

COST AND MANAGEMENT ACCOUNTANTS REGULATIONS, 1980

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A member of the Institute shall be guilty of professional and other misconduct, if he—

COST AND MANAGEMENT ACCOUNTANTS REGULATIONS, 1980

AMENDED BY:

1. No. S. R. O. 231 - L/81/ICMA/Ex-10/65/81, dated 15th June, 1981 published in Bangladesh Gazette on 2nd July, 1981.
2. No. S. R. O. 172–Law/87, dated 19th August, 1987 published in Bangladesh Gazette on 19th August, 1987.
3. No. S. R. O. 166–Law/89, dated 25th May, 1989 published in Bangladesh Gazette on 25th May, 1989.
4. No. S. R. O. 316–Law/89, dated 10th Sept. 1989 published in Bangladesh Gazette on 19th Sept. 1989.
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THE INSTITUTE OF COST AND MANAGEMENT ACCOUNTANTS OF BANGLADESH

NOTIFICATION

Dhaka, the 27th February, 1980*

No. S.R.O. 63-L/80:- In exercise of the powers conferred by section 31 of the Cost and Management Accountants Ordinance, 1977 (LIII of 1977), the Council of the Institute of Cost and Management Accountants of Bangladesh, with the approval of the Government, is pleased to make the following Regulations, the same having been previously published as required by sub-section (3) of the said section, namely "Power to make regulations".

THE COST AND MANAGEMENT ACCOUNTANTS REGULATIONS, 1980

CHAPTER I

PRELIMINARY

1. Short title:- These regulations may be called the Cost and Management Accountants Regulations, 1980.

2. Definitions:- In these regulations, unless there is anything repugnant in the subject or context:-

- (a) "annual meeting" means the annual general meeting of the members of the Institute;
- (b) "certificate of practice" means a certificate granted under these regulations entitling the holder to practice as a cost and management accountant;
- (c) "Form" means a Form set out in Schedule 1;
- (d) "Ordinance" means the Cost and Management Accountants Ordinance, 1977 (LIII of 1977);
- (e) "Principal place of business" means the place of business registered by a member of the Institute or where more than one place of business is registered by him, the place of business indicated by him as being his principal place of business;
- (f) "registered address" means, in the case of a member of the Institute in practice, his principal place of business and in the case of a member of the Institute not in practiced, the address last notified by him to the Secretary as his address for communication;
- (g) "registered student" means a person registered as a student under these regulations and includes a student registered as such with the dissolved Institute prior to the commencement of the ordinance;
- (h) "Schedule" means a Schedule annexed to these regulations;
- (i) "Seal" means the seal of the Institute;
- (j) "Secretary" means the Secretary of the Council elected under section 11; and
- (k) "section" means a section of the Ordinance.

* Published in the Bangladesh Gazette, Extraordinary, Friday, April, 1980.

3. Forms:- The Forms shall be used in matters to which they purport to relate and all notes and directions contained in the Forms shall be observed accordingly.

4. Notice to member:- (1) All notices required by the Ordinance and these regulation to be posted or sent to members shall be sent by registered post to the registered address of each member and for proving that such notice has been posted or sent; it shall be sufficient to prove that such notice was properly addressed and posted.

(2) The non-receipt of any such notice shall not invalidate any such notice or any resolution passed, or proceeding or action taken, at any meeting.

CHAPTER II MEMBERS OF THE INSTITUTE

5. Register:- The Register of members of the Institute shall be maintained in Form A.

6. Admission of members:- (1) Every applicant for admission as an associate or a fellow shall satisfy the Council of his having fulfilled the conditions specified in the Ordinance and these Regulations in such manner as the Council may deem necessary and the Council, being so satisfied, shall admit him on payment of the fees prescribed in these regulations. The application for membership of the Institute shall be in Form B and shall be submitted to the Secretary.

(2) Every person before becoming a member of the Institute shall undertake to be bound by the Ordinance and the regulations in force at the time of his admission or which may thereafter, from time to time, be made.

7. Certificate of membership:- (1) if an application for membership of the Institute is accepted by the Council, the applicant's name shall be entered in the Register as an associate or fellow, as the case may be, and a certificate of membership in Form C under seal shall issued to him.

(2) An associate or a fellow, referred to in sub-sections (2) and (3) of section 6, may obtain a new certificate from the Institute after returning the old certificate:

Provided that the old certificate need to be returned if the Institute becomes satisfied that the same has been lost or destroyed or otherwise is not available.

(3) In the event of the name of a member of the Institute being removed from the Register under the provisions of the Ordinance, the certificate of membership together with the certificate of practice, if any, shall be forthwith returned to the Secretary.

8. Certificate of practice:- (1) A member of the Institute may apply to the Council, in Form D, for a certificate of practice entitling him to practice as a cost and management accountant throughout Bangladesh. The application shall be addressed to the Secretary and shall be accompanied by the requisite fee. If the application is granted by the Council, the certificate under seal shall be issued in Form E. Subject to the payment of the annual fee the validity of the certificate shall be extended from year to year by a certificate in writing by the Secretary in Form F.

(2) A member of the Institute in practice, on ceasing to be in practice shall inform the Secretary immediately of the fact of his having done so, but in any case not later than one month from the date he ceases to be in practice.

9. Fees:- (1) The admission fee and annual membership fee of Associate and Fellows and annual fee for certificate of practice shall be such as the Council may decide from time to time.

(2) All kinds of annual fees shall be payable by the first day of July each year.

10. Particulars to be supplied by members:- Every member of the Institute shall inform the Secretary of any change of address or place or places of business or employment and shall also supply the Council with any other information relating to his practice or employment which the Council may reasonably require for carrying out the provisions of the Ordinance and these regulations.

CHAPTER III

ELECTION TO THE COUNCIL

11. Date of election:- The date fixed for the annual meeting of the Institute under these regulations in a year which election to the Council is due shall also be the date of election of members to the Council under sub-section (1) of section 10.

12. Members entitled to vote:- (1) A member of the Institute whose name stands entered in the Register one hundred days before the date of election to the Council shall be entitled to vote in such election and his name shall be included in the voter list prepared for the said election:

Provided that such a member shall not be so entitled if –

- (a) the fees payable by him under regulation 9 has not been cleared upto date;
- (b) his name stands removed from the Register for any reason whatsoever before the date of election.

12A. Election Commission:- (1) There shall be an Election Commission, hereafter referred to as commission, consisting of a chairman and two other members to be appointed by the Council for the conduct of election to the Council under these regulations.

(2) The Chairman and members of the commission shall be appointed from amongst the fellows.

(3) Notwithstanding anything contained in the Ordinance or these regulations, the Chairman and the members of the commission shall not be candidate for election to the Council nor any of them shall be proposer or seconder of any candidate in such election.

12B. Appointment of Returning Officer:- (1) The Commission shall for the purpose of election of the Council appoint a Returning Officer who is not a member of the Institute.

(2) The Commission may appoint any person not being a member of the Institute, to assist the Returning Officer in the performance of its functions.

13. Procedure for election:- (1) The date of election, as determined by the Council, shall be notified to the members of the Institute and a list of members entitled to vote, together with a notice stating the number of seats in the Council to be filled shall be circulated by the Commission among all the members at least sixty days before the date of election.

(2) Within thirty days of the issue of the notice under sub-regulation (1) nomination of the candidates for election to the Council shall be sent in Form G to the Election Commission, duly proposed by one member of the Institute and seconded by two other members of the Institute along

with an undertaking in writing by each member proposed as to his willingness to be the candidate for election and to serve the Institute in the event of his election.

13A. List of nominated candidates:- The Commission shall, within five days from the last day of receiving nominations, cause to be affixed at such place as it may decide a list of candidates on whose favour nominations have been received stating their particulars and particulars of their proposers and seconders.

14. Scrutiny:- (1) The Returning Officer shall examine the nomination papers in the presence of any person attending the scrutiny under sub-regulation (2) and decide any objection raised by any such person to any nomination.

(2) The candidate, their proposers and seconders and any other person, not exceeding two, authorized in this behalf by each candidate may attend the scrutiny of the nominations and the returning Officer shall give them reasonable opportunity for examining the nomination papers.

(3) The Returning Officer may, either of his own motion or upon any objection, conduct such enquiry as he may think fit and reject any nomination paper if he is satisfied that:-

- (a) the candidate is not qualified to be elected to the Council;
- (b) the proposer or the seconder is not entitled to vote;
- (c) any provision of the Ordinance or these regulations have not been complied with;
- (d) the signature of the proposer or the seconder is not genuine or has been obtained by force or fraud:

Provided that –

- (i) the rejection of a nomination paper shall not invalidate the nomination of a candidate by any other valid nomination paper;
- (ii) the Returning Officer shall not reject nomination paper on the ground of any defect which is not a substantial nature and may allow such defect to be remedied forthwith;
- (iii) the Returning Officer shall not inquire into the correctness or validity of any entry in the voter list.

(4) The Returning Officer shall endorse on every nomination paper his decision, accepting or rejecting it, and shall, in the case of rejection, record a brief statement or reasons; therefor;

(5) Where the nomination of a candidate has been rejected by the Returning Officer, an appeal shall lie within a period of three days from the date of such rejection to the Commission and any order passed by the Commission on such appeal shall be final.

14A. Publication of list of validly nominated candidates:- After the scrutiny of the nominations under regulation 14, the Commission shall, within three days from the date of such scrutiny, prepare and publish a list of validly nominated candidates in the election to the Council showing their membership number and full address.

15. Withdrawal:- (1) A candidate whose nomination has been accepted as valid may by notice in writing signed by him and delivered within seven days of the date of scrutiny to the Commission withdraw his candidature.

(2) A notice of withdrawal under sub-regulation (1) shall, in no circumstances, be open to cancellation.

15A. Uncontested election:- If the number of validly nominated candidates for election to the Council be equal or less to the number of seats in the Council to be filled in, the Returning Officer shall make a return to the Commission and there shall, not be any further proceeding of election.

15B. Publication of list of contesting candidates:- If the number of validly nominated candidates for election is more than the number of seats in the Council, the Commission shall within five days from date of withdrawal day, for which the Commission shall fix a date, prepare and publish a final list of contesting candidates in this election to the Council.

