

## Regulatory Powers of the Institute's Committees

The profession of Chartered Accountancy in Ontario is governed by *The Chartered Accountants Act*. Public accountancy (the business of expressing independent assurance and certain other services in respect of financial statements) is governed in Ontario by the *Public Accountancy Act, 2004*. Standards of practice are enforced by the Institute's Rules of Professional Conduct and bylaws. The *Public Accounting Act, 2004* created the Public Accountants Council (PAC) to ensure that public accounting in Ontario is practised by any accounting organization that would become a licensing body in accordance with internationally recognized public accounting standards.

On November 1, 2006 the PAC granted "authorized designated body" status to the Institute, enabling it to become a licensing body for public accountants in Ontario.

The Institute's Discipline Committee is a "tribunal" as defined by Ontario's *Statutory Powers Procedure Act (SPPA)*. When the Discipline Committee finds a member guilty of professional misconduct, or makes a sanctions order against the guilty member, it is exercising a "statutory power of decision" pursuant to the SPPA.

The Institute's Appeal Committee is also a tribunal exercising a statutory power of decision. These committees are obliged to and do observe the protections afforded to members by the SPPA and by the rules of natural justice. A member dissatisfied with a decision or order made against him or her by the Discipline Committee has the right to appeal the decision or order to the Institute's Appeal Committee. If still dissatisfied, the member may seek court review of the decision or order by launching an application for judicial review of the decision or order in the Divisional Court of the Superior Court of Justice pursuant to Ontario's *Judicial Review Procedure Act*.

An application for judicial review does not act as a stay of a proceeding before the Discipline or Appeal Committee, or of a decision or order of the committee, unless the member obtains either the consent of the committee or an order of the court that the proceeding, or the committee's decision or order, be stayed.

This description of the disciplinary process of the Institute is an overview only. More specific information about the role of the Institute and regulatory powers of its committees may be found at:  
[http://www.e-laws.gov.on.ca/home\\_E.asp?lang=en](http://www.e-laws.gov.on.ca/home_E.asp?lang=en)

Bylaws of the Institute may be found in the Members' handbook at:  
[http://www.icao.on.ca/index.cfm/ci\\_id/2779](http://www.icao.on.ca/index.cfm/ci_id/2779).

Further information about the PAC can be found at: <http://www.pacont.org/>