

ပညာရေးဝန်ကြီးဌာန

ယူနက်စကိုနှင့်အထွေထွေဌာနခွဲ

ရန်ကုန်မြို့၊ ၁၃၁၈ ခု၊ ကဆုန်လဆန်း ၂ ရက်။
(၁၉၅၆ ခု၊ မေလ ၁၀ ရက်။)

အမှတ် ၄၉ ။ ။ ၁၉၁၄ ခု၊ မြန်မာပြည်ကုမ္ပဏီများအက်ဥပဒေ ၁၊ ပုဒ်မ ၁၄၄ (၂) အရ အပ်နှင်းထားသော အာဏာများကို သုံးစွဲလျက်၊ နိုင်ငံတော်သမ္မတကြီးက၊ အောက်ပါ ၁၉၅၆ ခု၊ မြန်မာပြည် စာရင်းစစ်လက်မှတ်ထုတ်ပေးရေး စည်းမျဉ်းများကို အတည်ပြုလိုက်ပါသည်။

အမိန့်အရ

ဘဏ္ဍာ

အတွင်းဝန်၊ ပြည်ထောင်စုမြန်မာနိုင်ငံတော်အစိုးရ
ပညာရေးဝန်ကြီးဌာန။

THE MYANMAR AUDITOR'S CERTIFICATE RULES, 1956. (1)

In supersession of the Rules published with Government of Myanmar Department of Commerce and Industry Notification No.154, dated the 15th August 1939 and under the provisions of sub-section (2) of section 144 of the Myanmar Companies Act, the President makes the following rules, after having published the same previously as required by the said sub-section: —

Rule 1. — These rules may be called the Myanmar Auditor's Certificate Rules, 1956. They come into force immediately.

Rule 2. — In these rules, unless there is anything repugnant in the subject or context —

(1) မြန်မာနိုင်ငံ ပြန်တမ်း၊ အပိုင်း ၁၊ ၁၉၅၆ ခုနှစ်၊ မေလ (၂၆) ရက်၊ စာမျက်နှာ ၈၁၉။

(a) “ x x x x x x x x x x x x x x x x x ”(2)

(b) ‘Auditor’s Certificate’ means a certificate granted under these rules, entitling the holder to act as an auditor of companies throughout the Union of Myanmar.

(c) “Graduate” means a graduate of the University of Yangon or of such other Universities as the President may by notification designate.

(d) “The Register” means the Union of Myanmar Register of Accountants.

Part 1.

MAINTENANCE OF AND ENROLMENT ON THE REGISTER.

Rule 3. — The President shall maintain a Register of Accountants who shall be entitled to apply for certificates to practise as auditors of companies throughout the Union of Myanmar. The name, usual address and qualifications of every such accountant shall be entered in the Register with the date on which and auditor's certificate, if any, was granted to him.

Rule 4. — A person shall not be eligible for enrolment on the Register if he —

- (1) is not a citizen of the Union of Myanmar; or
- (2) has been adjudged by a competent court to be of unsound mind; or
- (3) is an undischarged insolvent; or
- (4) being a discharged insolvent, has not obtained from the court a certificate that his insolvency was caused by misfortune without any misconduct on his part; or

(2) ပညာရေးဝန်ကြီးဌာန၊ သူနာတို့နှင့်အထွေထွေဌာနခွဲ၏ ၂-၄-၅၈ ရက်စွဲပါ အမိန့်ကြော်ငြာစာအမှတ် (၄၉) ဖြင့် ပယ်ဖျက်သည် (မြန်မာနိုင်ငံ ပြန်တမ်း၊ အပိုင်း - ၁၊ ၁၉၅၈ ခုနှစ်၊ ဧပြီလ (၁၉) ရက်၊ စာမျက်နှာ - ၈၆၅။)

- (5) has been convicted by a competent court, whether within or without the Union of Myanmar of an offence punishable with transportation or imprisonment, unless the offence, of which he was convicted has been pardoned or unless, on an application made by him, the President has, by order in this behalf, removed the disability: or
- (6) having previously practised as a public accountant is considered by the President not to be a fit and proper person to be enrolled on the Register by reason of any act of negligence, misconduct or dishonesty committed in his professional capacity.

Provided that the President may waive the condition in sub-clause (1) above in any suitable cases.

Rule 5. — Subject to the provisions of Rule 4 and Rule 9, a person holding the Government Diploma in Accountancy, awarded on the recommendation of the Myanmar Accountancy Board by the Government of the Union of Myanmar in the Ministry of Education, shall be entitled to be enrolled on the Register and may apply for enrolment on the Register at any time.

Rule 6. — Notwithstanding the provisions of Rule 4 (b), a person whose name was on the Register of Accountants maintained by the Government of Myanmar under the Myanmar Auditor's Certificates Rules, 1939, on the date on which these rules come into force, and who was practising in Myanmar on that date shall be entitled to be enrolled on the Register, subject to the provisions of Rule 9.

Rule 7. — A person eligible for enrolment, shall be enrolled on the

Register only when he has attained the age of 21 and has satisfied either—

- (a) the tests prescribed in Part II of these rules, or
- (b) a test recognized, from time to time, by the President as equivalent to the test referred to in clause (a).

Rule 8. — For the purposes of clause (b) of Rule 7, membership of anyone of the following institutes and societies shall be recognized as equivalent to the tests prescribed in Part II: —

- (1) The Institute of Chartered Accountants in England and Wales;
- (2) The Society of Incorporated Accountants and Auditors, London;
- (3) The Institute of Chartered Accountants of Scotland;
- (4) The Institute of Chartered Accountants in Ireland;
- (5) The Association of Certified and Corporate Accountants, London;

Provided that a member of the Association mentioned in clause (5) above applying for an Auditor's certificate has —

- (a) passed the Final Examination held by the Association, and
- (b) served the required period of service under articles with a registered Practising Accountant;
- (6) The Institute of Chartered Accountants in India;
- [(7) The Institute of Chartered Accountants in Australia.]⁽³⁾

Rule 9. — (1) Every person enrolled on the Register shall pay an annual fee of K 50. Annual fee shall be due and payable on the 1st October in each year.

(3) ပညာရေးဝန်ကြီးဌာန၊ ယူနက်စကိုနှင့်အထွေထွေဌာနခွဲ၏ ၂၂-၉-၆၀ ရက်စွဲပါ အမိန့်ကြော်ငြာစာအမှတ် (၁၁၂) အရ ပြည့်စွက်သည် (မြန်မာနိုင်ငံ ပြန်တမ်း၊ အပိုင်း - ၁၊ ၁၉၆၀ ပြည့်နှစ်၊ အောက်တိုဘာလ (၁) ရက်၊

(2) Every person whose application for enrolment on the Register has been accepted shall before enrolment pay —

(a) an entrance fee of K 150, and

(b) a sum equivalent to the annual fee, provided that the full amount of entrance fee and half the amount of annual fee shall be payable before enrolment by a person enrolled on or after the 1st April and before the 1st October next following.

