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# 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* shall come into force on 1 May 2016.

## 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 providing *self-employed accountancy services* within the UK, Channel Islands or Isle of Man.
5. A *member* may not 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 Exemptions* 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. Providing *accountancy services* 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) complies with any *specific condition* of the *licence*;
  - b) complies with the *Practice Assurance Standards*;
  - 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) is not barred by a decision of the *Disciplinary Tribunal* from holding a *licence* and is at all times in compliance with any order of the *Disciplinary Tribunal*;
  - e) is not or does not become insolvent or subject to an unspent *criminal conviction* or *disciplinary sanction* by another body;
  - f) has in place at all times *arrangements for continuity of practice* that are acceptable to the *Association* as defined in the *Continuity of Practice* policy;
  - g) has in place at all times arrangements for *professional indemnity insurance*, *client care*, holding *client's money* and *Anti Money Laundering supervision* that are in line with the *Association's* policies;
  - h) complies with the *Association's CPD* policy;
  - i) submits to *practice assurance monitoring* when required to do so; and
  - j) complies fully with the *Association's Code of Professional Ethics*.

## 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. 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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