16. Death or cessation of membership before election:- If a candidate whose nomination has been accepted as valid dies or otherwise ceases to be a member of the Institute before the date of election, the election shall be conducted among the remaining candidates only.

17. Election:- (1) At least thirty days before the days fixed for the election, the commission shall send to each member entitled to vote by following namely:-

- (a) a ballot paper in such Form as the Commission may specify in this behalf with its common seal for recording vote;
- (b) one small envelope bearing the words "ballot paper" on the top of the envelope;
- (c) a big size envelope for returning the ballot paper by the member to the Commission;
- (d) a specimen forwarding letters for returning the ballot paper by the voters; and
- (e) instructions to the members, if any.

(2) The ballot paper shall contain the names of all the contesting candidates and there shall be a vacant space, against each such name for marking vote by a cross (x) mark.

(3) The member entitled to vote shall mark the cross (x) mark against the names of such contesting candidates as he may consider fit for election to the Council.

(4) The ballot paper marked under sub-regulation (3) shall be put in the small envelope, which along with the forwarding letter duly filled in and signed shall later be put in the big size envelope referred to the clauses (b) and (c) respectively of sub-regulation (1) for sending it to the Commission.

(5) A ballot paper shall, in the manner as provided in sub-regulation (4), be sent to the Commission by registered post with acknowledgment due so as to reach the Commission at the latest by 10-00 a.m. on the election date or it may personally be delivered to the Commission before 10-00 a.m. on the election date against a receipt issued by it.

(6) All the ballot papers received under sub-regulation (5) shall then and there be put in the election box kept at ICMA Bhaban, Nilkhet, Dhaka and no ballot paper received after 10-00 a.m. of the election date fixed by the Commission in this behalf shall be put on the election box and shall be counted for determining the election result.

(7) A member entitled to vote shall put a cross (x) mark in the vacant space of the ballot paper against the names of as many candidates as there are seats in the Council to be filled in.

(8) If a ballot paper or any other document sent, to the member under sub-regulation (1) has been lost or has become unusable the Commission may, on the application of the member concerned, re-issue the ballot paper or, as the case may be, other document referred to above if it is satisfied that the ballot paper or the document has been lost or damaged for reason for which the member is not responsible.

(9) A ballot paper shall be invalid if –

- (a) it does not bear the common seal of the Commission;
- (b) it does not bear cross (x) mark on its blank space;
- (c) the member has not put cross (x) mark in the blank space against such member of candidates as there are seats to be filled in;
- (d) the member has put cross (x) mark in the blank space against the name of more candidates than the number of seats to be filled in;
- (e) the member has put more than one cross (x) mark in the blank space against one candidate or has put any other mark than the cross (x) mark in the blank space against any candidate;
- (f) the member has written such words or given such signs on the ballot paper whereby he can be identified;
- (g) it is received after 10-00 a.m. of the election date.

17A. Counting of votes:- (1) As soon as the agenda of election is taken up in the annual general meeting the commission shall –

- (a) open the election box or boxes and arrange the envelopes containing the ballot paper;
- (b) open the envelopes and count the valid votes cast in favour of each candidate;
- (c) prepare a statement showing the number of votes cast in favour of each contesting candidate and the number of invalid votes;

(2) The Chairman and members of the Commission shall authenticate the Statement by putting their signature and thereafter hand it over to the President of the annual general meeting for declaration of result.

18. Determination and declaration of election results:- (1) Such number of candidates as there are vacancies to be filled receiving the highest number of votes shall be declared elected by the President and in the event to an equality of votes between two or more candidates for the last vacancy, lots shall be drawn by the President in the presence of the Commission and the candidate in whose favour lot is drawn shall be declared elected by the President.

(2) The members who are elected under regulation 15A shall also be declared elected by the President.

19. Nominations:- Six weeks before the date of election, the Secretary shall request the Government to nominate members under clause (b) of sub-section (2) of section 9.

20. Casual vacancies:- Subject to the provisions of sub-section (4) of section 12, any casual vacancy shall be filled, within ninety days from the date of its occurrence in the same manner as the seat was originally filled.

21. Notification of election results:- (1) The Secretary shall send a list of successful candidates to all members of the Institute within one week of the date of election.

(2) The names of persons elected to the Council and also the names of persons nominated to the Council by the Government shall be published in the official Gazette.

22. Disputes:- (1) The aggrieved party referred to in the proviso to sub-section (2) of section 10 shall address the application to the Council and shall send it to the Secretary by registered post.

applications not dispatched within the time limit prescribed in the said proviso shall be summarily dismissed and the aggrieved party shall be informed accordingly.

(2) If the Tribunal orders its expenses to be borne by the Institute, it shall pay to the Government or to the Tribunal, as may be directed by the Government in the order appointing the Tribunal, such expenses as have been assessed by the Tribunal.

23. Disciplinary action against members in relation to elections:- A member of the Institute shall be liable for disciplinary action by the Council if he adopts one or more of the following practices directly and indirectly with regard to the election to the Council, namely –

- (1) bribery, that is to say, any gift, offer or promise by a candidate or by any other person with the connivance of a candidate of any gratification to a person whomsoever, with the object, directly or indirectly, of inducing–
 - (a) a member to stand or not to stand as or to withdraw from being a candidate at an election; or
 - (b) a member to vote or refrain from voting at an election, or as a reward to–
 - (i) a member for having so stood or not stood, or for having withdrawn his candidature; or
 - (ii) a member for having voted or refrained from voting at an election;

Explanation- For the purpose of this clause, the term "gratification" is not restricted to pecuniary gratifications or gratifications estimable in money, but includes all forms of entertainment and all forms of employment for reward; but it does not include the payment of any expenses bonafide incurred at, or for the purpose of, any election;

- (IA) issuing manifesto or circulars in the nature of manifestos; or
- (IB) organising parties to entertain voters;

(2) undue influence, that is to say, any direct or indirect interference or attempt to interfere, on the part of a candidate or of any other person with the connivance of the candidate, with the free exercise of any right relating to an election:

Provided that a declaration of policy or a promise of a particular action of the mere exercise of a legal right without intention to interfere with any such right shall not be deemed to be interference within the meaning of this clause.

(3) the publication by a candidate or by any other person with the connivance of the candidate of any statement of fact which is false and which he either believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate, or in relation to the candidature or withdrawal of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate's election;

(4) the obtaining or procuring or abetting or attempting to obtain or procure by a candidate or by any other person with the connivance of a candidate, any assistance for the furtherance of the prospects of the candidate's election from any person serving under the Government other than the giving of vote by such person, if he is a member of the Institute entitled to vote;

(5) any Act specified in clauses (1) to (4) when done by a member of the Institute who is not a candidate or by a member of the Institute acting with the connivance of a candidate;

(6) the receipt of, or agreement to receive, any gratification whether as a motive, or a reward-

(a) by a member for standing or not standing as, or withdrawing from being, a candidate;

or

(b) by any member, for himself or any other person for voting or refraining from voting, or for inducing or attempting to induce any elector to vote or refrain from voting, or any candidate to withdraw his candidature; and

(7) contravention or misuse of any of the provisions of this Chapter or making of any false statement knowing it to be false or without knowing it to be true while complying with any of the provisions of this chapter.

CHAPTER IV

MEETINGS AND PROCEEDINGS OF THE COUNCIL

24. Meetings of the Council:- The first meeting of a Council shall be held within one month of the date of its being constituted and thereafter the Council shall meet at least once in every three months at such time and place as the President may determine.

25. Notice of meeting:- Notice of the time and place of the intended meeting of the Council shall be sent to the registered address of every member of the Council not less than ten days before such meeting and such notice shall, so far as practicable, contain a statement of the business to be transacted at such meeting:

Provided that, in cases of urgency, a meeting may be summoned to meet at any time by the President who shall inform the members of the subject matter to be considered at the meeting and the reasons for which he considers the matter to be urgent.

26. Special meetings:- On a requisition, in writing, by at least one-third of the members of the Council for the time being, the President shall call a special meeting within three weeks of the receipt of such requisition.

27. Presiding over meetings:- All meetings of the Council shall be presided over by the President, and in his absence, by the Vice-President and in the absence of both the President and the Vice-President, by the person elected by the members of the Council present from amongst themselves.

28. Quorum at meeting:- Five members present in person shall constitute a quorum for a meeting of the council. If a quorum is not available within half an hour from the time appointed for the meeting, the meeting shall stand adjourned to such future time and date as the person presiding may appoint:

Provided that, where a meeting has been adjourned for want of a quorum, any business which was intended to be transacted at the original meeting may be transacted at such adjourned meeting notwithstanding that there is no quorum.

29. Adjournment of meeting:- Subject to the provisions of these regulations, the person presiding over a meeting of the Council may, with the consent of the majority of members of the Council present, adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the previous

meeting. No notice shall be necessary for holding an adjourned meeting unless it be so decided by the Council at the time of adjourning the meeting.

30. Procedure for transaction of business:- The business of the Council shall be transacted at a meeting of the Council.

31. Passing of resolutions at meetings:- At all meetings of the Council, in the event of difference of opinion, the vote of the majority shall prevail unless otherwise required by the Ordinance or these regulations and in event of equality of votes, the presiding officer shall have and exercise a second or casting vote.

32. Records of minutes:- Proper minutes shall be kept of all proceedings of the meetings of the Council and shall contain every resolution passed and decision taken by the meeting. The minutes shall be signed by the person presiding over the meeting or the meeting held next thereafter and the minutes so signed shall be sufficient evidence on the matters stated therein.

33. Absence of members of the Council from Bangladesh:- (1) Before a member of the Council leaves Bangladesh for a period exceeding sixty days he shall intimate to the Council the date of his departure from and the date of his expected return to, Bangladesh and shall either tender his resignation or apply to the Council for leave of absence. On receipt of such application the Council may, in its discretion, grant leave of absence or, if it considers necessary, treat the application as the member's resignation.

(2) If any member of the Council, leaves Bangladesh for a period exceeding sixty days without taking either of the courses mentioned in sub-regulation (1), and his absence from Bangladesh results in his absence from three consecutive meetings of the Council, he shall be deemed under sub-section (3) of section 12 to have been absent without sufficient excuse from such meetings.