Rule 10. — (1) Every person wishing to be enrolled on the Register shall submit an application to the Secretary to the Government of the Union of Myanmar Ministry of Education, in Form A (Appendix 1).

(2) The applicant shall furnish such further information bearing on his application as the President may at any time require from him.

Rule 11. — If the application is accepted by the President, an intimation to that effect shall be sent to the applicant along with a request for payment of the prescribed fees. On receipt of the prescribed fees the applicant's name shall be enrolled on the Register and a certificate of enrolment in Form B (Appendix 1) issued to him.

Rule 12. — A person enrolled on the Register shall be entitled to designate himself "Registered Accountant" (or where he practises under a trade name such as Maung Maung & Co. "Registered Accountants") and to use the letters "R.A." after his name as long as his name continues to appear on the Register, but he shall not use any other description or letters not recognized by the President. A firm shall not be entitled to designate itself "Registered Accountants." unless all of its partners practising in the Union of Myanmar are enrolled on the Register.

Rule. 13— Every person enrolled on the Register may apply to the President for a certificate entitling him to act as an auditor of the companies throughout the Union of Myanmar. The certificate shall be in Form C (Appendix 1) and shall be valid until the 31st December in the financial year next following. No fee shall be payable for a certificate. Every application for the grant of such a certificate shall be addressed to the Secretary to the Government of the Union of Myanmar in the Ministry of Education. No application shall be necessary for the renewal of a certificate, but a fresh certificate valid for the succeeding twelve months shall be sent to each accountant to whom a certificate has previously been granted and whose certificate is still valid provided that he remains enrolled on the Register and has paid the annual fee due under Rule 9

Rule 14. — (1) The President may remove permanently or temporarily from the Register the name of any person —

- (a) who has requested that he be so removed; or
- (b) who has not paid the prescribed annual fee on the expiry of three months from the date on which it became due; or
- (c) who is found to have been subject at the time of his enrolment, or thereafter has become subject, to any of the disabilities stated in clauses (1), (2), (3), (4) and (5) of Rule 4; or
- (d) whom the President has declared not to be a fit and proper person to remain enrolled on the Register by reason of any act of negligence, misconduct or dishonesty committed in his professional capacity, or of any breach of professional propriety, provided that before making such declaration the President shall call upon the person concerned to show cause

why his certificate should not be cancelled, and shall make such further enquiry, if any, as he may consider necessary.

Explanation. — Without prejudice to the generality of the reference to any breach of professional propriety, any act or omission specified in Appendix 3 shall be deemed to be such breach.

(2) The removal of the name of any person from the Register shall be notified in the *Myanmar Gazette* and shall be communicated to the person concerned.

Rule 15. — An Auditor's Certificate shall be deemed to be cancelled from the date on which, and during the period for which the name of the holder is removed from the Register.

Rule 16.— (1) The President may at any time restore to the Register the name of a person removed temporarily therefrom under clause (a) or clause (b) of sub-rule (1) of Rule 14; provided that —

(a) a person whose name was removed under clause (a) shall have paid before restoration the whole amount of the annual fee for the year during which his name is restored ; and

(b) a person whose name was removed under clause (b) shall have paid before restoration all arrears on account of the annual fee.

(2) The restoration of a name to the Register shall be notified in the *Myanmar Gazette* and shall be communicated to the person concerned.

Rule 17. — The fees prescribed by these rules shall be paid in the Union Bank of Myanmar or, in its absence, into any Government Treasury or Sub-Treasury for credit under the head “XXX. Miscellaneous Departments —D. Registration of Accountants”, and the Bank or Treasury receipt therefor shall be sent to the Secretary, Ministry of Education.

Rule 18. — The Register shall be published annually in the *Myanmar Gazette* and the copies of the Register shall be placed on sale.

Rule 19. — Every holder of a Restricted Certificate who is entitled before these Rules come into force to act as an auditor within the Union of Myanmar under the Restricted Certificates Rules, 1932, may continue so to act: provided —

(a) that every such person intending to continue to practise as an auditor shall send a report to that effect to the Secretary, Ministry of Education, in the month of October in each year. A person who omits to send such a report shall cease to be entitled to act as an auditor unless on his application this omission is condoned by the President;

(b) that every holder of a Restricted Certificate shall pay an annual fee of K 30. The annual fee shall be due and payable on the 1st October each year.

(c) that the President may at any time suspend or cancel a Restricted Certificate for any of the reasons for which the name of a person might be removed from the Register under sub-clauses (a), (c) and (d) of clause (1) of Rule 14. The suspension or cancellation of a certificate shall be notified in the *Myanmar Gazette* and communicated to the holder of the certificate at his usual address.

[“19A. (1) Every holder of a Restricted Certificate shall have his name enrolled on the Register of Accountants maintained under these rules.

(2) Every such person enrolled on the Register shall pay an enrolment fee of K 150 and the annual fee of R 50.”⁽⁴⁾

PART II.

THEORETICAL TRAINING, EXAMINATION AND PRACTICAL TRAINING.

Rule 20. — Except as otherwise expressly provided in these rules, person wishing to qualify themselves for enrolment on the Register shall be required to pass the First and Final Examinations prescribed and to serve under articles with an [Registered Accountant in practice]⁽⁵⁾ for the periods and in the manner laid down in these rules.

Rule 21. — A person who has before 31st December 1934 passed the examination for the Government Diploma in Accountancy or an examination recognized as equivalent thereto by the rules for the award of the Government Diploma in Accountancy shall not be required to pass either the First or the Final Examination.

Rule 22. — A person who is a citizen of the Union of Myanmar, shall not be required to pass the First Examination. —

(a) if he has passed the Degree Examination of the University of Yangon or of such other Universities as the President may by notification designate, with Accounting, Auditing and Mercantile or Commercial Law among other subjects for the Degree course;

(b) [x x]

(4) ပညာရေးဝန်ကြီးဌာန၊ ယူနက်စကိုနှင့်အထွေထွေဌာနခွဲ၏ ၂-၄-၅၈ ခက်စွဲပါ အမိန့်ကြော်ငြာစာအမှတ် (၃၆) ဖြင့် ဖြည့်စွက်ပြင်ဆင်သည်။ မြန်မာနိုင်ငံ ပြန်တမ်း၊ အပိုင်း - ၁၊ ၁၉၅၈ ခုနှစ်၊ ဧပြီလ (၁၉) ရက်၊ စာမျက်နှာ-၈၆၅။

(5) ပညာရေးဝန်ကြီးဌာန၊ ယူနက်စကိုနှင့်အထွေထွေဌာနခွဲ၏ ၂-၄-၅၈ ခက်စွဲပါ အမိန့်ကြော်ငြာစာအမှတ် (၃၆) ဖြင့် 'Approved Accountant' ဆိုသောစကားရပ်ကို "Registered Accountant in practice" ဆိုသောစကားရပ်ဖြင့် အစားထိုးခဲ့သည်။ (မြန်မာနိုင်ငံပြန်တမ်း၊ အပိုင်း - ၁၊ ၁၉၅၈ ခုနှစ်၊ ဧပြီလ(၁၉) ရက်၊ စာမျက်နှာ-၈၆၅။

- x]⁽⁶⁾
- (c) [if he has passed the B.Com. (Accounting) Examination of the University of Yangon or
- (d) if he produces a certificate from the University Authorities that he has passed the B.Com. (Accounting) Part A Examination of the University of Yangon and has completed the full course of lectures of the B.Com. (Accounting) Part B.”]⁽⁷⁾

FIRST EXAMINATION.

