

May 2008
Form R.I.1

THE
INSTITUTE OF
CHARTERED
ACCOUNTANTS
OF SCOTLAND



Established 1854

*... the first professional body
of accountants*

Please reply to :

Professional Authorisation Department
Institute of Chartered Accountants of Scotland
CA House, 21 Haymarket Yards
Edinburgh EH12 5BH.

APPLICATION TO APPOINT A RESPONSIBLE INDIVIDUAL (RI)

This form is to be used when a Registered Auditor wishes to appoint a new Responsible Individual.

NOTES ON COMPLETING THE APPLICATION FORM

1. Section 1 of this form is to be completed and signed by the Applicant (the firm) and Section 2 to be completed and signed by the person to be appointed as a Responsible Individual (the Appointee).
2. Where necessary, guidance is given below each question. Please read this before you complete the question.
3. Please complete the application form in BLOCK CAPITALS.
4. If there is inadequate space for an answer, please attach additional sheets.
5. References in these notes to the 'Act' are to the Companies Act 2006.
6. If you have any doubts or difficulties concerning the completion of this form, you should contact the Professional Authorisation Department (0131 347 0282) for advice. This may avoid delays in dealing with your application.

Institute (0131 347 0282) if you have any queries on your status.

Chapter 4, schedule 1 of the Audit Regulations gives further explanation.

Year Granted: for a principal or employee who was a member of one of the three Institutes on 31 December 1989, please insert 1989. In other cases please indicate the year in which the appropriate qualification was granted.

1.3. MAINTAINING COMPETENCE

a) Please indicate (by adding a tick to the appropriate area the following column) which of the following are or will be used by the Responsible Individual to maintain competence and keep up to date on audit legislation, regulation and related matters.

	RESPONSIBLE INDIVIDUAL
Update services	
In-house courses	
In-house technical discussion group	
Training consortium or another firm's in-house courses	
Institute courses	
Other commercial courses	
Local discussion groups	
Private reading: technical papers, accountancy journals, articles, newsletter	
Other	

If 'Other' please give further details

	Yes	No
b) Will individual training records be maintained for the Responsible Individual?	<input type="checkbox"/>	<input type="checkbox"/>

1.4. CONFIRMATIONS BY FIRM

a) We/I confirm that the individual named on this application has been proposed as a Responsible Individual by those Principals in the firm named in Section 1 who are qualified individuals and:

- i) is competent to conduct audit work under audit regulation 3.17;
- ii) is required by the firm, when undertaking audit work, to plan and control such work; and
- iii) will be allowed to sign audit reports in the name of the firm.

b) We/I confirm that the individual named in this application is fit and proper to be a Responsible Individual.

Guidance

- (i) The Act requires auditors to be fit and proper to carry out audit work. A firm appointing an individual as a RI must be satisfied, and confirm to the Institute, that the individual is fit and proper.
- (ii) If a firm has any doubts about the fit and proper status of any of its principals or employees, it should contact the Professional Authorisation Department (0131 347 0282) for advice.
- (iii) If the Audit Registration Committee subsequently finds out about any matters which a firm did not disclose this will be viewed seriously. It could jeopardise the person's Responsible Individual status.

1.5. DECLARATIONS AND ACKNOWLEDGEMENTS

Should this application be approved:

- a) We/I undertake that the individual will at all times comply with the Audit Regulations; and
- b) We / I undertake that none of the Institute, its officers, staff, members of its Council or Committee, any agent of the Institute or the Committees or staff of the Investigation and Discipline Committee or the Disciplinary Scheme can be held liable in damages for anything done or not done in dealing with any of the functions connected with the granting of registration or enforcing the terms and conditions of audit registration or the monitoring of compliance with those terms and in any respect, unless the act or omission is shown to have been in bad faith; and
- c) We/I acknowledge that the individual is not able to act as a Responsible Individual until formal notification is received from the Institute.