CHAPTER V MEETINGS AND PROCEEDINGS OF THE INSTITUTE

34. Annual general meeting:- (1) The annual general meeting of the Institute shall be held in Dhaka or elsewhere in Bangladesh on or before 31st day of December each year or on such other days as the Council may from time to time, decide:

Provided that there shall not be more than fifteen months lapse for holding the annual general meeting after the holding of the last annual general meeting.

(2) The following business shall be transacted in the annual general meeting, namely:-

- (a) the election of members of the Council when due;
- (b) appointment of auditors;
- (c) consideration of the annual report of the Council and the annual accounts of the Institute with the auditors reports thereon;
- (d) other business as may be determined by the Council or as may be allowed by the Chair.

35. Special meeting:- The Council may, whenever it things fit, convene a special meeting of the Institute and shall do so within four weeks from the receipt by the Secretary of a requisition, in

writing, signed by not less than one fifth of the total number of members of the Institute and stating the object of the proposed meeting.

36. Notice of meeting:- The Secretary shall, not less than thirty days before any annual or special meeting of the Institute, send to each member of the Institute a notice giving the day, hour and place of the meeting and the business to be transacted thereat. In the case of the annual meeting, the Secretary shall send to each member of the Institute with such notice a copy of the annual report of the Council and a copy of the accountants of the Institute with the auditors' report thereon and particulars of all motions to be brought before the meeting under the next following regulations. The non-receipt by any member of the Institute of such notice or of any of the aforesaid documents shall not invalidate the proceedings of any meeting.

37. Notice of motion to be given:- A member of the Institute wishing to bring before the annual meeting a motion relating to any matter affecting the Institute or the profession of cost and management accounting but not relating to the ordinary annual business of the Institute may do so if he has given or sent to the Secretary a notice, in writing, of the proposed motion duly endorsed by five other members entitled to vote at the meeting not later than five weeks before the date of the annual meeting.

If, after any such notice has been given, the annual meeting is called for a date less than five weeks after the date of receipt by the Secretary of such notice, the notice shall be deemed to have been given more than five weeks before the date of such meeting.

38. Presiding over meetings:- All meetings of the Institute shall be presided over by the President or, in his absence, by the Vice-President or, in the absence of both, by the person elected by the members from amongst the members of the Council present or, in the absence of all of them, from amongst the members present.

39. Quorum at meeting:- One-tenth of the total number of the members present in person shall constitute a quorum for a meeting of the Institute. If a quorum is not available within half an hour from the time appointed for the meeting, the meeting shall stand adjourned to such future time and date as the person presiding may appoint.

40. Adjournment of meeting:- Subject to the provisions of these regulations the person presiding over a meeting of the Institute may, with the consent of the majority of members present, adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the previous meeting. No notice shall be necessary for holding an adjourned meeting unless it be decided in the meeting at the time adjournment.

41. Voting at meeting and demand for poll:- Subject to the fulfillment of regulations contained in Chapter III in so far as elections to the Council are concerned, every resolution and amendment proposed and seconded at a meeting of the Institute shall be put to the meeting by the person presiding over the meeting and decided by majority of members present and entitled to vote by a show of hands and in the event of an equality of votes, the person presiding shall have and exercise a second or casting vote. The declaration of the person presiding as to the decision of the meeting

shall be final. On such a declaration being made a poll of all members may be demanded in writing, by at least four members present in person and entitled to vote at the meeting:

Provided always that no poll may be demanded as to the election of the President, the appointment of Honorary Commission or the adjournment of a meeting.

42. Appointment of Commission:- At every meeting of the Institute at which poll is demanded, the meeting shall appoint two members as Honorary Commission.

43. Procedure when poll demanded:- On a poll being so demanded the person presiding shall forthwith, or as soon as may reasonably be practicable after the conclusion of the meeting at which the poll is demanded, state the resolution or amendment in the form of propositions which in his opinion will be most suitable to ascertain the sense of the members upon the substance of such resolution or amendment and upon the manner of so stating the resolution or amendment, the decision of the person presiding shall be final. The voting paper setting out the propositions so stated, together with an envelope and all necessary directions, shall, within fourteen days after the meeting, be issued by the Secretary to all members entitled to vote at the meeting at which the poll was demanded. The members shall send the said voting papers duly completed to the Secretary sealed in the envelopes provided for such purpose so as to reach him on or before the twenty-first day after the day on which the said voting papers were sent to the members. The Secretary shall hand over the sealed envelopes to the Honorary Commission.

44. Result of poll:- (1) The Honorary Commission shall, within forty-eight hours from the last date fixed for the return of the voting papers, submit a report to the person presiding over the meeting at which the poll was demanded detailing –

(a) the result of the voting; and

(b) the votes rejected and the reason for such rejection.

(2) The person presiding shall send a copy of the report to each member as soon as practicable and in the event of an equality of votes, he shall exercise a second or casting vote and convey to the members the manner in which his casting vote has been exercised. The report of the Honorary Commission as to the result of the voting, along with the casting vote if any, shall be conclusive.

45. Demand for poll not to prevent other business:- The demand for a poll at a meeting shall not prevent the transaction of any business other than that on which the poll has been demanded or any business directly dependent thereon.

46. Minutes of meeting:- Proper minutes shall be kept of all proceedings of the meetings of the Institute and shall contain results of election to the Council, every resolution passed and decision taken at the meeting. The minutes shall be signed by the person presiding over the meeting or the meeting held next thereafter and the minutes so signed shall be sufficient evidence on matters stated therein.

CHAPTER VI
STANDING AND OTHER COMMITTEES

47. Constitution of Committees other than Standing Committees:- The Council may constitute such Committees, other than the standing committees under sub-section (1) of section 16, from among its members as it deems necessary for the purpose of carrying out the provisions of the Ordinance and these regulations, and any such Committee may, with the sanction of the Council, co-opt such other members of the Institute, not exceeding two-thirds of the members of the committee, as the committee thinks fit and any member so co-opted shall be entitled to exercise all the rights of a member of the committee.

48. Functions of Executive Committee:- The Executive Committee shall perform the following functions, namely –

- (a) maintenance of the office of the Council;
- (b) employment, suspension and discharge of the necessary personnel on such terms and conditions as it may deem fit;
- (c) recommendation in respect of honorarium or remuneration for services rendered by the honorary office bearers of the Council;
- (d) maintenance of true and correct accounts of all receipts and payments on behalf of the Council and the matter in respect of which such receipts and payments take place and of all the property, securities, debts, funds and liabilities of the Institute;
- (e) maintenance of the Register;
- (f) custody of the property, assets and funds of the Institute;
- (g) investment of the spare funds of the Institute in securities approved by the Council;
- (h) disbursement from the funds of the Institute on account of expenditure from the income or the capital in accordance with the estimates previously sanctioned by the Council:
Provided that in emergent cases expenditure in excess of the estimates may be incurred by the Committee but such excess expenditure shall be brought to the notice of the Council at its next meeting;
- (i) entry, removal and restoration of names of members, cancellation of certificates of practice, issue of certificates of membership, publication of list of members and issue of journal; and
- (j) any other function delegated to it by the Council:

Provided, however, that the Council may, by a resolution, lay down restrictions of any form on the Executive Committee's authority to incur expenditure or remit revenue and may, in a like manner, delegate specific financial powers to the honorary office bearers or the employees of the Institute.

49. Education Committee:- (1) The Council shall nominate not more than six of its members to constitute the Education Committee under sub-section (4) of section 16.

(2) The Education Committee shall perform the following functions, namely –

- (a) registration of students;
- (b) maintenance of the Register of students and such other registers as may be considered necessary;

- (c) provision of facilities to registered students to obtain coaching in the subjects in which they are to be examined by the Council;
- (d) according recognition to coaching institutions for preparation of candidates for the examinations of the Institute subject to such conditions as it may deem fit;
- (e) arrangements for the training of candidates sent by the Department of the Government, Chamber of Commerce or any other public or private organization and to do all things in connection therewith;
- (f) prescription of books for the guidance of the candidate;
- (g) purchase of books, magazines, equipments and the like for the library of the Institute and arranging for its proper running and maintenance;
- (h) suggestion to the Council, from time to time, of modifications to the existing syllabi for the qualifying examinations of the Institute and recommending suitable books for the guidance of candidate; and
- (i) any other function delegated to it by the Council.

50. Examination Committee:- (1) The Council shall nominate not more than four of its members to constitute the Examination Committee under sub-section (5) of section 16.

(2) The Examination Committee shall perform the following functions, namely:-

- (a) all the functions of the Council in regard to holding of the examinations, admission thereto, appointment and selection of examiners, fixing the remuneration of the examiners, assistant examiners, superintendents of examinations and others and dealing with other matters arising out of the holding of examination, including the declaration of results;
- (b) maintenance of proper standard of conduct at the examinations; and
- (c) any other function delegated to it by the Council.

51. Disciplinary Committee:- The Disciplinary Committee shall perform the functions assigned to it under these regulations and any other function delegated to it by the Council.

52. Council to have power of review:- Notwithstanding anything contained in this chapter, the Council shall have the power to review any decision of any standing or other Committee.

53. Chairman of the Committees:- In the absence of the person who shall be the Chairman of the Committee under sub-section (8) of section 16, a member of the Committee elected by it shall be the Chairman.

54. Term of office of members of the Committees:- A nominated member of a Standing Committee shall hold office for one year from the date of his nomination and except in the case of Education Committee, he shall be eligible for re-nomination.

55. Meetings of the Committee:- The Chairman of a Standing Committee may, at any time, and shall, on requisition by any two members of the Committee call a meeting of the Committee.

56. Notice of meeting:- Notice of a meeting of a Standing Committee shall be served in the manner prescribed for the meeting of the Council in these regulations.

57. Quorum at meeting:- The provisions of these regulations relating to quorum at a meeting of the Council shall apply to a meeting of a Committee, subject to the modification that three members present in person shall constitute a quorum for a meeting of the committee.

58. Procedure for transaction of business:- The business of the Standing Committees shall be transacted in the manner laid down for the transaction of the business of the Council in these regulations.

