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The following Act was passed by Parliament on 26th November 1998 and assented to by the President on 11th December 1998:—

**REPUBLIC OF SINGAPORE**

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**No. 48 of 1998.**

I assent.



ONG TENG CHEONG,  
*President.*  
11th December 1998.

An Act to amend the Accountants Act (Chapter 2A of the 1988 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

**Short title and commencement**

1. This Act may be cited as the Accountants (Amendment) Act 1998 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

**Amendment of section 2**

2. Section 2 of the Accountants Act is amended by inserting, immediately after the definition of “Chairman”, the following definition:

“ “costs and expenses”, in relation to any proceedings under Part IV, includes —

- (a) the costs and expenses of any assessor and advocate and solicitor appointed by the Board for proceedings before an Inquiry Committee;
- (b) such reasonable expenses as the Board may pay to witnesses; and
- (c) such reasonable expenses as are necessary for or incidental to the institution and conduct of proceedings before the Inquiry Committee;”.

**Amendment of section 5**

3. Section 5 of the Accountants Act is amended by inserting, immediately after the word “accountants” at the end of paragraph (d), the words “and to prescribe the standards, methods and procedures to be followed by public accountants when doing any work in the course of their profession”.

**Amendment of section 7**

4. Section 7 of the Accountants Act is amended by inserting, immediately after the word “Board” at the end thereof, the words “or from such grants as the Minister may make to the Board from moneys provided by Parliament”.

**Amendment of section 13**

5. Section 13 of the Accountants Act is amended by deleting subsection (2) and substituting the following subsection:

“(2) An application under subsection (1) shall be accompanied by —

- (a) the prescribed fee; and
- (b) a declaration by the applicant verifying any information contained in or relating to the application.”.

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**Repeal and re-enactment of section 15**

6. Section 15 of the Accountants Act is repealed and the following section substituted therefor:

**“Certificates of registration**

**15.—**(1) Any person registered as a public accountant under this Part shall, on payment of the prescribed fee, be entitled to receive a certificate of registration under the hand of the Registrar.

(2) Subject to the provisions of this Act, every such certificate of registration —

- (a) if issued or renewed before the commencement of the Accountants (Amendment) Act 1998, shall be in force from the date of its issue or renewal to 31st December of the third year following that in which it is issued or renewed; and
- (b) if issued or renewed on or after the commencement of the Accountants (Amendment) Act 1998, shall be in force from the date of its issue or renewal to 31st December of the year in respect of which it is issued or renewed.

(3) A public accountant who desires to renew his certificate of registration upon the expiry thereof shall, within the prescribed time, make an application therefor in the prescribed form.

(4) An application under subsection (3) shall be accompanied by —

- (a) the prescribed fee; and
- (b) a declaration by the applicant verifying any information contained in or relating to the application.

(5) The Board shall not renew the certificate of registration of a public accountant unless it is satisfied that the public accountant has complied with the prescribed requirements relating to —

- (a) continuing professional education;
- (b) the appraisal of the public accountant’s professional conduct and practice; and
- (c) any other matter which the Board considers relevant.

(6) The Board may revoke the certificate of registration of any public accountant who has ceased to be registered in the Register of Public Accountants.”.

#### **Amendment of section 19**

7. Section 19 (1) of the Accountants Act is amended by deleting the words “complaint of professional misconduct made against any public accountant” and substituting the words “complaint of the conduct of a public accountant in his professional capacity or of any other improper act or conduct on his part which brings disrepute to his profession or which makes him unfit for his profession”.

#### **Amendment of section 20**

8. Section 20 of the Accountants Act is amended —

- (a) by inserting, immediately after the word “capacity” in subsection (1), the words “or of any other improper act or conduct on his part which brings disrepute to his profession or which makes him unfit for his profession”; and
- (b) by deleting subsection (3) and substituting the following subsections:

“(3) The Board may require any person making any application or complaint against a public accountant under this section to deposit with the Board a reasonable sum not exceeding \$1,000 to cover any costs and expenses as may necessarily be incurred by the Board in dealing with the application or complaint.

(3A) Where the application or complaint is found to be frivolous or vexatious or is dismissed under subsection (3D), the sum so deposited or such part thereof as the Board may determine shall be applied for the payment of those costs and expenses; otherwise the sum so deposited shall be returned to the person making the application or complaint.

(3B) Where the Board has received any application or complaint under this section or where facts concerning the conduct of a public accountant are brought to the knowledge of the Board which disclose a prima facie case for an inquiry into the matter, the Board shall lay the application, complaint or facts, as the case may be, before

an Inquiry Committee which shall inquire into the matter and report its findings to the Board.

(3C) In order that the Board may satisfy itself whether any application, complaint or facts referred to in subsection (3B) disclose a prima facie case for an inquiry into the matter, the Board or the Registrar may require —

- (a) the person making the application or complaint; and
- (b) the public accountant against whom the application or complaint is made or in respect of whom the facts relate,

to furnish such information or to produce such document as the Board or the Registrar may require.

(3D) If any person making an application or complaint against a public accountant refuses or fails, without lawful excuse, to furnish any information or to produce any document as may be required by the Board or the Registrar under subsection (3C), the Board may dismiss the application or complaint.

