

Licensing Regulations

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V2.0	4	Inclusion of "hold themselves out to provide any accountancy or bookkeeping services to the public".	09/06/2021
V2.0	6	Any termination of a <i>licence</i> unable to reapply for a <i>licence</i> for a minimum period of 12 months.	09/06/2021
V2.0	6	Member required to submit to <i>practice assurance monitoring</i> prior to approval at their own expense	09/06/2021

Associated regulations and policies

Code of Professional Ethics
AAT Regulations 2021
Disciplinary Regulations
Licensing policy
Insolvency policy
Criminal Convictions policy
Civil Sanctions policy
Disciplinary Sanctions policy
CPD policy
Continuity of Practice policy
Professional Indemnity Insurance policy
Client Care policy
Clients' Money policy
Appeals Regulations

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Introduction

AAT expects its *members* to act with the highest levels of professionalism, both in and outside of their professional lives. Clients and employers rely on AAT to take ongoing steps to consider whether a *member* is, and continues to be, a *fit and proper* person to be a *member*. This policy and guidance is intended to support the AAT in meeting that obligation.

Scope and applicability

1. The *Licensing Regulations* were made by the Council on 20 November 2014 under Articles 23 and 65 of the *Articles of Association*. These Regulations came into force on 1 July 2021 superseding all previous *Licensing Regulations*.
2. The *Regulations* shall apply to all *members* who are offering or providing *self-employed accountancy services* (including bookkeeping) within the UK, Channel Islands or Isle of Man.
3. A *member* must not engage in public practice by offering or providing *self-employed accountancy services*, or hold themselves out to provide any accountancy or bookkeeping services to the public, unless licensed to do so in accordance with these *Regulations* or approved for an exemption in accordance with the *Licence Exemption* policy.
4. 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.
5. A *member* may provide only those *accountancy services* for which they are 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.

Purpose and objectives

6. These Regulations set out the terms upon which AAT will grant a licence and the general *conditions* of continuing to hold the licence.

Terms and definitions

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

Policy detail

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 sanction 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 engaged in public practice and not offering or providing *self-employed accountancy services*, or bookkeeping services.
15. Any termination of a *licence* will normally result in the member being unable to reapply for a *licence* for a minimum period of 12 months, and on receipt of any subsequent reapplication for a *licence*, the member may be required to submit to *practice assurance monitoring* prior to approval at their own expense.
16. 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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