1.6. SIGNATURE OF AUDIT COMPLIANCE PRINCIPAL (ACP)

I certify that, to the best of my knowledge and belief, the information in, or provided with, this application is a true and accurate statement of the firm's and the Individual's circumstances.

Signed

(Sole Practitioner/ACP with overall responsibility for making sure the firm complies with the Audit Regulations).

Name in BLOCK CAPITALS Date/...../.....

SECTION 2
(To be completed by the Appointee)

2.1. PREVIOUS STATUS AS A RESPONSIBLE INDIVIDUAL

Have you previously been a Responsible Individual? Yes No

If "Yes", please complete the following for each firm in which you were a Responsible Individual, if NO please see guidance at Section 1 (1.2).

Firm Name	Firm No: (If known)	Firm's Supervisory Body	Period as Responsible Individual		Reason for Ceasing as Responsible Individual
			From (mm/yy)	To (mm/yy)	

Firm's Supervisory Body: please indicate which body regulated the firm in which you were a Responsible Individual using the abbreviation ICAS, ICAEW, ICAI, ACCA or AAPA or any other supervisory body (please supply full name).

Do you have an Audit Registration in any country other than the UK Yes*/No

***If "Yes" please supply:**

Country:

Name of Registering Body:

Registration number:

(Please give details of other registered firms by which employed or associated as principal)

2.2. FIT AND PROPER

The answers will be “Yes” or “No”, but a “Yes” will need further explanation.

Individual

Financial integrity and reliability

Yes No

- | | | |
|---|--------------------------|--------------------------|
| 1. In the last ten years has a court, in the United Kingdom or elsewhere, given any judgement against you about a debt? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. In the last ten years have you made any compromise arrangement with your creditors? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Have you ever been declared bankrupt or been the subject of a bankruptcy court order in the United Kingdom or elsewhere, or has a bankruptcy petition ever been served on you? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Have you ever signed a trust deed for a creditor, made an assignment for the benefit of creditors, or made any arrangements for the payment of a composition to creditors? | <input type="checkbox"/> | <input type="checkbox"/> |

Convictions or civil liabilities

Note: There is no need to mention offences which are spent for the purposes of the Rehabilitation of Offenders Act 1974 or offences committed before the age of 17 (unless committed in the last ten years) and road traffic offences that did not lead to a disqualification or prison sentence.

	Yes	No
5. Have you at any time pleaded guilty to or been found guilty of any offence?	<input type="checkbox"/>	<input type="checkbox"/>
If so, give details of the court which convicted you, the offence, the penalty imposed and date of conviction.		
6. In the last five years have you, in the United Kingdom or elsewhere, been the subject of any civil action relating to your professional or business activities which has resulted in a finding against you by a court, or a settlement being agreed?	<input type="checkbox"/>	<input type="checkbox"/>
7. Have you ever been disqualified by a court from being a director or from acting in the management or conduct of the affairs of any company?	<input type="checkbox"/>	<input type="checkbox"/>
Good reputation and character		
8. Have you, in the United Kingdom or elsewhere, ever been:		
• Refused the right or been restricted in the right to carry on any trade, business or profession for which a specific licence, registration or other authority is required?	<input type="checkbox"/>	<input type="checkbox"/>
• Investigated about allegations of misconduct or malpractice in connection with your professional activities which resulted in a formal complaint being proved but no disciplinary order being made?	<input type="checkbox"/>	<input type="checkbox"/>
• The subject of disciplinary procedures by a professional body or employer resulting in a finding against you?	<input type="checkbox"/>	<input type="checkbox"/>
• Refused entry to or excluded from membership of any profession or vocation?	<input type="checkbox"/>	<input type="checkbox"/>
• Dismissed from any office (other than as auditor) or employment or requested to resign from any office, employment or partnership?	<input type="checkbox"/>	<input type="checkbox"/>
• The subject of a court order at the instigation of any regulatory body, or any officially appointed enquiry concerned with the regulation of a financial, professional or other business activity?	<input type="checkbox"/>	<input type="checkbox"/>
• Reprimanded, warned about future conduct, disciplined, or publicly criticised by any regulatory body, or any officially appointed enquiry concerned with the regulation of a financial, professional or other business activity?	<input type="checkbox"/>	<input type="checkbox"/>
9. Are you currently undergoing any investigation or disciplinary procedures as described in 8 above?	<input type="checkbox"/>	<input type="checkbox"/>