Rule 23. — No candidate shall be admitted to the First Examination unless he is a citizen of the Union of Myanmar and

- (a) has passed at least [x x x . x x x]⁽⁸⁾ the Matriculation Examination of the University of Yangon or an examination recognized by the President as equivalent thereto and produces a certificate in the form in Appendix 4 granted by the lecturer concerned that he has, subsequently to passing such an ex-

(၆) ပညာရေးဝန်ကြီးဌာန၊ ယူနက်စကိုနှင့်အထွေထွေဌာနခွဲ၏ ၃၁-၁၂-၅၇ ရက်စွဲပါ အမိန့်ကြော်ငြာစာအမှတ် (၁၆) ဖြင့် နည်းဥပဒေ ၂၂(a) အဆုံးတွင် “;” အစား “ ” ပြင်ဆင်ပြီး နည်းဥပဒေ ၂၂ (b) အဆုံးတွင် “.” အစား “;or” ဟု ပြင်ဆင်ခဲ့သည်။ (မြန်မာနိုင်ငံပြန်တမ်း၊ အပိုင်း - ၁၊ ၁၉၅၈ ခုနှစ်၊ ဇန်နဝါရီလ (၁၁) ရက်၊ စာမျက်နှာ-၅၂။)

ထို့နောက် ယင်းဌာနခွဲ၏ ၂-၄-၅၈ ရက်စွဲပါ အမိန့်ကြော်ငြာစာအမှတ် (၃၆) ဖြင့် နည်းဥပဒေအပိုဒ် ၂၂(ခ) ကို ပယ်ဖျက်သည်။ (မြန်မာနိုင်ငံပြန်တမ်း၊ အပိုင်း - ၁၊ ၁၉၅၈ ခုနှစ်၊ ဧပြီလ (၁၉) ရက်၊ စာမျက်နှာ-၈၆၅။)

(၇) ယင်းအထွေထွေဌာနခွဲ၏ ၃၁-၁၂-၅၇ ရက်စွဲပါ အမိန့်ကြော်ငြာစာအမှတ် (၁၆၁) ဖြင့် နည်းဥပဒေ ၂၂(က) နှင့် (ခ) နောက်တွင် (ဂ) နှင့် (ဃ) ကို ပြည့်စွက်ခဲ့သည်။ (မြန်မာနိုင်ငံပြန်တမ်း၊ အပိုင်း - ၁၊ ၁၉၅၈ ခုနှစ်၊ ဇန်နဝါရီလ (၁၁) ရက်၊ စာမျက်နှာ- ၅၂။)

(၈) ပညာရေးဝန်ကြီးဌာန၊ ယူနက်စကိုနှင့်အထွေထွေဌာနခွဲ၏ ၁၅-၁၂-၅၉ ရက်စွဲပါ အမိန့်ကြော်ငြာစာအမှတ် (၂၁၇) ဖြင့် “The High School Final or” ဟူသော စကားရပ်ကို ပယ်ဖျက်သည်။ (မြန်မာနိုင်ငံပြန်တမ်း၊ အပိုင်း - ၁၊ ၁၉၅၉ ခုနှစ်၊ ဒီဇင်ဘာလ (၂၆) ရက်၊ စာမျက်နှာ- ၂၄၉၀။) ဤအမိန့်ကြော်ငြာစာအမှတ် (၂၁၇) သည် ၁၉၆၀ ပြည့်နှစ် ဇန်နဝါရီလ (၁) ရက်နေ့မှ စတင်အကျိုးသက်ရောက်သည်။

Examination followed a course of lectures for one academic year in the R.A. classes conducted under the authority of the Ministry of Education and is fit to present himself for the examination, or

(b) produces a certificate that he has served for not less than 7 years either wholly as an Audit Clerk in the Office of an [Registered Accountant in practice]⁽⁹⁾ or partly (but for not less than 4 years) as such clerk and partly as an Articled Clerk. In the latter case, one year's service as an Articled Clerk may be reckoned as 2 years' service as an Audit Clerk in the Office of an Approved Accountant.

Rule 24. — Every candidate for admission to the First Examination shall pay a fee of K 30.

Rule 25. — Candidates for the First Examination will be examined in the subjects comprised in the following two Groups and every candidate will be required to pass simultaneously in both Groups:

Group 1 — Accountancy and Auditing (Two papers of three hours each) —

First Paper — Book-keeping. — Short methods of calculation; Theory and practice of Single and Double Entry Book-keeping including the preparation of Production, Trading and Profit and Loss Account's and Balance Sheets.

Second Paper — Accountancy and Auditing — Consignment and Joint Accounts ; Partnership and Company Accounts , Departmental and Branch Accounts and General Principle of

(9) ပညာရေးဝန်ကြီးဌာန၊ ယူနက်စကိုနှင့်အထွေထွေဌာနခွဲ၏ ၂-၄-၁၉၅၈ ခုနှစ်၊ ရက်စွဲပါ အမိန့်ကြော်ငြာစာအမှတ် (၃၆) ဖြင့် 'Approved Accountants' ဟူသော စကားရပ်အစား ပြည့်စွက်ပြင်ဆင်သည်။ (မြန်မာနိုင်ငံ မြန်တမ်း၊ အပိုင်း - ၁၊ ၁၉၅၈ ခုနှစ်၊ ဧပြီလ (၁၉) ရက်၊ စာမျက်နှာ-၈၆၅။

Auditing.

Group II — Mercantile Law, Company Law and General Commercial Knowledge (Two papers of three hours each)—

First Paper — Mercantile Law and Company Law. — Law relating to Contracts, Sale of Goods, Partnership ; and Elements of Company Law.

Second Paper — General Commercial Knowledge. — Charter Parties, Bills of Lading ; Fire and Marine Insurance; Bills; Cheques, Documents of Title to Goods; Stocks, Shares and other securities; Commercial Correspondence and Element of Secretarial practice.

The above particulars are intended as a general guide to questions which may be asked in each paper.

FINAL EXAMINATION.

Rule 26. — No candidate shall be admitted to the Final Examinations unless he is a citizen of the Union of Myanmar and

(a) has either passed the First Examination or is exempted by Rule 22 from passing that examination ; and

(b) has either completed the period of service under articles prescribed by Rules 37 or is serving the last 24 months of the said period or is exempted from service under articles:

Provided that in the case of every candidate an interval of not less than 11 months shall have elapsed between the date of his passing the First Examination and the commencement of the Final Examination.