59. Casting vote:- All questions before a Standing Committee shall be decided by a majority of votes and in the event of equality of votes, the person presiding shall have and exercise a second or casting vote.

60. Secretary of the Standing Committee:- Every Standing Committee shall appoint a person from amongst its members or an employee of the Institute to be the Secretary of the Committee.

61. Minutes:- The Secretary of a Committee shall maintain a record of all business transacted by the Committee.

CHAPTER VII BRANCH COUNCILS

62. Constitution of Branch Councils:- (1) The Council may, by notification in the journal of the Institute constitute a Branch Council for any region which shall be known by such name as may be specified in such notification.

(2) The Branch Council shall consist of –

(a) Abolished;

(b) not less than three or not more than ten members elected from amongst such members of the Institute stationed in that region as may be specified by the Council; and

(c) not more than two persons nominated by the Council.

(3) Notwithstanding anything contained in sub-regulations (1) and (2), the first Branch Council constituted under the Ordinance shall consist of such members as may be nominated by the Council.

63. Maintenance of Register of members:- (1) The Branch Council shall maintain a Branch Register and shall enter therein the names of all members of the Institute in the region.

(2) Where the names of a members is removed from the Register maintained by the Council, it shall automatically stand removed also from the Branch Register and if the member is a member of the Branch Council, he shall also cease to be such member.

64. Resignation from the Branch Council and Casual vacancies:- (1) Any member of the Branch Council may, at any time, resign his membership by writing under his hand addressed to the Chairman of the Branch Council concerned and the seat of such member shall become vacant when such resignation is accepted by the Branch Council.

(2) A member of the Branch Council shall be deemed to have vacated his seat if he is declared by the Branch Council to have been absent without sufficient excuse from three consecutive meetings of the Branch Council.

(3) Any casual vacancy in the Branch Council shall be filled by nomination by the Council and the person so nominated shall hold office until a new Branch Council is constituted:

Provided that no casual vacancy shall be filled up which occurs within six months prior to the date of the expiry of the duration of the Branch Council.

(4) No act done by the Branch Council shall be called in question on the ground merely of the existence of any vacancy in or defect in the constitution of the Branch Council.

65. A meeting of the members of the Institute located in the region for which a Branch Council is constituted shall, for the purpose of electing members to the Branch Council, be held each year in the month of December.

66. Election to the Branch Council:- (1) Every fellow and associate stationed in the region shall be eligible to be a candidate and to propose or second another member for election to Branch Council.

(2) The Council shall nominate a Presiding Officer to conduct the election to a Branch Council and shall also nominate a Polling Officer to assist the Presiding Officer in conducting such election.

(3) The Presiding Officer shall issue notice of the election to all fellows and associates whose names appear in the Branch Register at least 21 days before the date of the meeting to be held for the purpose of the election, specifying the number of the members required to be elected and inviting written nomination for electing such members and requesting them to participate in the election and such notice shall accompany the voter list and nomination form.

(4) Any fellow or associate eligible to vote may submit nomination in favour of as many candidates as are required to be elected as members of the Branch Council. Each such nomination shall be seconded by another fellow or associate eligible to vote and shall bear the consent of the nominee. The nomination shall be in form 'N' and shall be submitted to the Presiding Officer at least 7 days before the election meeting.

(5) The Presiding Officer shall, after the scrutiny of all the nomination papers received by him, announce the names of the nominees whose nominations have been found in order and a list thereof shall be affixed to the notice board of the Branch Council at least 3 days before the election meeting. Any nominee whose nomination has been found in order may withdraw his candidature at least 2 days before the election meeting.

(6) If the number of valid nominations is less than or equal to the number of member required to be elected, the Presiding Officer shall declare the nominees as elected, and if the number of valid nominations is more than the number of the members required to be elected, the Presiding Officer shall, with the assistance of the Polling Officer, conduct the election through secret ballot system wherein a voter, present in the election meeting, may cast one vote in favour of each of the total number of nominees to be elected as members.

(7) The nominees shall be declared elected in order of the number of votes secured by them:

Provided that in the event of equality of votes secured by two or more nominees in respect of seats of the members which could not be filled in order of the number of votes secured, the Presiding Officer shall draw lots and shall declare elected to such seats the nominees in whose favour the lots are drawn.

(8) The Presiding Officer shall send a report on the election to the President of the Council with a copy to the Chairman of the Branch Council within three days of the election.

(9) Any fellow or associate who is eligible to vote and was present in the election meeting may submit a petition to the Council challenging the rejection of any nomination or election of any member within seven days of the election and the decision of the Council on such petition shall be final.

67. Duties and functions of a Branch Council:- (1) The Branch Council shall, at all times, function subject to the control, supervision and direction of the Council and its Standing Committees.

(2) Subject to sub-regulation (1) the duties of a Branch Council shall include:

- (a) to advise the Council on all matters referred to it by the Council and to offer such other help as may be required of it by the Council;
- (b) to make, suggestion to the Council in connection with matters of professional and business interest in the region and for raising the standard and status of the profession and for improvement of the law apply to it;
- (c) to provide necessary information to members and to the prospective registered students;
- (d) to arrange, if found practicable by the Council, for the coaching of candidates for the Institute's examinations in the various centers of the region and to appoint local instructors for this purpose;
- (e) to maintain an up-to-date and well equipped library and reading room for the use of members and students;
- (f) to promote membership and public relations in the region and the holding of local public or members meetings, technical addresses, seminars and similar gatherings;
- (g) to engage local office personnel with the previous permission of the Council;
- (h) to organise a student section for the benefit to the registered students; and
- (i) to perform such other functions as may be entrusted to it from time to time, by the Council.

68. Office bearers in the Branch Council:- (1) The office bearers of the Branch Council shall be a Chairman, a Vice-Chairman, a Secretary and a Treasurer.

(2) The Branch Council shall elect the office bearers from its members at its first meeting to be held within one month of its constitution.

(3) The office bearers shall hold office for the period of one year from the date on which they are elected and subject to their being a members of the Branch Council at the relevant time, they shall be eligible for re-election.

(4) Notwithstanding the expiration of their term of office, the office bearers of a Branch Council, including the office bearers of the first Branch Council constituted under regulation 62(3), shall continue to hold office until new office bearers of the Branch Council are elected in accordance with these regulation.

(5) The Chairman of the Branch Council shall be the chief executive of the Branch Council.

69. Meetings of the Branch Council:- (1) The meetings of the Branch Council shall be held and conducted in the manner prescribed for the meetings of the Council and all provisions applying to the meetings of the Council shall apply to the meetings of the Branch Council:

Provided that the quorum at a meeting of the Branch Council shall be three members present in person.

(2) Proper minutes shall be kept of all proceedings of a meeting of the Branch Council and shall contain every resolution passed and decision taken by the meeting. The minutes shall be signed by the person presiding over the meeting or the meeting held next thereafter and the minutes so signed shall be sufficient evidence on the matters stated therein. A copy of the minutes shall be forwarded to the Council.

70. Term of a Branch Council:- The term of a Branch Council shall be one year from the date of its constitution on the expiry of which it shall stand dissolved :

Provided that the first Branch Council of a region constituted under regulation 62(3) shall stand dissolved on the constitution of a Branch Council for that region in accordance with the provisions of regulations 65 and 66 :

Provided further that a Branch Council shall continue to function until a new Branch Council is constituted in accordance with the provisions of these regulations.

71. Finance and accounts:- (1) Each Branch shall be financed by the funds provided by the Council and may borrow or obtain credit with the previous sanction of the Council.

(2) The funds of the Branch Council shall be utilised for such purposes as may, from time to time, be determined by the Council –

Provided that no such funds shall be applied, either directly or indirectly for payment to the member of the Branch Council except for reimbursing them for any expenses incurred by them in connection with the business of the Branch Council.

(3) The Secretary and the Treasurer of the Branch Council shall be jointly responsible for the maintenance of its accounts.

(4) A current account in a local bank specified by the Council shall be opened and maintained by the Branch Council. All cheques, drafts, notes, orders for payment of money and all similar documents shall be signed by two of the officers who shall be appointed by a resolution of the Branch Council. All amounts received shall be deposited in the bank account of the Branch Council.

(5) Each month, or more frequently if necessary, the Branch Council shall forward to the Secretary a signed statement of its each receipts, disbursements and balances in the manner laid down by the Council.

(6) In addition to the monthly financial statements, the Branch Council shall, at the end of each year, as soon after the 30th June as possible, forward to the Secretary the following signed statements in such form as the Council may direct; namely –

(a) a statement of income and expenditure for the year with sufficient details thereof and reconciliation with the total of the monthly financial statements;

(b) a statement of assets and liabilities, as on the 30th June including all amounts not collected or paid;

(c) an inventory of text and other books on hand or on loan, text books in the hands of students or instructors should be repossessed or signed confirmations obtained as of that date that such books are held and are accountable to the Institute, the totals of such signed documents should reconcile with the total of text books on loan as maintained by the Branch Council.

(7) The account of the Branch Council shall be audited, on the close of the financial year or from time to time as the Council may determine, by auditors appointed by the Council.

(8) The funds and property of the Institute, located in the region for which Branch Council is constituted, shall be applied solely to the promotion of the objects of the Institute. All rights in, and titles to the assets of the Institute so located shall remain vested in the Institute.

72. Dissolution of the Branch Council:- (1) Notwithstanding anything contained in these regulations the Branch Council shall stand dissolved if –

(a) a resolution for its dissolution is passed in a general meeting of members residing in the region by a three-fourth majority; or

(b) after giving proper hearing to the Branch Council the Council decides to dissolve the Branch Council.

(2) On the dissolution of a Branch Council, the Council may nominate a new Branch Council till such time as a new Branch Council is constituted.

CHAPTER VIII REGISTERED STUDENTS

73. Eligibility to take examinations:- Admission to any examinations of the Institute shall be restricted to registered students, who shall be required to undergo such theoretical and practical training as the Council may arrange or approve and pay such fees for the same as the Council may determine.