	Yes	No
<u>Previous firms in which the Individual was a principal</u>		
In respect of the periods below, has any firm in which you were a principal been subject to any of the following while you were a principal:		
Financial Integrity and Reliability		
In the last ten years has such firm made any compromise or arrangement with its creditors, or otherwise failed to satisfy creditors in full?	<input type="checkbox"/>	<input type="checkbox"/>
Civil liabilities		
In the last five years has such firm been the subject of any civil action relating to its professional or business activities which resulted in a finding against it by a court, or a settlement being agreed?	<input type="checkbox"/>	<input type="checkbox"/>
Good reputation and character		
In the last ten years, has such firm been:		
<ul style="list-style-type: none"> • Refused or restricted in the right to carry on any trade, business or profession for which a specific licence, registration or other authority is required? 	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • Refused entry to any professional body or trade association, or decided not to continue with an application? 	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • Reprimanded, warned about future conduct, disciplined or publicly criticised by any professional or regulatory body? 	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • Made the subject of a court order at the instigation of any professional or regulatory body? 	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • Investigated on allegation of misconduct or malpractice in connection with its professional or business activities that resulted in a formal complaint being proved but no disciplinary order being made? 	<input type="checkbox"/>	<input type="checkbox"/>
Guidance		
<ul style="list-style-type: none"> i. The Act requires auditors to be “fit and proper” to carry out audit work. An individual who is appointed as a RI must satisfy the Institute that he/she is fit and proper. ii. If you have any doubts about your fit and proper status, you should contact the Professional Authorisation Department (0131 347 0282) for advice. iii. A ‘Yes’ answer to any of the questions on this part of the application form will not automatically result in an individual being refused RI status. The Registration Committee may however, wish to make further enquiries before reaching a decision. 		
If the Audit Registration Committee subsequently finds out about any matters which were not disclosed this will be viewed very seriously. It could jeopardise the individual’s Responsible Individual status.		

2.3. DECLARATIONS AND ACKNOWLEDGEMENTS

Should this application be approved:

- a) We/I undertake that I will at all times comply with the Audit Regulations; and
- b) We/I undertake that none of the Institute, its officers, staff, members of its Council or Committees, or staff of the Disciplinary Scheme can be held liable in damages for anything done or not done in dealing with any of the functions connected with the granting of registration or enforcing the terms and conditions of audit registration or the monitoring of compliance with those terms and in any respect, unless the act or omission is shown to have been in bad faith; and
- c) We/I acknowledge that I cannot act as a Responsible Individual until formal notification is received from the Institute.

2.4. SIGNATURE OF APPOINTEE

I certify that, to the best of my knowledge and belief, the information in, or provided with, this application is a true and accurate statement of my circumstances.

Signed

Name in BLOCK CAPITALS Date/...../.....

SECTION 3

3.1. COMPLETION CHECKLIST

Before returning the completed application form, please go through this checklist:

- a) Check that you have completed **all** questions.
- b) Keep a copy for your records.
- c) Make sure any additional sheets are included with this form.
- d) Make sure the form is signed at boxes 1.6 and 2.4 and return it (with any attachments) to the address shown on the front of the form. Your application will be acknowledged on receipt at the Institute.

Data Protection Act 1998

The Institute of Chartered Accountants of Scotland takes data protection very seriously. The personal data is being collected in order to process this application. Data may be supplied to the Joint Audit Register. Information may also be passed within the Institute and to suitable referees to enable the Institute to perform its functions as a Recognised Supervisory Body and as a professional body. If you require further information on the Institute's data protection please contact the Data Protection Controller, The Institute of Chartered Accountants of Scotland, 21 Haymarket Yards, Edinburgh, EH12 5BH.