

Fiji Institute of Chartered Accountants Bill 2021 (Bill No. 35 of 2021) – Submission template

Name of submittee: _____Auditor-General Mr Ajay Nand_____

Part	Clause	Sub-Clause	Suggested changes (if any)	Explanation
1	2		Definition of Certificate of Public Service to <u>include</u> external auditing	The definition of Certificate of Limited Public Service and Certificate of Public Service is similar thereby no one is authorised to provide external audit services
1	3	(c)	Include “external auditors”	Accounting and external auditing are distinct professions which must be discussed separately for clarity. Auditors are not permitted by the Sarbanes –Oxley Act, which was enacted in the US following major corporate collapses in early 2000, to provide accounting and other non-audit work of a client which is audited by the auditor and vice-versa.
1	5	f	To define the term “profession”	There should be a clear definition of the term profession should include accounting and auditing.
2	5	(b)	Include auditors in private practise	<ul style="list-style-type: none"> • Section is not clear whether it covers it covers public sector accounting as well. • Section is not specific whether the institute is the national standard setting authority in Fiji covering accounting and auditing in both public and private sectors

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3	8	(i)(c)	Specify inclusion of accountants/auditors representing public service	<ul style="list-style-type: none"> Allocating seats on the Council will ensure that public sector representation is present in the Council which will allow for development of the profession in the public sector.
	12	(a)	Include auditing	The institute to be responsible for development of auditing profession as well.
	13	(2)	Include section on Finance	Finance section provide types of revenue and accounting of revenues and expenditures of the Institute including appointment of auditors.
4	16	1	To include names of the members under CPP in the register	The names of those members registered under the CPP category to be included in the register and published.
6	40		<p>Auditor-General by position is to be a deemed CPP</p> <p>Include provision which allows public officers who are not employed by a CPP or CLPP to apply for and be registered as such provided that they have gone through mentoring for a period as determined by the Council.</p>	<p>By virtue of the position of Auditor-General he or she is deemed registered CPP. Therefore, those who work under the Auditor-General, if they meet requirement should be eligible for CPP or CLPP.</p> <p>The current regulations do not allow for Office of the Auditor General to be classified as a CPP which unfairly disadvantages OAG staffs from obtaining a CPP .</p>

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General Remarks				
7	-	-	To include the auditing of the Institute	A section to be included outlining the provisions of auditing the books of the institute. Also the appointment process of the auditor for the Institute. This will promote accountability of the Institute.
8			To include the timeline for the publication of the annual report	A section to include timelines for the publication of the annual report.
9			<p>There is to be a Standard setting body for Auditors.</p> <p>The Committee to recommend for standard setting body be considered for auditors</p> <p>Examples is Australian Accounting Standards Board (AASB) being a Australian Government Agency that develop and maintain financial reporting standards.</p>	<p>Australia and New Zealand have separate bodies that are set up to for setting of standards for accountants and auditors.</p> <p>The Australian Accounting Standards Board (AASB) is an Australian Government agency that develops and maintains financial reporting standards applicable to entities in the private and public sectors of the Australian economy.</p> <p>Auditing and Assurance Standards Board (AUASB)</p> <p>The AUASB is the independent statutory agency of the Australian Government responsible for making auditing and assurance standards. The AUASB participates in and contributes to the development of a single set of international auditing standards for worldwide use.</p>

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			Also the Australia Auditing and Assurance Standards Board (AUASB) is an independent statutory authority responsible for making auditing and assurance standards and approving those auditing standards to be adopted in Fiji	
6	40		<p>Relevant references to the Companies Act 2015 in Part 33 to regulate auditors are not discussed in the Bill.</p> <p>Section 413 of Company Act provides provisions that Auditor-General is registered as an Auditor including persons delegated by Auditor-General.</p>	<p>PART 33—REGISTRATION OF AUDITORS AND LIQUIDATORS – Companies Act 2015</p> <p>410. Application for registration as Auditor or liquidator 411. Registration of Auditor or liquidator 412. Insurance to be maintained by Auditors and liquidators 413. Auditor General taken to be registered as Auditor 414. Register of Auditors</p>