74. Conditions for registration:- Every person applying to become a registered student shall be required to apply in Form H and produce evidence to the satisfaction of the Council that he –

(a) is not less than eighteen years of age on the date of his application; and

(b) hold a Bachelor degree of a University recognised by the Government or an equivalent qualification recognised by the Institute or has passed the Intermediate or Final Examination of the Institute of Chartered Accountants of Bangladesh or the Institute of Chartered Accountants of England and Wales, Scotland or Ireland, or of the Society of Incorporated Accountants, London, or of the Institute of Cost and Management Accountants, London, or of the Institute of Cost and Management Accountants, Pakistan, or of the Society of Cost and Management Accountants of Canada:

Provided that persons registered as students with the dissolved Institute immediately before the commencement of the Ordinance shall, on payment of any arrears of annual

subscription due from them, be registered as students under this regulation without the payment of any registration fee.

75. Fee and subscription:- (1) Every person applying for registration shall pay a student registration fee of "such amount as may be determined by the Council from time to time".

(2) Every registered student shall pay an annual subscription "of such amount as may be determined by the Council from time to time, and this subscription" shall be due and payable on the 1st July in each year:

Provided that half the amount of the annual subscription shall be payable for the first year by student admitted on or after the 1st January and before the 1st July next following:

Provided further that the annual subscription paid to the dissolved Institute by a student shall be set off against the annual subscription payable under this regulation and only the balance shall be payable by him.

76. Refund of fee:- A candidate whose application for registration is not accepted by the Council shall be entitled to the refund of the student registration fee and the first annual subscription and any other money paid by him.

77. Non-payment of annual subscription:- The non-payment of annual subscription within three months from the date on which it becomes due shall render the defaulter liable to the cancellation of his registration.

78. Position of registered students:- The registration of any student shall not confer any membership rights nor entitle a person so registered to claim any form of membership of the Institute. He may, however, borrow books from the library subject to such conditions as the Council may, from time to time, specify and participate in such activities of the Institute as the Council may determine.

79. Membership of students association:- Every registered student stationed in a region for which a students' association is constituted under regulation 124 shall become a member of that association.

80. Examination rules:- Registered students shall be required to comply with the rules relating to the examinations which are in force at the time of applying for admission to, or appearing in, the examinations.

81. Suspension and cancellation of registration:- In the event of any misconduct or breach of any regulation by any registered student, the Council may, if it is satisfied, after such investigation as it may deem necessary and after giving him an opportunity of being heard, suspend or cancel the registration of the student.

82. Termination of registration:- The registration of a student shall terminate after he has passed the qualifying examinations of the Institute:

Provided that if he is not eligible for membership of the Institute at the time passing the Final Examination he may continue as a registered student on payment of the requisite annual subscription for a period not exceeding five years.

83. Register to be maintained:- The Council shall maintain a Register of students in form 'I' and enter therein names of the registered students.

CHAPTER IX
EXAMINATION AND TRAINING

84. Conditions for becoming a member of the Institute:- Except where otherwise provided for in the Ordinance or these regulations, a person shall not be eligible to have his name entered in the Register of the Institute unless –

(a) he has passed the necessary examinations of the Institute or obtained exemptions from such examinations as may be specified under these regulations:

Provided that a person who has passed the Primary, Intermediate and Final Examinations of the dissolved Institute or obtained exemptions from individual subjects under the rules of that Institute shall not be required to pass in the corresponding subjects of the examinations of the Institute;

(b) he has at least three years' practical experience in such industrial accounting or cost and management accounting as may be approved by the Council;

(bb) he is a teacher of a University established by Law for the time being in force and has passed the course of the Institute of Cost and Management Accountants of Bangladesh and has also at least three years teaching experience in accounting subject; and

(c) he fulfills such other conditions as are prescribed in the Ordinance and these regulations.

85. Times and places of examinations:- (1) Subject to the provisions of sub-regulation (2), all examinations shall be held twice a year at such times as the Council may, from time to time, direct and at such place or places as the Examination Committee shall, from time to time, appoint.

(2) Notwithstanding anything contained in sub-regulation (1), the Council may decide to hold special examination during the year to provide more opportunity to the students to appear in the examinations.

(3) The dates and places of the examinations and other particulars shall be notified by the Council in the official Gazette at least one month before the dates of the examinations.

86. Syllabi and subjects of examination:- The examinations shall be conducted in such subjects and syllabi and in such manner and subject to such conditions as may be determined by the Council from time to time.

87. Application for admission to an examination:- (1) No person shall be admitted to an examination of the Institute unless he is a registered student of the Institute.

(2) Application for admission to an examination shall be submitted in such form along with such fee and papers as may be determined by the Council from time to time. Application form will be available from the office of the Secretary and also from the offices of the Branch Councils.

(3) The Education Committee may, on receipt or being in possession of any information against any candidate, decline to admit him to any examination after giving him an opportunity to explain his conduct.

(4) The Council may specify a method of training as a condition for admission to an examination.

88. Admission fees for examinations:- Every candidate for admission to any examination conducted by the Institute shall pay such fees as may be determined by the Council from time to time.

89. Refund of candidates fees:- The fee paid by a candidate who has been admitted to an examination shall not be refunded or carried over for any subsequent examination.

90. Candidates to be supplied with admission cards:- An admission card stating the place, dates and times at which the candidate will be required to present himself for examination shall be sent to each candidate at the address given by him in his application so as to reach him less than fourteen days before the commencement of the examination.

91. Examination results:- The Examination Committee shall consider the reports of the examiners on each examination and may accept them or reject them or may accept them subject to any modification or alteration which may seem desirable. The Examination Committee shall then report to the Council the result of each examination and upon the adoption by the Council of the report of the Examination Committee, a list of successful candidates shall be published in the official Gazette in such manner as the Council may deem necessary.

92. Failure of candidates at examinations:- Any candidate who has failed to pass an examination to the satisfaction of the Examination Committee may offer himself again on any subsequent occasion provided he passes all the examinations of the Institute within a period of ten years from the date of his registration as a student or such extended period as the Council may in individual cases decide. Failure to pass all the examinations within the said period of ten years or the extended period shall entail cancellation of registration unless otherwise decided by the Council.

93. Examination certificates:- Every candidate passing or obtaining exemption from the examinations required to pass or obtain exemption under these regulations shall be furnished with a certificate to that effect in Form K duly signed by the President and the Secretary.

94. Exemptions from examination:- (1) The Council may, from time to time and on such condition as it may deem necessary, allow, in individual cases or as a policy, exemptions from any examination or from any subject in any examination. Exemptions granted may be withdrawn or the policy reviewed and changed by the Council at any time and without assigning any reason.

(4) Any person who is eligible under sub-regulation (1) for exemption from any examination or from any subject in any examination, may, on his applying in Form L along with such documentary evidence as may be required by the Council and paying the fees payable for such examination or for an examination in such subject, be exempted by the Council.

{Abolished clause (2), (3), (5) and (6) of sub-regulation 94}

95. Abolished.

“FORM B1.”

[See sub-regulation (1) of regulation 6 and regulation 97].

**THE INSTITUTE OF COST AND MANAGEMENT ACCOUNTANTS
OF
BANGLADESH
ICMA BHABAN, NILKHET, DHAKA.
APPLICATION FOR ADMISSION AS ASSOCIATE/FELLOW MEMBER
OF THE INSTITUTE.**

For office use only.

Date Received	Application No.	Membership No.	
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THE SECRETARY,

The Institute of Cost and Management Accountants of Bangladesh, Dhaka.

DEAR SIR,

I beg to apply for admission as an Associate/a Fellow member of the Institute of Cost and Management Accountants of Bangladesh.

PART-A

1. Name in full (block capitals)
2. Surname, if any (block capitals)
3. Father's Name
- *4. Address (any change in address to be promptly notified to the Institute).
 - (a) Permanent
 -
 - (b) Present
 -
 - (c) Professional
- **5. Date of birthPresent age
6. Nationality

96. Abolished.

97. **Admission as fellows:-** A person who has been associate member of the Institute for a period of not less than five years may, on application in Form B and subject to the fulfillment of other conditions prescribed in the Ordinance and these regulations, be admitted as a fellow if he has, for a period of five years immediately prior to the date of application, held a position as Chief Accountant, Chief Management or Cost or Industrial Accountant, or an equivalent appointment by whatever name designated in an organisation approved for the purpose by the Council, or been in practice to a similar period as an Industrial Accountant or Cost Accountant or Management Accountant or Cost and Management Accountant.

CHAPTER X

SUSPENSION, EXCLUSION AND RESTORATION

98. **Matter to be laid before Disciplinary Committee:-** (1) It shall be the duty of the Secretary and the right of any member or of any aggrieved person to lay before the Disciplinary Committee any fact indicating that a member has become liable to exclusion, suspension or reprimand under any provision of the Ordinance or these regulations or has been guilty of misconduct.

(2) Where a complaint has been received by the Institute or the Council or the Secretary that any member has become liable as aforesaid, the complaint shall forthwith be laid before the Disciplinary Committee.

99. **Duties of the Disciplinary Committee:-** (1) It shall be duty of the Disciplinary Committee to consider the facts or complaint laid before it under the provisions of regulation 98 and where it is of the opinion that the facts or complaint require investigation it shall forthwith give to the member notice of its intention to consider the complaint. The Disciplinary Committee shall give such member an opportunity of being heard and shall, if the member so desires, permit such member to be represented before it by a counsel or solicitor or another member of the Institute. The Disciplinary Committee shall thereafter report the result of its inquiry to the Council.

(2) The Disciplinary Committee may, at the request of any member, advise such member in regard to any matter of professional conduct.

100. **Duties of the Council:-** (1) If the Council, on receipt of report under sub-regulation (1) of regulation 99, finds that a formal complaint has not been proved, it shall record its finding accordingly and direct that the proceedings shall be filed or the complaint shall be dismissed, as the case may be.

(2) If the Council, on receipt of the said report, finds that a formal complaint has been proved, it shall record its finding to that effect and shall afford to the member, either personally or through a counsel or solicitor or another member of the Institute, an opportunity of being heard before orders are passed against him on the case and may thereafter make any of the following orders, namely –

- (a) reprimand the member; or
- (b) suspend the member from membership for such period not exceeding five years, as the Council may think fit; or
- (c) exclude the member from membership.

(3) Notice of the finding and decision of the Council shall forthwith be given to the member concerned and the decision shall thereupon take effect.

