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).