[Provided further that without prejudice to the other provisions herein

contained and as a special concession up to the 31st December 1963 only, candidates who have passed the First Examination may be allowed to sit for the Final Examination before, after or during the required period of service under articles.]⁽¹⁰⁾

Rule 27. — Every candidate for admission to the Final Examination shall pay a fee of K 50.

Rule 28. — Candidates for the Final Examination will be examined in the subject comprised in the following two Groups and every candidate will be required to pass in both Groups. A candidate who passes the examination in only one Group shall be allowed two more chances to pass the other Group without being required at the same time to sit for the Group in which he has passed, provided that the chances are taken consecutively following the examination at which the candidate has failed. If he then fails to pass the remaining Group he shall be required to pass in both Groups when he next sits for the examination.

The two Groups of the Final Examination are —

Group 1 — Advanced Accounting and Auditing (Three papers of three hours each) —

First Paper. — Advanced Accounting including knowledge of

(10) ပညာရေးဝန်ကြီးဌာန၊ ယူနက်စကိုနှင့်အထွေထွေဌာနခွဲ၏ ၃၀-၅-၅၆ ရက်စွဲပါ အမိန့်ကြော်ငြာစာအမှတ် (၅၅) ဖြင့် ပထမအကြိမ် ပြည့်စွက်ခဲ့သည်။ (မြန်မာနိုင်ငံ ပြန်တမ်း၊ အပိုင်း - ၁၊ ၁၉၅၆ ခုနှစ်၊ ဇွန်လ (၉) ရက်၊ စာမျက်နှာ-၉၂၈။)

· ပညာရေးဝန်ကြီးဌာန၊ ယူနက်စကိုနှင့်အထွေထွေဌာနခွဲ၏ ၃-၂-၆၀ ရက်စွဲပါ အမိန့်ကြော်ငြာစာအမှတ် (၉) ဖြင့် ဒုတိယအကြိမ် ပြည့်စွက်အစားထိုးခဲ့သည်။ (မြန်မာနိုင်ငံပြန်တမ်း၊ အပိုင်း - ၁၊ ၁၉၆၀ ပြည့်နှစ်၊ ဖေဖော်ဝါရီလ (၆) ရက်၊ စာမျက်နှာ-၁၄၇။)

· ပညာရေးဝန်ကြီးဌာန၊ ပညာရေးဌာနခွဲ(၃)၏ ၂၃-၁-၆၃ ရက်စွဲပါ အမိန့်ကြော်ငြာစာအမှတ် (၁၉) ဖြင့် တတိယအကြိမ် ပြည့်စွက်အစားထိုးခဲ့သည်။ (မြန်မာနိုင်ငံပြန်တမ်း၊ အပိုင်း - ၁၊ ၁၉၆၃ ခုနှစ်၊ ဖေဖော်ဝါရီလ (၉) ရက်၊ စာမျက်နှာ-၁၅၃။)

accounts in connection with floatation, reconstruction, amalgamation and liquidation of companies; Insolvency and Bankruptcy Accounts; Income - tax.

Second Paper. — Advanced Accounting Including knowledge of Accounts of Banks, Insurance Companies and Electricity Companies; Double Accounts System; Costing, Stores and Labour Accounts.

Third Paper. — Auditing

Group II — Mercantile Law, Company Law and Economics (Three papers of three hours each) —

First Paper. — Mercantile Law including the law relating to Negotiable Instruments; Arbitration and Awards; Insolvency; Rights and Duties of Liquidators. Trustees and Receivers.

Second Paper. — Company Law including law relating to special classes of companies and Income-tax Law.

Third Paper. — Economics Elements of Economics including Currency, Banking and Foreign Exchange.

The above particulars are intended as a general guide to question which may be asked in each paper.

GENERAL

Rule 29.— The examinations shall be conducted in such manner as the President may direct.

Rule 30. — The First and the Final Examinations will ordinarily be held once in every year at such places and times as may be notified in the *Myanmar Gazette* by the Ministry of Education, Government of the Union

of Myanmar.

Rule 31. — Applications for admission to an examination shall be made in the prescribed form which may be obtained from the Ministry of Education. Every such application together with the prescribed fee shall be sent so as to reach the Secretary, Ministry of Education on or before such date as may be notified in this behalf by Government.

Rule 32. — The fee paid by a candidate who has been admitted to an examination shall not in any circumstances be refunded. If such candidate is subsequently prevented from attending examination to which he was admitted, the President may, if he is satisfied that the candidate was prevented from attending by circumstances beyond his control, permit the fee to be transferred to the next examination.

Rule 33. — A notice stating the place, dates and times at which the candidate will be required to present himself for examination shall be sent to each candidate to the address given by him in his applications so as to reach him not later than 14 days before the commencement of the examination.

Rule 34.— Every candidate passing the First or Final Examination shall be furnished with a certificate to that effect.

Rule 35. — A list of successful candidates shall be published in the *Myanmar Gazette* in alphabetical order after each examination and shall be sent to each successful candidate. The names of candidates obtaining distinction in the examination shall be indicated in the list. Candidates shall not be supplied with the number of marks obtained by them in any paper but each unsuccessful candidates shall be informed of the Group or Groups in which he has failed.

Rule 36. — If a candidate is found to have resorted to unfair means during the conduct of an examination or to have attempted to influence an examiner, the President may, on receipt of a report to that effect from any examiner or any person duly authorized to conduct the examination, remove the name of such candidate from the list of those entered for the examination and may direct that a candidate whose name has been so removed shall not be admitted to the next or to any subsequent examination held under these rules.

Rule 37. — (1) No person shall be eligible for enrolment on the Register under Rule 7 (a) unless he has served under articles with an Registered Accountants in practice⁽¹¹⁾ and produces a certificate from the Registered Accountants in practice in Form F given in Appendix 2. The period to be served shall be as follows: —

- (a) Persons who have before the 31st December 1934 passed the examination prescribed for the Government Diploma in Accountancy or examination recognized as equivalent thereto — 3 years;
- (b) Graduates — 3 years;
- (c) I.A. or I.Sc or I. Com — 4 years;
- (d) Matriculates or H.S. Finalist — 5 years;

(2) A candidate while preparing for examination prescribed in Part II of these rules may serve under articles with an Approved Accountant, and the period so served shall be included in computing the period prescribed

(11) ပညာရေးဝန်ကြီးဌာန၊ ယူနက်စကိုနှင့်အထွေထွေဌာနခွဲ၏ ၂-၄-၅၈ ရက်စွဲပါ အမိန့်ကြော်ငြာစာအမှတ် (၃၆) မြင့် နည်းဥပဒေတစ်ရပ်လုံးတွင်ပါရှိသော 'Approved Accountant' ဟူသောစကားရပ်ကို "Registered Accountant in practice" ဟူသောစကားရပ်ဖြင့် အစားထိုးပြင်ဆင်သည်။ (မြန်မာနိုင်ငံပြန်တမ်း၊ အပိုင်း - ၁၊ ၁၉၅၆ ခုနှစ်၊ ဧပြီလ (၁၉) ရက်၊ စာမျက်နှာ-၈၆၅။)

officer has served in that capacity satisfactorily for the period required.”⁽¹³⁾

REGISTERED ACCOUNTANT IN PRACTICE AND ARTICLED CLERKS.