101. Publication of findings and decisions:- When the Council finds that a formal complaint has been proved it shall, in the case of suspension or exclusion of a member from the Register, cause its finding and decision to be published in the official Gazette and in such journal as it may think desirable and as soon as practicable after such findings and decision are pronounced. The publication shall, in all cases, include the name of the member concerned unless, in a particular case, the Council considers that there exist special circumstances which justify the omission of the name from such publication.

102. Return of certificates in the event of suspension or removal.-In the event of the suspension or exclusion of a member, every certificate of membership or fellowship or practice then held by him shall be deemed to be cancelled from the date on which and during the period for which the name of its holder is excluded from the Register and shall be delivered up by the member to the Secretary, in the case of suspension, to be retained by him during the period of suspension or in the case of exclusion, to be cancelled.

103. Restoration to membership:- (l) The Council may, on an application received in this behalf from a person whose name has been permanently or temporarily removed from the Register under section 20, restore his name if he is otherwise eligible to such membership:

Provided he shall have paid before such restoration the annual fee or fees for the year during which his name is restored and all arrears on account of annual membership fee, subject to a maximum of five years' annual membership fee, according to the scale applicable to him.

(2) The restoration of a name to the Register shall be notified in the official Gazette and in such journal as the Council may think desirable and shall also be communicated in writing to the person concerned.

104. Professional and other misconduct defined:- For the purpose of the Ordinance and these regulations, the expression "professional and other misconduct" shall be deemed to include any act or omission specified in Schedule IV but nothing in this regulation shall be construed to limit or abridge in any way the power conferred or duty imposed on the Council or the Disciplinary Committee under these regulations to inquire into the conduct of any member in any other circumstances.

CHAPTER XI MISCELLANEOUS

105. Finances:- (1) All moneys received by the Institute shall be paid into an account of the Institute at its bankers and cheques drawn upon its bankers shall be signed "by such persons of the Council and of the Institute as may be authorised by the Council in this behalf".

(2) The funds of the Institute shall be employed for such purposes as may from time to time, be sanctioned by the Council and all funds not needed immediately for the ordinary purposes of the

Institute may be invested by the Council in any Government security or in any other security approved by the Council.

(3) The Council may, from time to time, borrow from a scheduled bank or from the Government any money required for meeting its liabilities on capital account or for the purpose of meeting current liabilities pending the receipt of income.

(4) The Council shall keep proper accounts of all income and expenditure and have the annual accounts duly audited. A copy of the audited accounts and the report of the Council for that year shall be forwarded to the Government and every member of the Institute as soon as practicable after its adoption at the annual meeting of the Institute.

106. Audit of accounts of the Institute:- (1) The members at each annual general meeting shall appoint a chartered accountant in practice within the meaning of the Bangladesh Chartered Accountants Order, 1973 (P.O. No. 2 of 1973), to act as an auditor at such remuneration, if any, as the meeting shall determine. In the event of any vacancy occurring in the office of auditor between two annual general meetings or in the event of a vacancy not being filled at an annual general meeting, the said vacancy may be filled by the Council at a meeting summoned for the purpose.

(2) The auditor shall retire at the next annual general meeting after his appointment, but shall be eligible for re-appointment.

(3) The auditor shall be nominated by two members of the Institute and such nomination shall be signed by the members nominating and by the candidate and must reach the office of the Institute at least three weeks before the annual general meeting. The auditor who is in office shall be deemed to be nominated at each annual general meeting unless he has intimated to the Secretary his desire not to be re-elected. Notice shall be given to members and to the retiring auditor of the names of all other persons nominated for appointment.

(4) The Council shall, not less than two months before the date of each annual general meeting, deliver to the auditor the accounts of the last year and the auditor shall examine such accounts and report thereon, not less than one month before the meeting. The auditor shall be entitled to ask for any information or explanation regarding the accounts from the Secretary and such information or explanation shall be supplied to him in so far as may be available at the time.

107. Powers and duties of the President and Vice-President:- (1) The President shall exercise such powers and discharge such duties as are conferred or imposed upon him by the Ordinance and these regulations and as may be specified by the Council or a Standing Committee.

(2) The President may direct any business to be brought before the Council or a Standing Committee for consideration.

(3) If the office of the President is vacant or if the President for any reasons unable to exercise the powers or perform the duties of his office the Vice-President shall act in his place and shall exercise the powers and discharge the duties of the President.

108. Powers and duties of the Secretary:- (1) Subject to the provisions of the Ordinance and these regulations and under the general supervision and direction of the President and the Standing Committees concerned, the Secretary shall exercise and discharge the following powers and duties, namely:-

- (a) being in charge of the office of the Institute as its administrative head, managing it and attending to all correspondence and other matters relating to it;
- (b) entry and restoration of names of associates and fellows, removal of name from Register owing to death, issuing notifications therefor and the signing of any notification on behalf of the Council, subject to the approval of the President;
- (c) sanctioning, renewing and canceling certificates of practice;
- (d) maintenance of all the registers, documents and forms as required by the Ordinance or these regulations;
- (e) being in charge of all the property of the Institute;
- (f) incurring revenue and capital expenditure within the limits sanctioned by the Council or the President or any Committee, receiving moneys due to the Council and issuing receipts therefor, paying staff salaries and allowances, maintaining or causing to be maintained proper accounts and delivering the books of accounts, information, etc., to the Institute's auditor;
- (g) exercising disciplinary control over the staff except dismissal which should have the sanction of the President;
- (h) admitting candidates to the examinations held under these regulations, and making all necessary arrangements for the conduct of examinations;
- (i) registering students;
- (j) appointing solicitors or advocates and filing papers in Courts, etc. on behalf of the Council, subject to the approval of the President; and
- (k) discharging and performing such other duties and functions as are incidental and ancillary to and may be required for the discharge and performance of the above duties and functions and exercising such other powers as may be delegated by the Council, the Committees or the President from time to time.

(2) The powers and duties enumerated in sub-regulation (1) may be assigned by the Council to the Treasurer or an employee of the institute to such extent as may be deemed necessary by the Council or the President.

109. Indemnity:- (1)The members of the Council, office-bearers and auditors shall be indemnified by the Institute from all losses and expenses incurred by them in or about the discharge of their respective duties, except such as are done to their own respective wilful default or, in the case of an auditor, his own negligence or wilful default or that of any partner or employee of such auditor.

(2) No member of the Council, office-bearer or auditor shall be liable for the act or omission of any other member of the Council, office-bearer or auditor, or for signing any receipt or document, or for any loss or expense happening to the Institute, unless the same happens from his own willful default or in the case of an auditors from his own negligence or wilful default or that of any partner or employee of such auditor.

110. Headquarters of the Council:- The headquarters of the Council shall be located at Dhaka.

111. Administration of the Institute:- The Council shall be in charge of the administration of the Institute and its branches.

112. Custody and use of seal:- (1) The seal shall be kept in such custody as the Council may, from time to time, determine.

(2) The seal shall not be affixed to any instrument except by the order of the Council and in the presence of the President or two members of the Council and every such instrument shall be signed by the President or members in whose presence the seal is affixed and by the Secretary.

113. Interpretation:- The decision of the Council on the interpretation of these regulations shall be final.

114. Publication of list of members:- The Council shall publish the list of members required under sub-section (3) of section 19 in any manner it thinks fit and may distinguish between the associates and fellows in practice and between the associates and fellows not in practice . The list so published shall be supplied to members and others gratuitously or at such price as the Council may, from time to time, determine.

115. Members to supply information:- For the purpose of publication of the list referred to in regulation 114, the Council may require the member to supply any information regarding their present address, place of business, partners, whether practising or not and the like. If the members fail to supply the information in time, the list may be drawn up on such information as the Council may possess.

116. Particulars of offices and firms:- Every cost and management accountant in practice and every firm of such accountants shall submit to the Council in Form M the particulars of his office, or as the case may be, of the firm within three months from the date of commencement of the Ordinance or the commencement of practice or formation of the firm, as the case may be, whichever is later. Any subsequent change in the particulars submitted should be sent so as to reach the Council within thirty days after the change was effected. A register of offices and firms shall be maintained by the Council.

117. Particulars of nationality:- Every member of the Institute shall submit to the Council particulars regarding his nationality and shall also intimate to the Council any subsequent change in such particulars not later than thirty days from the date of such change.

118. Place of business in Bangladesh:- Every member in practice shall have a place of business in Bangladesh in his own charge or in charge of another member. Particulars of such place of business shall be supplied by the member to the Council initially and whenever there is a change of such place of business:

Provided that in the case of a member who is a salaried employee of cost and management accountant or a firm of such accountants, the place of business of his employer shall be deemed to be his place of business for the purposes of regulation 115.

119. Method of payment of fees:- All fees payable under these regulations shall be paid to the Secretary in such manner as the Council may direct.

120. Issue of duplicate certificate:- (l) In the event of the loss by the holder of a certificate issued under the Ordinance or these regulations, the Council may, on application made in this

behalf, duly supported by an affidavit of the applicant to the effect that he was in possession of such a certificate and had lost it, issue a duplicate copy thereof to him on payment of such fee as may be determined by the Council.

(2) Where any such certificate is damaged or mutilated, the Council may, on application made in this behalf, issue a duplicate copy thereof on receipt of such fee as it may determine and on return of the damaged certificate.

121. Cost and Management accountant to practice in their individual names:- No cost and management accountant who is not a member of a firm of cost and management accountants shall practice under any name or style other than his own name.

122. Cost and management accountant in practice not to engage in any other business or occupation:- A cost and management accountant in practice shall not engage in any business or occupation other than the profession of cost and management accounting unless it is permitted by a general or specific resolution of the Council.

123. Other functions of cost and management accountants:- Without prejudice to the discretion vested in the Council in this behalf, a cost and management accountant in practice may act as liquidator, trustee, executor, administrator, arbitrator, receiver, adviser or as representative for costing financial matters, company law and taxation matters or may take up an appointment that may be made by the Government or a court of law or any other authority established under any law, or may act as the Secretary of a company in his professional capacity not being a whole-time employees.

124. Constitution of students' association:- (1) The Council may constitute students' association at various places in Bangladesh as and when it deems fit and such association shall perform such functions as may be specified by the Council.

