-Unuri) fl-*Accountancy*, jew kull grad ieħor mill-Università ta' Malta rikonoxxut mill-Bord bħala ekwivalenti għalih:

Iżda meta persuna jkollha kwalifika akkademika li għandha x'taqsam mal-professjoni ta' l-*accountancy* l-istess bħalma fil-waqt ta' l-applikazzjoni tkun rikonoxxuta mill-Bord bħala suffiċjenti għall-finijiet ta' dan is-subartikolu, il-Bord għandu jeżenta lil dik il-persuna mill-ħtiġiet ta' dan il-paragrafu wara li dik il-persuna tkun għaddiet minn dak l-eżami jew dawk l-eżamijiet fuq il-liġijiet lokali u f'dawk is-suġġetti l-oħra li l-Bord jista' jippreskrivi;";

(b) minnufih wara l-paragrafu (d) tas-subartikolu (3) għandu jidħol dan il-paragrafu ġdid li ġej:

"(e) tissodisfa lil Bord li jkollha esperjenza xierqa fil-prattika ta' l-*accountancy* għal żmien aggregat ta' tliet snin, li minnhom l-ekwivalenti ta' mill-inqas sena esperjenza għandha tinkiseb wara li l-persuna tkun kisbet il-kwalifiki akkademiċi msemmija fil-paragrafu (d) ta' dan is-subartikolu.".

Emenda ta' l-artikolu 4 ta' l-Att prinċipali.

3. L-artikolu 4 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

(a) il-kliem "u li tkun ukoll tissodisfa lill-Bord li għandha esperjenza xierqa fil-prattika ta' l-*accountancy* fis-subartikolu (1) tiegħu għandhom jitħassru;

(b) is-subartikolu (2) tiegħu għandu jitħassar; u

(ċ) is-subartikolu (3) tiegħu għandu jiġi enumerat mill-ġdid bħala s-subartikolu (2) tiegħu.

Emenda ta' l-artikolu 5 ta' l-Att prinċipali.

4. Minflok is-subartikolu (1) ta' l-artikolu 5 ta' l-Att prinċipali għandu jidħol dan li ġej:

"(1) *Warrant* biex persuna taġixxi bħala uditur jinħareġ mill-Ministru fuq ir-rakkomandazzjoni tal-Bord lil persuna li:

(a) tkun *accountant* pubbliku ċertifikat; u

(b) tissodisfa lill-Bord li:

(i) ikollha l-kwalifika xierqa fil-verifika; u

(ii) tkun kisbet esperjenza ta' tliet snin *full time* fil-verifika f'livell maġġuri taħt is-superviżjoni ta' detentur ta' *warrant* ta' *Accountant* u Uditur Pubbliku Ċertifikat (CPAA) jew dik l-esperjenza *full-time* fil-verifika f'livell adegwat f'pajjiż barra minn Malta taħt is-superviżjoni ta' dik il-persuna jew dawk il-persuni li l-Bord jikkonsidra li jkunu xierqa għal dan l-għan, jew kombinazzjoni ta' dik l-esperjenza *full-time* ġewwa Malta u barra minn Malta:

Iżda sentejn mill-anqas minn din l-esperjenza għandhom ikunu nkisbu wara li l-persuna tkun kisbet il-grad jew kwalifika akkademika li tirrigwarda l-professjoni ta' l-*accountancy* kif preskritt fil-paragrafu (d) tas-subartikolu (3) ta' l-artikolu 3 ta' dan l-Att:

Iżda wkoll kull esperjenza miksuba qabel il-kwalifika msemmija qabel għandha titqies li tammonta biss għal nofs iż-żmien hekk mgħoddi u ma għandha f'ebda każ titqies li taqbeż sena waħda.".

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 541 tat-2 ta' Lulju, 1991.

LAWRENCE GONZI
Speaker

RICHARD J. CAUCHI
Aġent Skrivan tal-Kamra tad-Deputati.

I assent.

(L.S.)

ĊENSU TABONE
President

12th July, 1991

ACT No. XVI of 1991

AN ACT to amend the Accountancy Profession Act, Cap. 281.

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title and commencement. Cap. 281.

1. (1) This Act may be cited as the Accountancy Profession (Amendment) Act, 1991, and shall be read and construed as one with the Accountancy Profession Act, hereinafter referred to as "the principal Act".

(2) This Act shall be deemed to have come into force on the 1st June, 1991.

Amendment of section 3 of the principal Act.

2. Section 3 of the principal Act shall be amended as follows:

(a) for paragraph (d) of subsection (3) there shall be substituted the following:

"(d) he has obtained the degree of Bachelor of Arts (Honours) in Accountancy, or any other degree from the University of Malta recognised by the Board to be equivalent thereto:

Provided that where a person holds an academic qualification relating to the accountancy profession as at the time of application is recognised by the Board to be sufficient for the purposes of this subsection, the Board shall exempt such person from the requirements of this paragraph after such person shall have passed such examination or examinations in local laws and in those other subjects as the Board may prescribe;";

(b) immediately after paragraph (d) of subsection (3) there shall be added the following new paragraph:

"(e) he satisfies the Board that he has adequate experience in the practice of accountancy for an aggregate period of three years, of which an equivalent of at least one year's experience shall be gained after he has obtained the academic qualifications stipulated in paragraph (d) of this subsection.".

3. Section 4 of the principal Act shall be amended as follows: Amendment of section 4 of the principal Act.

(a) for the words "and who also satisfies the Board that he has adequate experience in the practice of accountancy" in subsection (1) thereof shall be deleted;

(b) subsection (2) thereof shall be deleted; and

(c) subsection (3) thereof shall be renumbered as subsection (2) thereof.

4. For subsection (1) of section 5 of the principal Act there shall be substituted the following: Amendment of section 5 of the principal Act.

"(1) A warrant to act as auditor shall be issued by the Minister on the recommendation of the Board to a person who:

(a) is a certified public accountant; and

(b) satisfies the Board that:

(i) he has adequate qualifications in auditing; and

(ii) he has gained three years' full time experience in auditing at a senior level under the supervision of a holder of a warrant of Certified Public Accountant and Auditor or such full time experience in auditing at an adequate level in any country outside Malta under the supervision of such person or persons whom the Board considers as adequate for the purpose, or a combination of such full time experience in Malta and outside Malta:

Provided that at least two years of this experience were gained after obtaining the degree or academic qualification relating to the accountancy profession prescribed in paragraph (d) of subsection (3) of section 3 of this Act:

Provided further that any experience gained before the qualification above referred to shall be considered to amount to only one half of the time so spent and shall in no case be deemed to exceed one year.".

Passed by the House of Representatives at Sitting No. 541 of the 2nd July, 1991.

LAWRENCE GONZI
Speaker

RICHARD J. CAUCHI
Acting Clerk to the House of Representatives.

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