

ANNOUNCEMENT

43. Engagement of Articled Assistants

Subject to the provisions of these Regulations and subject to such terms and conditions, as the Council may deem fit to impose in this behalf, the members designated as an associate or a fellow, who has been in practice continuously, whether in India or elsewhere or an associate or a fellow, who is deemed to be in practice within the meaning of Explanation to sub-section (2) of section 2 of the Act, shall only be eligible to engage an articled assistant or assistants:

Provided that in the case of an associate or a fellow practising outside India, the Council may impose such additional terms and conditions as it may deem fit.

An associate or a fellow, covered by above sub-regulation, shall be entitled to train such number of articled assistant or assistants, under such terms and conditions, as are specified in Tables I and II given hereinafter:

Table- I

(Applicable to members practising the profession of chartered accountants in his individual name or as proprietor or as partner)

| Category | Period of continuous practice | Entitlement of articled assistant or assistants |
|----------|---|---|
| (i) | An associate or fellow in continuous practice for a period up to 3 years | 1 |
| (ii) | An associate or fellow in continuous practice for any period from 3 years to 5 years | 3 |
| (iii) | An associate or fellow in continuous practice for any period from 5 years to 10 years | 7 |
| (iv) | An associate or fellow in continuous practice for any period from 10 years | 10 |

Table- II

(Applicable to members who are in full time salaried employment under a chartered accountant in practice or a firm of such chartered accountants)

| Category | Number of full-time salaried employees-irrespective of whether associate or fellow | Entitlement of articled assistant or assistants |
|----------|--|---|
| (i) | Up to 100 | 1 per employee |
| (ii) | Between 101 and 500 | 100+50% of the number of such employees above 100 (i.e. maximum of 300) |
| (iii) | From 501 or more | 300+20% of the number of such employees above 500 |

A member in full time employment with a firm of chartered accountants shall be entitled to train one articled assistant provided he has been in employment with the same firm for a continuous period of three years.

A member who ceases to be in practice or resign his partnership or gives up salaried employment under a chartered accountant in practice or a firm of such chartered accountants and who, at the time of discontinuance of practice or paid employment, as the case may be, has one or more articled assistants serving under him, shall not be eligible to take any articled assistant, if he subsequently sets up practice or takes up salaried employment under a chartered accountant in practice or a firm of such chartered accountants, until such time as

the articled assistant or assistants serving under him previously complete the period of articles intended to be served under him, had he not given up his practice or the salaried employment.

A member shall be entitled to engage and train an articled assistant only if he is in practice and such practice, in the opinion of the Council, is his main occupation and for the purposes of this sub-regulation, in ascertaining the number of years for which a member was in continuous practice, only the number of years in respect of which the member's practice was his main occupation shall be considered:

Provided that the Council may, in its discretion, condone any break in the continuity of practice, for a period not exceeding 182 days in the aggregate.

Explanation- For the purpose of this sub-regulation, a member who sets up practice, with practice as his main occupation, after having been in employment for a minimum period of six years in one or more financial, commercial or industrial undertakings approved under regulations 51 and 72, shall be deemed to have been in continuous practice for three years.

The entitlement of a member to train articled assistants under this regulation shall be subject to such decisions as may be made by the Council under regulation 67.

Date: 21.12.2015

Secretary