Rule 38. — A list of Registered Accountant in parctice shall be maintained by the President. The list shall be published once a year in the Myanmar Gazette. The copies of the list shall be placed on sale.

[*Rule 39.* (1) No person shall be eligible for inclusion in the list of Registered Accountants in practice unless he is in practice as a Registered Accountant in the Union of Myanmar.

(2) Applications for inclusion in the list shall be submitted through the Registrar of Joint Stock Companies. Union of Myanmar to the Secretary, Ministry of Education, Government of Union of Myanmar and shall be accompanied by particulars of the candidate's practice or the practice of his firm.

(3) A Registered Accountant in practice shall on ceasing to practice as it Registered Accountant and in the Union of Myanmar inform the Secretary Ministry of Education, of the fact within 30 days from the date on which he ceases to practise.”⁽¹⁴⁾

Rule 40. — The President may remove from the list of Registered

(13) ပညာရေးဝန်ကြီးဌာန၊ ယူနက်စကိုနှင့်အထွေထွေဌာနခွဲ၏ ၂၅-၃-၆၀ ရက်စွဲပါ အမိန့်ကြော်ငြာစာအမှတ် (၃၂) ဖြင့် ဖြည့်စွက်သည်။ (မြန်မာနိုင်ငံပြန်တမ်း၊ အပိုင်း-၁၊ ၁၉၆၀ ပြည့်နှစ်၊ ဧပြီလ (၂) ရက်၊ စာမျက်နှာ-၃၇၅။)
(14) ပညာရေးဝန်ကြီးဌာန၊ ယူနက်စကိုနှင့်အထွေထွေဌာနခွဲ၏ ၂-၄-၅၈ ရက်စွဲပါ အမိန့်ကြော်ငြာစာအမှတ် (၃၆) ဖြင့် အစားထိုးပြင်ဆင်သည်။ (မြန်မာနိုင်ငံပြန်တမ်း၊ အပိုင်း - ၁၊ ၁၉၅၈ ခုနှစ်၊ ဧပြီလ (၁၉) ရက်၊ စာမျက်နှာ-၈၆၅။)

Accountants in practice the name of any person—

- (a) whose name has been removed from the Register of Accountants,
or
- (b) who has ceased to practise as a Registered Accountant in
Myanmar, or
- (c) who has ceased to be a partner in the firm of Registered
Accountants in which he was a partner at the time when his
name was included in the list of Registered Accountant in
Practice, or
- (d) whose name was wrongly or inadvertently included in the list,
or
- (e) who in his opinion is no longer a fit and proper person to
employ articled clerks, or is no longer in a position to train
articled clerks, or
- (f) who has expressed a desire to that effect,

and such removal shall be notified in the *Myanmar Gazette*.

Provided that before removing the name of any person under clauses (b), (c), (d), or (e), the President shall call upon the person concerned to show cause why the name should not be removed.

[Rule "41 (1) Except as here provided in this rule —

- (a) a Registered Accountant in practice may employ not more than
four articled clerks at any one time;
- (b) if a Registered Accountant in practice has for the time being in
his employ any apprentices under the regulations for the award
of the Government Diploma in Accountancy, the total number
of such apprentices and articled clerks, employed at any one

time, shall not exceed four in all;

(c) a Registered Accountant in practice without any partner may, in addition to the articed clerks and apprentices herein before allowed to be employed, empolyed (four)⁽¹⁵⁾ articed clerks for every paid assistant in his service in the Union of Myanmar and enrolled on the Register.

(2) A Registered Accountant in practice may, on the death or retirement of a partner in his firm, accept transfer, in accordance with Rule 47, of the articles of any clerk who was employed by such partner at the time of his death or retirement and may continue to employ such clerk for the remainder of his term of service under articles in addition to the number of articed clerks already in his employment at the time of his partner's death or retirement; provided that such addition shall not cause the total number of clerks and apprentices in his employment to exceed four."⁽¹⁶⁾

(2) A Registered Accountant in practice may, on the death or retirement of a partner in his firm, accept transfer, in accordance with Rule 47, of the articles of any clerk who was employed by such partner at the time of his death or retirement and may continue to employ such clerk for the remainder of his term of service under articles in addition to the number of articed clerks already in his employment at the time of his partner's

(15) ပညာရေးဝန်ကြီးဌာန၊ ယူနက်စကိုနှင့်အထွေထွေဌာနခွဲ၏ ၂၂-၉-၆၀ ရက်စွဲပါ အမိန့်ကြော်ငြာစာအမှတ် (၁၁၂) ဖြင့် အစားထိုးပြင်ဆင်သည်။ (မြန်မာနိုင်ငံပြန်တမ်း၊ အပိုင်း - ၁၊ ၁၉၆၀ ပြည့်နှစ်၊ အောက်တိုဘာလ (၁) ရက်၊ စာမျက်နှာ-၁၃၄၄။)

(16) ပညာရေးဝန်ကြီးဌာန၊ ယူနက်စကိုနှင့်အထွေထွေဌာနခွဲ၏ ၂-၄-၅၈ ရက်စွဲပါ အမိန့်ကြော်ငြာစာအမှတ် (၃၆) ဖြင့် အစားထိုးပြင်ဆင်သည်။ (မြန်မာနိုင်ငံပြန်တမ်း၊ အပိုင်း - ၁၊ ၁၉၅၈ ခုနှစ်၊ ဧပြီလ (၁၉) ရက်၊ စာမျက်နှာ-၈၆၅။)

death or retirement, provided that such addition shall not cause the total number of clerks and apprentices in his employment exclusive of the articed clerks employed by him under clause (c) of sub-rule (1), to exceed four.

Rule 42. — A Registered Accountant in practice shall, before accepting a person for service with him under articles, satisfy himself by inspection of the relevant certificates that such person —

- (a) will be not less than 16 years of age on the date of commencement of his articles, and
- (b) has passed the High School Final or the Matriculation Examination of the University of Yangon or any other examination which has been declared by the President to be equivalent thereto.

Rule 43. — The articles shall be executed in Form D or Form E (Appendix 2), according as the candidate for articed clerkship is of full age or is a minor, and shall be stamped. The articles together with the necessary documentary evidence showing that the conditions laid down in clauses (a) and (b) of Rule 42 are satisfied, shall be sent to the Secretary, Ministry of Education for registration as to reach him within 60 days after the execution of the articles or their commencement whichever is earlier and shall be accompanied by a fee of K 10 and by a statement giving particulars of the name, father's name, residence and age of the articed clerk.

Rule 44. — A Register of articed clerks shall be maintained by the President.