(2) The associations shall be managed by a Committee which shall be set up by the Council and shall function subject to the control, supervision and direction of the Council through the Branch Councils.

(3) Any person who applies for registration as a student shall forward a such sum as may be determined by the Council from time to time along with his application for registration. The amount so collected shall be transferred by the Council to the students' association concerned.

(4) The Council may, in addition to amounts transferred under sub-regulation (3), give such financial grants to the students' associations as may be decided by it from time to time.

125. Repeal and savings:- (1) The Cost and Industrial Accountants Regulations, 1966, hereinafter referred to as the said Regulations, are hereby repealed .

(2) Upon the repeal of the said Regulations, any appointment, notification, order, election, examination, result of an examination made, issued, held, declared, rendered or any other thing done under the said Regulations, shall, so far as it is not inconsistent with the provisions of these regulations, be deemed to have been made, issued, held, declared, rendered or done under the provisions of these regulations unless and until it is superseded by action taken in accordance with these regulations.

SCHEDULE I

FORM A

[See regulation 5]

THE INSTITUTE OF COST AND MANAGEMENT ACCOUNTANTS OF BANGLADESH

REGISTER OF MEMBERS

Date of entry in the Register	Enrolment No. under the Cost and Industrial Accountants Act, 1966	Enrolment No. under the Ordinance	Name in full		Date of birth	Domicile.
			Surname	Other name(s)		
1	2	3	4(a)	4(b)	5	6

Registered address	Residential and Professional address.	Qualification	Whether holding a Certificate of Practice.	Date of admission as fellow
7	8	9	10	11

Whether practising independently, in partnership or employed in a firm Cost and Management Accountants in practice.	Whether holding a salaried employment, if not in practice.	Remarks
12	13	14

FORM B

[See sub-regulation (i) of regulation 6 and regulation 97]

**THE INSTITUTE OF COST AND MANAGEMENT ACCOUNTANTS OF BANGLADESH
APPLICATION FOR ADMISSION AS MEMBER OF THE INSTITUTE**

THE SECRETARY,

Institute of Cost and Management Accountants of Bangladesh, Dhaka.

I beg to offer myself for admission as an associate/a fellow member of the Institute of Cost and Management Accountants of Bangladesh.

I undertake to observe the provisions of the Cost and Management Accountants Ordinance, 1977 (LIII of 1977) and the regulations made thereunder for the time being in force.

1. Name in full.....

(in block letters)

2. Address.....

3. Date of birth and age (on the date of signing)

4. Nationality.....

5. Official designation of present occupation

If in the employment of a Firm or Company, etc., state-

(a) whether in complete charge and authority of the whole costing work.....

(b) Your relative position to that of your chief

6. Date of appointment to the present post.....

7. Name and address of the present employer

8. Nature of their business

9. Number of employees engaged:

(a) in factory.....

(b) in costing work

10. Names and address of three persons to whom reference may be made; at least two of them should preferably be members of the Institute.

Name	Address	Grade in Institute or Business Designation
(1)		
(2)		
(3)		

11. Statement of costing experience with the present employer, showing also concisely the work upon which the candidate is at present engaged and the degree of personal responsibility involved therein.

N.B.-If the candidate so desires, this statement may be given on a separate sheet of paper.

12. Particulars of past experience:

This statement should give particulars of work upon which the candidate was engaged prior to that given in the preceding statement, also particulars of any technical knowledge and workshop experience.

N.B.-If the candidate so desires, the statement may be given on a separate sheet of paper.

13. Particulars of general education, examinations passed and Degrees or Diplomas held.

14. Membership of other societies or of this Institute, with dates of election

I.....the undersigned, certify that the above statements are correct and do hereby agree that in the event of my admission as a member of the Institute, I will be governed by the Cost and Management Accountants Ordinance, 1977 (LII of 1977) and the regulations made thereunder for the time being in force, that I will advance the objects of the Institute as far as shall be in my power and will attend the meetings there of as often as I conveniently can, provided that whenever, I shall signify in writing to the Secretary that I am desirous of withdrawing from the Institute, I shall (after the payment of any arrears which may be due by me at that date and after the return of my certificate of membership) be free from this obligation.

Date

Signature of candidate

FORM B1.

[See sub-regulation (1) of regulation 6 and regulation 97].

**THE INSTITUTE OF COST AND MANAGEMENT ACCOUNTANTS
OF BANGLADESH, ICMA BHABAN, NILKHET, DHAKA.**

**APPLICATION FOR ADMISSION AS ASSOCIATE/FELLOW MEMBER OF
THE INSTITUTE.**

For Office use only.

Date Received		Application No.		Membership No.	
---------------	--	-----------------	--	----------------	--

THE SECRETARY,

The Institute of Cost and Management Accountants of Bangladesh, Dhaka.

DEAR SIR,

I beg to apply for admission as an Associate/a Fellow member of the Institute of Cost and Management Accountants of Bangladesh.

PART-A

1. Name in full (block letters).....
2. Surname, if any (block letters).....
3. Father's Name.....
- *4. Address (any change in address to be promptly notified to the Institute).
(a) Permanent
.....
(b) Present
.....
(c) Professional
- **5. Date of birth..... Present age
6. Nationality.....

***7. Academic Qualifications:

Sl. No.	Examination	Institution	Division/Class	Year of passing

(Copy of certificates to be submitted)

8. Professional Qualification:

Name of the Institute	Name of the Examination	Roll No.	Month & Year of passing

(Copy of Certificate to be submitted)

PART-B.

9. Present service status :

- (a) Name of the employer
- (b) Address
-
- (c) Designation
- (d) Nature of the organisation (Govt./Autonomous/Corporation/Authority/Private/
Multinational/NGO/Any other (please specify)
-
-
- (e) No. of employees in the organisation.....
- (f) No. of employees under applicant's supervision.....
- (g) Relative position to that of applicant's chief
- (h) Date of appointment
- (i) Date of promotion to the existing post

10. Service experience:

Sl. No.	Name of Organisation	Applicant's position	Total No. of employees	No. of employees responsible to applicant	Period		Year and Month	Brief detail of area of experience
					From	To		

11. Name and address of three persons to whom reference may be made at least two of whom should be members of the Institute:

Sl. No.	Name and Address	Membership No.	Grade in the Institute or Designation

12. Membership with other Professional Institution:

Sl. No.	Name of the Institute	Membership Grade	Date of Membership

(Certificates in support to be submitted).

13. Association with ICMA Bangladesh:

(i) As student:

(a) Registration Number Date

(b) Last Examination Passed Roll No.

(c) Institute prizes won (if any)

(ii) As Member:

(a) Previous Membership Number

(b) Date of Membership

14. Any other particular/information that the candidate may like to furnish:

15. I enclose a Bank Draft/Crossed Cheque for a sum of Taka (.....) as:

(a) Admission Fee Tk.

(b) Annual Membership Fee Tk.

Total Tk.

PART-D

16. Declaration:

I, the undersigned do hereby declare that :

(1) The above statements are correct.

(2) In the event of my admission as Member of the Institute, I will be governed by the Cost and Management Accountants Ordinance, 1977 (LIII of 1977) and the regulations made thereunder for the time being in force.

(3) I will advance the objectives of the Institute to the best of ability and will attend the meeting thereof as often as I conveniently can during tenure of my Membership.

I further declare that :-

(1) I am not and was never an insolvent.

(3) I have not been convicted by any court of law of any offence involving moral turpitude or an offence committed by me in my professional capacity.

Yours faithfully,

Date

.....

Signature of the applicant.

*N.B.- *Please indicate which one is to be treated as Registered Address.*

***Matriculation/S.S.C. certificate together with a copy is to be produced in evidence of age.*

**** Original certificates together with copies in proof of qualifications are to be submitted.*

FORM C

[See sub-regulation (1) of regulation 7]

INSTITUTE OF COST AND MANAGEMENT ACCOUNTANTS OF BANGLADESH

CERTIFICATE OF MEMBERSHIP

No.

THIS IS TO CERTIFY THAT

.....
was admitted as a/an of the Institute on the day of
..... 200.....

Given under the seal of the Institute at Dhaka this day of
..... 200

.....*President.*

..... *Member of the Council.*

.....*Secretary.*

FORM D

[See sub-regulation (1) of regulation 8]

APPLICATION FOR THE ISSUE OF CERTIFICATE OF PRACTICE

To
THE SECRETARY,
Institute of Cost and Management Accountants of Bangladesh, Dhaka.
Sir,

I hereby apply for the grant of a certificate of practice under section 7 of the Cost and Management Accountants Ordinance, 1977 CLIII of 1977)

I undertake to furnish such information as may be required by the Council in proof of my being in practice as a cost and management accountant.

As and when I cease to be in practice I shall duly inform the Council of having done so as required under the Institute's regulations.

I enclose a Bank draft/crossed cheque No.
dated..... for the sum of Takabeing
the application fee.

Yours faithfully,

Signature.....

Name

(in block letters)

Membership No.....

Place.....

Date.....

Name and address of the firm.

.....

.....

FORM E

[See sub-regulation (1) of regulation 8]

No.....

**THE INSTITUTE OF COST AND MANAGEMENT ACCOUNTANTS OF BANGLADESH
CERTIFICATE OF PRACTICE**

This is to certify that of
.....a.....member, of
the Institute is entitled to practice as a cost and management accountant within the meaning of
section 7 of the Cost and Management Accountants Ordinance, 1977 (LIII of 1977), throughout
Bangladesh. This certificate is valid from the.....day
of 200..... to the 30th day of June, 200.....

Given under the hand of the President and the seal of the Institute at Dhaka this day of
..... 200
.....

..... *President.*
.....*Member of the Council.*
.....*Secretary.*

FORM F

[See sub-regulation (1) of regulation 8]

No.....

**THE INSTITUTE OF COST AND MANAGEMENT ACCOUNTANTS
OF BANGLADESH
RENEWAL OF CERTIFICATE OF PRACTICE**

The certificate of practice No..... granted on
.....to.....of.....for the period from
.....to.....is hereby renewed for the period from
..... to

Given under the hand of the President and the seal of the Institute at Dhaka, this
.....day of
.....200.....

