

aat

Licensing Regulations

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Licensing Regulations

Commencement

1. These *Regulations* were made by the Council on 20 November 2014 under Articles 23 and 65 of the *Articles of Association*.
2. These *Regulations* came into force on 27 February 2019 superseding all previous *Licensing Regulations*.

Definitions

3. In these *Regulations* all words and phrases in italics, save titles of publications, shall have the meaning set out in the *AAT Glossary*.

Function and scope of *Regulations*

4. The *Regulations* shall apply to all *members* who are offering or providing *self-employed accountancy services* within the UK, Channel Islands or Isle of Man.
5. A *member* may not offer or undertake *self-employed accountancy services* unless licensed to do so in accordance with these *Regulations* or approved for an exemption in accordance with the *Licence Exemption* policy.
6. A *member* may be licensed under these *Regulations* at a level (a *Licence Tier*) ranging from 1 to 4 according to the criteria set out in the *Licensing* policy from time to time in force.
7. A *member* may provide only those *accountancy services* for which he or she is licensed. Offering or providing *accountancy services* (including bookkeeping) outside the scope of a *licence* may be grounds for action under the *Disciplinary Regulations* or for termination of a *licence* under Regulation 12 below.

General provisions relating to *licence applications*

8. A *member* who wishes to apply for a *licence* or reinstatement of a *licence* under these *Regulations* shall do so by:
 - a) submitting the relevant application; and
 - b) providing the *Association* with such information or documents as may be prescribed; and
 - c) paying the *prescribed fee*.
9. On receipt of an *application* under the *Regulations*, the *Association* shall decide whether to grant or refuse the *application* and shall notify the *member* accordingly, giving reasons for any decision to refuse.
10. Before reaching a decision on an *application* under these *Regulations*, the *Association* may:
 - a) require the *member* to undertake such other steps as it may specify in order for the *member* to be licensed in accordance with one of the *Licence Tiers* set out in the *Licensing* policy; and
 - b) require from the *member* or a third party such additional information, documents or references as it considers appropriate (and *members* shall provide their full cooperation to the *Association* in connection with any such requirements).

General conditions of licences

11. It shall be a *condition* of all grants of a *licence* that the *member* holding the *licence*:
- a) continues to meet AAT's *fit and proper* requirements as set out in the following policies:
 - i. *Convictions* policy
 - ii. *Disciplinary Sanctions* policy
 - iii. *Insolvency* policy
 - iv. *Civil Sanctions* policy
 - b) has submitted an annual licence declaration by the deadline prescribed by AAT
 - c) has paid any *prescribed fee* due in respect of that *licence* including any renewable fee and does not owe the *Association* any other monies
 - d) complies with AAT's *CPD* policy
 - e) maintain *continuity of practice* arrangements in accordance with the *Continuity of Practice* policy
 - f) has in place at all times arrangements for *professional indemnity insurance*, *client care*, holding client money and *anti money laundering supervision* that are in line with AAT's policies
 - g) complies with the *Practice Assurance Standards* and submits to *practice assurance monitoring* when required to do so
 - h) complies fully with the Money Laundering Regulations in force
 - i) complies fully with AAT's *Code of Professional Ethics*
 - j) is at all times in compliance with any order determined under the *Disciplinary Regulations*
 - k) complies with any specific *condition*, requirement, modification or restriction imposed on their *licence* by AAT or by order of the Disciplinary Tribunal.

Termination of a *licence*

12. If a *member* breaches any *specific condition* or any general *condition* under Regulation 11 of these *Regulations* or provides *accountancy services* outside the scope of his or her *licence*, the *Association* may terminate the *licence* with immediate effect.
13. Any *licence* granted under these *Regulations* shall automatically cease if the *member* holding the *licence* fails to renew it, resigns or is expelled from the *Association* for any reason.
14. Termination of a *licence* will normally result in termination of all membership unless written confirmation and evidence, as required, is provided to AAT to demonstrate that the member is no longer offering or providing *self-employed accountancy services*.
15. A member may appeal any decision to refuse or terminate a *licence* under these *Regulations* (save automatic termination of *licence* under Regulation 13) and such appeal shall be dealt with under the *Appeals Regulations*).

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