Rule 45.— No articed clerk shall, during the time of his service as articed clerk except with the permission of the President, engage in any other business or occupation:

Provided that military service rendered by an articulated clerk in connection with a war in which the Government of the Union of Myanmar is involved shall be deemed to be service under articles for purposes of Rule 37 up to a maximum period of two years.

Rule 46. — In the event of any complaint of misconduct or a breach of Rule 45 or a breach of any of the covenants contained in the articles executed in Form D or Form E referred to in Rule 43 being made against any articulated clerk, the President may if he is satisfied that the complaint is proved, direct the cancellation of the articles, or that any period already served under such articles shall not be reckoned as such service for the purpose of Rule 37. A person whose articles have been cancelled under this rule shall not be retained or taken as an articulated clerk by a Registered Accountant in practice.

Rule 47. — In the event of the name of an employer of an articulated clerk being removed from the list of Registered Accountant in practice or if he ceases to practise, the articles may be transferred to another Registered Accountant in practice and the transfer shall be reported to the Secretary, Ministry of Education. In the like events or in the event of the death of the employer the articulated clerk may enter into fresh articles for the remainder of his term of service. Such fresh articles shall be sent for registration as provided in Rule 43 but shall not require the payment of any fee.

Rule 48. — Articles may by agreement between the articulated clerks and his employer be assigned to another employer. Such an assignment shall be in Form G (Appendix 2) and shall be subject to the provision of

shall be in Form G (Appendix 2) and shall be subject to the provision of Rule 43 regarding registration and the payment of a fee.

Rule 49. — A Registered Accountant in practice shall, on completion, discontinuance or termination otherwise of the service of an articulated clerk in his employment, send a report to that effect to the Secretary, Ministry of Education. Such a report shall have been signed, wherever practicable, by both the employer and the articulated clerk.

PART III.

THE MYANMAR ACCOUNTANCY BOARD.

Rule 50. — The Myanmar Accountancy Board shall consist of:—

- (a) The Auditor General of the Union of Myanmar who shall be the Chairman of the Board; and
- (b) not less than six other members to be nominated by the Chairman of the Revolutionary Council of the Union of Myanmar from amongst the persons who are teaching accountancy or experienced members of the accountancy profession, or such other persons as he deems fit.

Rule 51. — The Chairman of the Board shall have power to depute any other person in the service of Government to act as member and Chairman on his behalf.

Rule 52. — The Secretary of the Board shall be appointed by the Chairman of the Board and shall not be a member of the Board.

Rule 53. — Save as otherwise provided in these rules, a member of the Board other than the Chairman of the Board, shall hold office for three

(17) ပညာရေးဝန်ကြီးဌာန၊ ယူနက်စကိုနှင့်အထွေထွေဌာနခွဲ၏ ၃၀-၅-၆၉ ရက်စွဲပါ အမိန့်ကြော်ငြာစာအမှတ် (၅၈၀) ဖြင့် အစားထိုးပြင်ဆင်သည်။ (မြန်မာနိုင်ငံပြန်တမ်း၊ အပိုင်း - ၁၊ ၁၉၆၉ ခုနှစ်၊ ဇူလိုင်လ (၁၉) ရက်၊ စာမျက်နှာ-၅၆၅။)

their number to preside over the meeting.

Rule 60. — No business shall be transacted at a meeting of the Board unless there are present at least four members.

Rule 61. — Any question which the Board is required to take into consideration may, if the Chairman so decides, be referred to the members by circulation of the papers. Provided that no business shall be disposed of by such circulation unless not less than four members have expressed their views upon it. All members shall be informed of any decision made as the result of circulation.

Rule 62. — The Board may appoint committees constituted from among the members to report to the Board in regard to particular matters included within the scope of its functions or to advise and assist the President in regard to any such matter. Every such committee shall consist of not less than three members.

Rule 63. — Minutes shall be recorded of the proceedings of meetings of the Board and of the Committees thereof and every minute signed by the Chairman of the meeting to which it relates, or by the Chairman of the next subsequent meeting, shall be submitted to the President.

Rule 64. — Members of the Board (other than the members who is in the service of the Government or Government-sponsored Boards or Corporations) shall receive travelling and daily allowances for attending the meetings of the Board and of the Committees thereof in accordance with Rule 120 of the Myanmar Travelling Allowance Rules.

APPENDIX 1.

Form A.

Form of Application for Enrolment on the Myanmar Register of Accountants.

(See Rule 10.)

To

THE SECRETARY TO THE GOVERNMENT OF THE
UNION OF MYANMAR, MINISTRY OF EDUCATION, YANGON.

SIR,

I beg to offer myself for enrolment on the Myanmar Register of Accountants. I also hereby declare that I am not subject to any of the disabilities stated in clauses (1),(2),(3),(4) and (5) of Rule 4 of the Myanmar Auditor's Certificates Rules, 1956.

1. Name in full and usual address —
2. Father's name —
3. Nationality —
4. Date of birth* —
5. Place or places of business or service —
6. Date of commencement of practice or service —
7. If a partner or assistant, state name of firm and position therein—
8. Period of residence in Myanmar —
9. Particulars of qualifications+ —

* Applicant may be required to produce evidence of their age.

+ Originals or duly-certified copies of diplomas, certificates and other documents support of qualifications claimed must be sent with the applications.

10. Occupation in full —

11. State whether at any time debarred from practising as an auditor. If member of any of the institutions specified in Rule 8, state whether at any time membership was suspended, and if so, the reasons of suspension and its duration —

12 Whether Auditor's Certificate is required after enrolment on the Myanmar Register of Accountants —

I beg to remain etc.,

Date

Form B.

GOVERNMENT OF THE UNION OF MYANMAR

MINISTRY OF EDUCATION

Certificate of Enrolment on the Myanmar Register of Accountants.

(See Rule 11.)

No.

This is to certify that _____ of _____ was enrolled on this _____ day of _____ 19 _____, on the Myanmar Register of Accountants maintained under the authority of the Government of the Union of Myanmar.

Dated this _____ day of _____ 19 _____

By order,



Secretary to the Govt. of the Union of Myanmar.
Ministry of Education.

Form C.

Auditors Certificate.

(See Rule 13.)

This is to certify that _____ of _____ is entitled to be appointed and to act as an auditor of companies throughout the Union of Myanmar. This certificate is valid from the day of _____ 19 _____ to the 31st day of December 19 _____, inclusive.

Dated this _____ day of _____ 19 _____

By order,



*Secretary to the Govt. of the Union of Myanmar.
Ministry of Education.*

APPENDIX 2.

Form D.

(For use when the Articled Clerk is of full age)

(See Rule 43.)

ARTICLES OF APPRENTICESHIP made the _____ day of _____ one thousand nine hundred and _____ between _____ of A Registered Accountant in practice) under the Myanmar Auditor Certificate Rules 1956, (hereinafter called "the Employer" of the one part and (hereinafter called "the Articled Clerk") of the other part.