(3E) If any public accountant against whom an application or complaint is made refuses or fails, without lawful excuse, to furnish any information or to produce any document as may be required by the Board or the Registrar under subsection (3C), he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

(3F) Where any application, complaint or facts laid before an Inquiry Committee under subsection (3B) arise from the conviction of a public accountant for a criminal offence, the Inquiry Committee and the High Court on any appeal under section 22 shall accept his conviction as final and conclusive.”.

### **Amendment of section 21**

**9.** Section 21 of the Accountants Act is amended —

- (a) by deleting sub-paragraphs (i) and (ii) of subsection (1) (a) and substituting the following sub-paragraphs:

- “(i) the public accountant is convicted of any offence involving fraud or dishonesty or moral turpitude;
  - (ii) the public accountant has been guilty of such improper or dishonourable conduct in the discharge of his professional duty which, in the opinion of the Board, renders him unfit to be a public accountant or would bring the profession of public accountancy into disrepute;”;
- (b) by deleting the word “or” at the end of sub-paragraph (iv) of subsection (1) (a);
- (c) by deleting the words “has been adjudicated bankrupt or” in sub-paragraph (v) of subsection (1) (a);
- (d) by inserting, immediately after sub-paragraph (v) of subsection (1) (a), the following sub-paragraphs:
  - “(vi) any of the qualifications by virtue of which the public accountant was registered under this Act has been withdrawn or cancelled by the authority through which such qualification was acquired or by which such qualification was awarded;
  - (vii) for disciplinary reasons, the public accountant has been censured by any authority referred to in sub-paragraph (vi) or by any professional accountancy body of which he is a member or with which he is registered, or has had his membership or registration with such body terminated or suspended; or
  - (viii) the public accountant carries on by himself or any person in his employment any trade, business or calling that detracts from the profession of public accountancy or is in any way incompatible with it, or is employed in any such trade, business or calling;”;
- (e) by deleting subsection (3) and substituting the following subsections:
  - “(3) Any costs and expenses ordered by the Chairman to be paid to the Board under subsection (2) shall be taxable in the High Court in the same manner as if they were ordered in connection with a civil action in the High Court.

(3A) Any penalty imposed by the Board under subsection (1) (b) (i) and any costs and expenses ordered to be paid to the Board under subsection (2) shall be recoverable as debts due to the Board.

(3B) A decision of the Board under subsection (1) to suspend a public accountant from practice or to cancel the registration of a public accountant or to impose any penalty on a public accountant shall not take effect until the expiration of one month from the date on which the decision has been communicated to the public accountant or, where an appeal against the decision is made to the High Court under section 22, until the appeal has been determined or withdrawn.”.

### **Amendment of section 22**

**10.** Section 22 of the Accountants Act is amended —

- (a) by deleting subsection (2); and
- (b) by deleting “—(1)” in the first line.

### **Amendment of section 23**

**11.** Section 23 of the Accountants Act is amended —

- (a) by deleting the word “or” at the end of subsection (1) (e);
- (b) by deleting the full-stop at the end of paragraph (f) of subsection (1) and substituting a semi-colon, and by inserting immediately thereafter the following paragraphs:
  - “(g) who has been adjudged a bankrupt;
  - (h) who has become of unsound mind; or
  - (i) who has applied for his registration to be cancelled.”; and
- (c) by inserting, immediately after subsection (2), the following subsection:
  - “(3) The Board shall not grant an application under subsection (1) (i) if the Board is satisfied that —
    - (a) disciplinary action is pending against the applicant; or
    - (b) the conduct of the applicant is the subject of an inquiry or investigation by an Inquiry Committee.”.

**Amendment of section 48**

**12.** Section 48 of the Accountants Act is amended —

- (a) by deleting the words “or tax consultant” in subsection (1) (a) and (b);
- (b) by deleting the words “or “tax consultant” ” in subsection (1) (c); and
- (c) by deleting subsection (2) and substituting the following subsection:

“(2) Nothing in this section shall operate to prevent any person who is a member of the Institute from using the term “certified public accountant” or the initials “CPA”.”.

**New section 56A**

**13.** The Accountants Act is amended by inserting, immediately after section 56, the following section:

**“Composition of offences**

**56A.**—(1) The Board or any person authorised in writing in that behalf by the Board may, in its or his discretion, compound any offence under this Act or any rules made thereunder which is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum of money not exceeding \$1,000.

(2) On payment of such sum of money, no further proceedings shall be taken against such person in respect of the offence.”.

**Amendment of section 57**

**14.** Section 57 (2) of the Accountants Act is amended —

- (a) by inserting, immediately after paragraph (e), the following paragraph:

“(f) prescribing the standards, methods and procedures to be followed by public accountants when doing any work in the course of their profession;”; and
- (b) by re-lettering the existing paragraphs (f), (g) and (h) as paragraphs (g), (h) and (i), respectively.



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**Amendment of Schedule**

**15.** Paragraph 4 of the Schedule to the Accountants Act is amended by deleting the words “period of 3 years” and substituting the words “period not exceeding 3 years”.

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