.....*President.*
..... *Member of the Council.*
.....*Secretary.*

FORM G

[See sub-regulation (2) of regulation 13]

FORM FOR NOMINATION OF FELLOW FOR ELECTION TO THE COUNCIL

To
The Secretary,
Institute of Cost and Management
Accountants of Bangladesh
Dhaka.

SIR,
I hereby propose and nominate Mr..... fellow of the INSTITUTE OF COST AND MANAGEMENT ACCOUNTANTS OF BANGLADESH, for election as a member to the Council

Signature.....
Name.....
(in block letters)
Membership No.....

Place.....
Date.....

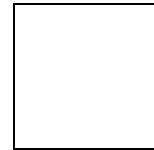
We hereby second the proposal and nominate Mr..... fellow of the INSTITUTE OF COST AND MANAGEMENT ACCOUNTANTS OF BANGLADESH, for election as a member to the Council.

Names of seconders.	Signatures with date	Membership No.
---------------------	----------------------	----------------

(At least two members will sign the secondment).

FORM H
[See regulation 74]
THE INSTITUTE OF COST AND MANAGEMENT ACCOUNTANTS OF BANGLADESH

STUDENT REGISTRATION APPLICATION



I hereby apply for registration as a student of the Institute and if admitted agree to abide by the regulation of the Institute.

Name in full

(block letters)

Date of birth.....

Address

..... Phone.....

Name of present employer and address

..... Phone.....

Present Position..... Date started.....

Educational Qualifications.....Year..... Division

.....University/Board.

Please attach certificates in original together with a photostat copy.

(1).....

(2).....

(3).....

(4).....

If employed please complete the following and attach employers' certificates in original.

PREVIOUS BUSINESS EXPERIENCE:

Employers	Position	From	To
		Month	Month
		Year	Year

- (1)
- (2)
- (3)

I enclose Taka as Registration Fee and Taka as Annual Subscription (Total Taka)

Dated..... *Signature of the Applicant*

FOR OFFICE USE ONLY

Branch seal

Documents in order.....

Assistant Director

Admission granted.....

Director

Registration.....Date.....

Amount received Taka.....Receipt No.....
and date.....

Cashier

Student's Card prepared.....

Address plate prepared.....

Student advised on.....

FORM I

[See regulation 83]

Register of students (for new Course)

THE INSTITUTE OF COST AND MANAGEMENT ACCOUNTANTS OF BANGLADESH

Name	Registration No.	Year
------	------------------	------

FORM J (Abolished)

FORM JJ (Abolished)

FORM K

[See regulation 93]

THE INSTITUTE OF COST AND MANAGEMENT ACCOUNTANTS OF BANGLADESH

EXAMINATION CERTIFICATE

This is to certify that
..... son of
has passed the Final Level-IV Examination held by the INSTITUTE OF COST AND MANAGEMENT
ACCOUNTANTS OF BANGLADESH in the month of 200.... dated the
..... day of 200.....

..... President.

..... Secretary.

Roll No.

Student's Registration No.

FORM L

[See sub-regulation (4) of regulation 94]

THE INSTITUTE OF COST AND MANAGEMENT ACCOUNTANTS OF BANGLADESH

Registration No.

APPLICATION FOR EXEMPTION FROM EXAMINATION

DEAR SIR,

I hereby apply for exemption from the Institute's examination in subjects listed below:

Name in full

(block letters)

Address Phone

Educational Qualifications:

(Attach original certificates with a Photostat copy)

Institution	Division	Degree	Year

EXEMPTIONS APPLIED FOR

Subjects	Basis for request
	(Equivalent course passed/for details please see prospectus)
1. _____	
2. _____	
3. _____	
4. _____	
5. _____	
6. _____	

I enclose Taka being the exemption fee.

Dated

Student's Signature

FOR OFFICE USE ONLY.

Documents in order Branch Seal

Exemption granted in

Exemption Fee Received Taka Receipt No. and Date

.....

..

Entered in student's card by Date.....

Entry check by Date.....

Student advice letter No.

.....

FORM M
[See regulation 116]

THE INSTITUTE OF COST AND MANAGEMENT ACCOUNTANTS OF BANGLADESH
PARTICULARS OF OFFICES AND FIRMS OF COST AND MANAGEMENT ACCOUNTANTS

1. Name of office or firm and addresses (where there are branches, also give address of branches).
2. Name of the partners and their addresses.
3. Date from which the partnership was entered into and enclose certified copy of the partnership deed signed by all the partners (relevant portion only).
4. Name of the member in charge of each office.
5. Names of the members of the Institute who are working as paid assistants in the firm.

Signatures of the Partners,

- 1.
- 2.
- 3.

Place:

Date:

- (i) Separate proforma may be completed for each firm.
- (ii) A fresh form is required to be submitted whenever any change in partnership takes place. Information should be furnished within one month of change.

FORM 'N'

[See sub-regulation (4) of regulation 66]

FORM FOR NOMINATION OF MEMBER FOR ELECTION TO THE BRANCH COUNCIL

To
The Presiding Officer
Branch Council Election
ICMA Bangladesh.

.....
.....
.....

Dear Sir,

I hereby propose and nominate Mr.
a member of the Institute of Cost and Management Accountants of Bangladesh, for election as a
member to the Branch Council.

Signature :
Name :
(In block letters)
Membership No.

Place :
Date :

I hereby second the proposal and nominate Mr.
a member of the Institute of Cost and Management Accountants of Bangladesh, for election as a
member to theBranch Council.

Signature :
Name :
(In block letters)
Membership No.

Place :
Date :

I hereby give my consent to the above mentioned proposal.

Signature :
Name :
(In block letters)
Membership No.

Place :
Date :

FORM NO 'O'
(Abolished)

SCHEDULE II & III - Abolished

SCHEDULE IV

[See Regulation 104]

A member of the Institute shall be guilty of professional and other misconduct, if he-

- (1) places his professional service at the disposal of or enters into partnership with, an unqualified person or persons in a position to obtain business of the nature in which cost and management accountants, engage by means which are not open to be a member of the Institute;
- (2) allows any person to practice in his name as a cost and management accountant in practice unless such person is also a cost and management accountant and is in partnership with or employed by him;
- (3) pays or allows or agrees to pay or allow directly or indirectly a share commission or brokerage in the fees or profits of his professional, business to any person other than a member of the Institute or a partner or a retired partner or the legal representative or widow of a deceased partner;
- (4) accepts or agrees to accept any part of the profits of the professional work of a lawyer, income-tax practitioner, auctioneer, broker or other agent or any other person other than a member of the Institute;
- (5) accepts a position as a cost and management accountant in practice previously held by some other members without first communicating with him in writing;
- (6) accepts an appointment as a cost and management accountant with a concern without first ascertaining from it whether the legal requirements, if any, have been duly complied with;
- (7) accepts a position as a cost and management accountant in practice previously held by some other member in such conditions as constitute under-cutting;
- (8) publishes or sanctions the publication of expressions of thanks or appreciation by clients or promotes in any way laudatory notices with regard to professional matters;
- (9) solicits clients or professional work either directly or indirectly by circular advertisement personal communication or interview or by any other means partaking of the nature of advertisement;
- (10) advertises his professional attainments or services or uses any designation or expressions other than cost and management accountant on professional documents, visiting cards, letter heads or sign boards unless it be a degree of a University established by law in Bangladesh or recognized by the Government or a title indicating membership of the Institute of Cost and Management Accountant or any other Institution that has been recognized by the Government or may be recognized by the Council;

- (11) allows his name to be inserted in any directory either in the main section or in classified list, whether, printed or not, so as to appear in leaded type or in any manner which could be regarded as of an advertising character;
- (12) certifies or submits in his name or in the name of his firm a report of an examination of cost accounting and related statements, unless the examination of such statements has been made by him or by a partner or any employee in his firm or by another cost and management accountant in practice;
- (13) permits his name or the name of his firm to be used in connection with an estimate of cost or earnings contingent upon future transactions in a manner which may lead to the belief that he vouches for the accuracy of the forecast;
- (14) charges or offers to charge, accepts or offers to accept in respect of any professional employment fees which are based on a percentage of profits or which are contingent upon the findings or results of such employment;
- (15) engages in any activities including publication of leaflets, booklets, brochures, papers etc., either signed or unsigned or banami which may be considered as affecting the Institute or the profession of Cost and Management Accountants;
- (16) allows a person not being a member of the Institute or a member not being his partner to sign on his behalf or on behalf of his firm any report or cost or pricing statement or any other document required by his client;
- (17) discloses information acquired in the course of his professional engagement to any person other than his clients without the consent of his client or otherwise than as required by any law for the time being in force;
- (18) express his opinion on cost or pricing statement of any business or any enterprise in the which he, his firm or a partner in his firm has a substantial interest unless he discloses interest also in this report;
- (19) fails to disclose a material fact known to him which is not disclosed in a cost or pricing statement but disclosure of which is necessary to make such statement not misleading;
- (20) fails to report a material mis-statement known to him to appear in a financial statement with which he is concerned in professional capacity; or fails to invite attention to any material departure from the generally accepted procedures of costing and pricing applicable to the circumstances;
- (21) is grossly negligent in the conduct of his professional duties;
- (22) fails to obtain sufficient information to warrant the expression of an opinion or his qualifications are sufficiently material to negate the expression of an opinion;
- (23) fails to keep moneys of his client in a separate banking account or to use such moneys for purposes for which they are intended;

- (24) has been guilty of any act or default discreditable to a member of the Institute;
- (25) contravenes any of the provisions of the Ordinance or the regulations made thereunder;
- (26) is guilty of such other act or omission as may be specified by the Council in this behalf, by notification in the official Gazette;
- (27) not being a fellow styles himself as a fellow;
- (28) does not supply the information called for by, or does not comply with the directions of, the Council or any of, the Council or any of its Committees;
- (29) includes in any statement, return or form to be submitted to the Council any particulars knowing them to be false;
- (30) does not pay any money he is ordered to pay by the Tribunal appointed under section 10;
- (31) adopts one or more of the practices specified in regulation 23.

RUHULQUDDUS

President

Institute of Cost and Management
Accountants of Bangladesh