WITNESS as follows that is to say:

1. In consideration of the covenants by the Articled Clerk premium of K paid by hereinafter contained and of the Articled Clerk (the receipt whereof the Employer doth hereby acknowledge) the Employer agrees to take the Articled Clerk as his Articled Clerk for the term of years from the day of

2. The Articled Clerk of his own free will binds himself Articled Clerk to the Employer to serve him for and during and unto the full end and term of years.

3. The Articled Clerk covenants with the Employer as follows: —

(a) That he will at all times during the said term diligently and faithfully serve the Employer as his Articled Clerk in the practice or profession of accountancy.

(b) That he will not at any time during the said term destroy cancel obliterate spoil embezzle spend make away with or take copies of books papers plans documents monies stamps or chattels of the Employer his personal representatives or assigns or of his partner or partners or of any or his clients or employers which shall be deposited in his hands or which shall come to his care custody or possession or allow any of the said goods to be so treated by others if he can by the exercise of reasonable care prevent it.

(c) That he will at all times keep the secrets of the Employer and his partner or partners and of his and their clients and employers and will not divulge the names and affairs of such clients and employers.

- (d) That he will readily and cheerfully obey and execute the lawful and reasonable commands of the Employer and will not depart or absent himself from the service or employ of the Employer at anytime during the said term without his consent or that of his partners first obtained but will at all times during the said term conduct himself with all due diligence honesty and propriety.
- (e) That he will at all times well and faithfully serve the Employer as an Articled Clerk ought to do in all things whatsoever.
- (f) That he will make good and fully indemnify the Employer for any loss or damage suffered or sustained by his (the Articled Clerk's) misbehaviour or improper conduct.
4. The Employer covenants with the Articled Clerk as follows: —
- (a) That he will by the best ways and means in his power and to the utmost of his skill and knowledge instruct or cause to be instructed the Articled Clerk and afford him such reasonable opportunities and work as may be required to enable him to acquire the art science and knowledge of accountancy.
- (b) That he will at the expiration of the said term use his best means and endeavours at the request cost and charges of the Articled Clerk to cause the Articled Clerk to be enrolled on the Myanmar Register of Accountants pursuant to the Myanmar Auditor's Certificates Rules, 1956. Provided always that the Articled Clerk shall have well and faithfully served his intended clerkship and shall have passed the required examinations and in all respects properly qualified himself to be enrolled on the said Register.

(c) That if the Employer shall die or cease to practise as an Accountant or cease to be borne on the list of Registered Accountant in practice maintained under the Myanmar Auditor's Certificates Rules, 1956, or shall in any way become incapable of continuing the intended employment of the Articled Clerk during the said term he or his personal representative shall at the option of the Articled Clerk either return a proportionate part of the premium or without any further expense to the Articled Clerk make the necessary arrangements for the completion of the residue of the term as Articled Clerk to some other.

(d) That he will allow the Articled Clerk leave of absence for a period aggregating not more than one-eleventh of the service actually rendered. Provided that in case of illness he will allow the Articled Clerk, on production of a certificate from a registered medical practitioner, leave of absence for an additional period aggregating not more than one-eleventh of the service actually rendered.

5. These articles are subject to the Myanmar Auditor's Certificates Rules, 1956, and may be cancelled under Rule- 46 of such Rules.

IN WITNESS WHEREOF the parties have hereunto set their hands and seals the day and year first above written.

Signed Sealed and Delivered by

in the presence of —

Signed Sealed and Delivered by

in the presence of —

Form E.

(For use when the Articled Clerk is a minor.)

(See Rule 43.)

ARTICLES OF APPRENTICESHIP made the _____ day of _____ one thousand nine hundred and _____ between _____ of _____ an Approved Accountant under the Myanmar Auditor's Certificates Rules, 1956.

(hereinafter called "the Employer") of the first part (hereinafter called "the Guardian") of the second part and (hereinafter called "the Articled Clerk") of the third part.

(_____)

WITNESS as follows that is to say —

1. In consideration of the covenants by the Articled Clerk and Guardian respectively hereinafter contained and of the premium of K _____ paid by or on behalf of the Articled Clerk (the receipt where-of the Employer doth hereby acknowledge) the Employer agrees to take the Articled Clerk as his Articled Clerk for the term of _____ years from the _____ day of _____

2. The Articled Clerk of his own free will and with the consent of the Guardian binds himself Articled Clerk to the Employer to serve him for and during and unto the full end and term of _____ years.

3. The Articled Clerk covenants with the Employer as follows — (a) That he will at all times during the said term deligently and faithfully serve the Employer as his Articled Clerk in the practice or profession of accountancy.

- (b) That he will not at any time during the said term destroy cancel obliterate spoil embezzle spend make away with or take copies of books papers plans documents monies, stamps or chattels of the Employer his personal representatives or assigns or of his partner or partners or of any of his clients or employers which shall be deposited in his hands or which shall come to his care custody or possession or allow any of the said goods to be so treated by others if he can by the exercise of reasonable care prevent it.
- (c) That he will at all times keep the secrets of the Employer and his partner or partners and of his and their clients and employers and will not divulge the names and affairs of such clients and employers.
- (d) That he will readily and cheerfully obey and execute the lawful and reasonable commands of the Employer and will not depart or absent himself from the service or employ of the Employer at any time during the said term without his consent or that of his partners first obtained but will at all times during the said term conduct himself with all due diligence honesty and propriety.
- (e) That he will at all times well and faithfully serve the Employer as an Articled Clerk ought to do in all things whatsoever.

- (f) That he will make good and fully indemnify the Employer for any loss or damage suffered or sustained by his (the Articled Clerk's) misbehaviour or improper conduct.
4. The Guardian covenants with the Employer as follows: —
That he will indemnify the Employer his partner or partners and all or any of them in case the Articled Clerk shall act contrary to the last-mentioned covenant and the Employer or his partners shall suffer thereby any loss damage or prejudice.
5. The Employer covenants with the Articled Clerk and the Guardian as follows: —
- (a) That he will by the best ways and means in his power and to the utmost of his skill and knowledge instruct or cause to be instructed the Articled Clerk and afford him such reasonable opportunities and work as may be required to enable him to acquire the art, science and knowledge of accountancy.
- (b) That he will at the expiration of the said term use his best means and endeavours at the request cost and charges of the Articled Clerk and the Guardian or either of them to cause the Articled Clerk to be enrolled on the Myanmar Register of Accountants pursuant to the Myanmar Auditor's Certificates Rules, 1956. Provided always that the Articled Clerk shall have well and faithfully served his intended clerkship and shall have passed the required examination and in all respects properly qualified himself to be enrolled on the said Register.

(c) That if the Employer shall die or cease to practise as an accountant or cease to be borne on the list of Registered Accountant in practice maintained under the Myanmar Auditor's Certificates Rules, 1956, or shall in any way become incapable of continuing the intended employment of the Articled Clerk, during the said term he or his personal representatives shall at the option of the Articled Clerk either return a proportionate part of the premium or without any further expense to the Articled Clerk make the necessary arrangements for the completion of the residue of the term as Articled Clerk to some other.

(d) That he will allow the Articled Clerk leave of absence for a period aggregating not more than one-eleventh of the service actually rendered. Provided that in case of illness he will allow the Articled Clerk, on production of a certificate from a registered medical practitioner, leave of absence for an additional period aggregating not more than one-eleventh of the service actually rendered.

6. These articles are subject to the Myanmar Auditor's Certificates Rules, 1956, and may be cancelled under Rule 46 of such Rules.

IN WITNESS WHEREOF the parties have hereunto set their hands and seals the day and year first above written.

Signed Sealed and Delivered by
in the presence of —

Signed Sealed and Delivered by
in the presence of —

Signed Sealed and Delivered by
in the presence of —

Form F.

Certificate of Completion of Service

(See Rule 37.)

I, _____, of do hereby certify that Maung served as and Articled Clerk under me in accordance with the Myanmar Auditor's Certificates Rules, 1956, for a period of _____ from _____ to _____, that his progress was satisfactory and that to the best of my knowledge he bears a good moral character.

she The articles were duly registered with the Government of the Union of Myanmar in the Ministry of Education, vide Registration No. _____ of 19 -----.

(Place)

(Signature)

(Date)

Form G.

(See Rule 48.)

ASSIGNMENT OF ARTICLES made the _____ day of _____ one thousand nine hundred and _____ between _____ of _____ (hereinafter called "the Employer") of the first part _____ of _____ (hereinafter called "the Guardian") of the second part _____ son of the said _____ (hereinafter called "the Articled Clerk") of the third part and _____ of _____ carrying on the business of _____ at _____ (hereinafter called "the New Master") of the fourth part.

WHEREAS by Articles of Apprenticeship dated _____ and made between the Employer of the first part the Guardian of the second

part and the Articled Clerk of the third part the Articled Clerk was bound apprentice to the Employer in the practice or profession of accountancy for a term of _____ years from the _____ day of _____ 19_____

AND WHEREAS it has been agreed that the Articled Clerk shall serve the now unexpired residue of the said term with the New Master being an Accountant borne on the list of Registered Accountant in practice maintained under the Myanmar Auditor's Certificates Rules, 1956, and the Employer has agreed with the consent of the Guardian and of the Articled Clerk to assign the said Articles of Apprenticeship to the New Master.

†AND WHEREAS the Employer has paid the New Master K _____ out of the premium received by the Employer under the said Articles.

‡AND WHEREAS the Guardian/ Articled Clerk has paid the New Master the sum of K _____ by way of further premium.

Now THIS DEED OF ASSIGNMENT WITNESSETH AS FOLLOWS:—

1. The Employer hereby assigns the said Articles or Apprenticeship and all his interest therein and the benefit of all covenants therein contained to the New Master to hold the same for all the residue now unexpired of the said term of _____ years.

2. The New Master covenants with the Employer the Guardian and the Articled Clerk and with each of them separately —

‡ If the Articled clerk is of age the reference to Guardian will be omitted throughout and certain consequential alteration necessitated.

† May be omitted if not required

- (a) That he will take the Articled Clerk as his Articled Clerk for the now unexpired residue of the said term in order that he may complete his studies and acquire the arts science and knowledge of accountancy.
- (b) That he will observe and perform all the covenants in the said Articles contained and on the part of the Employer to be observed and performed in like manner in all respects as if he (the New Master) were therein named instead of the Employer and will keep the Employer indemnified from the same and from all actions, claims or demands in respect thereof.

3. The Guardian and the Articled Clerk severally covenant with the New Master —

- (a) That the Articled Clerk shall diligently and faithfully serve the New Master as his apprentice in his profession of accountancy for all the residue now unexpired of the said term.
- (b) That they and each of them will observe and perform all the covenants in the said Articles contained and on their part to be performed in like manner in all respects as if the New Master were therein named instead of the Employer.

4. This Deed of Assignments is in accordance with the provisions of Rule 48 of the Myanmar Auditor's Certificates Rules, 1956, and is subject in all respects to such rules.

IN WITNESS WHEREOF the parties have hereunto set their respective hands the day and year first above written.

Executed by	}	<i>"The Employer" of the first part.</i>
in the presence of		
Executed by	}	<i>"The Guardian" of the second part.</i>
in the presence of		
Executed by	}	<i>"The Articled Clerk" of the third part.</i>
in the presence of		
Executed by	}	<i>"The New Master" of the fourth part.</i>
in the presence of		

APPENDIX 3.

[See Explanation to Rule 14(1).]

List of acts and omissions by an Accountant subject to these rules which are deemed to be breaches of professional propriety.

(1) Placing of his professional services at the disposal of or entering into partnership with an unqualified person or persons in a position to obtain business of the nature in which public accountants engage by means which are not open to an accountant subject to these Rules.

(2) Allowing or agreeing to allow directly or indirectly participation by a lawyer, broker or other agent, other than an accountant subject to these Rules or a bona fide employee, of the profits of his professional work or accepting or agreeing to accept any part of the profits of the professional work of a lawyer, auctioneer, broker or other agent, other than

an accountant subject to these Rules or any commission or bonus therefrom.

(3) Accepting a position as auditor previously held by some other accountant without communicating with him.

(4) Accepting an appointment without first ascertaining from the company that the requirements of section 144(6) of the Myanmar Companies Act have been duly complied with.

(5) Soliciting professional work directly or indirectly in persons by letter, by advertising in newspapers or periodicals, by placards, by the distribution of circulars, cards or handbills or by any other like means.

(6) Publishing or sanctioning the publication of expressions of thanks or appreciation from clients, or promoting in any way laudatory notices with regard to professional matters.

(7) Certifying any accounts, exhibits, statements, schedules, or other forms of accountancy work which have not been verified entirely under the personal supervision of himself, a member of his firm, a member of his staff or another accountant subject to these Rules.

(8) Giving estimates of future profits for publication in a prospectus or otherwise, or certifying for publication statements of average profits over a period of two or more years without at the same time stating the profits or losses for each year separately.

(9) Failure to keep the moneys of his clients in a separate banking account or banking accounts exclusively used for the purpose.

(10) Authorizing any person in Myanmar who is neither a Registered Accountant nor a holder of a restricted certificate to sign on his behalf any balance sheet, profit and loss account, report or statement.

APPENDIX 4.

**Certificate to be signed by a lecturer under Rules 23(a) of the
Myanmar Auditor's Certificates Rules, 1956.**

(To be sent so as to reach the Secretary to the Government of the Union of Myanmar Ministry of Education, Yangon at least three weeks before the commencement of the examination.)

I certify that _____ has attended _____ out of _____ lectures and _____ out of _____ lectures delivered for Group I and Group II, respectively, of the First Examination under the Myanmar Auditor's Certificates Rules, 1956, during _____

I further certify that to the best of my knowledge and belief, he bears a good moral character and that I consider him a fit person to appear at the said Examination.

(Signature)

(Designation)

Date

List of Books recommended for the guidance of Candidates preparing for the Examinations held under the Myanmar Auditor's Certificates Rules, 1956.

The Syllabus of the First Examination is laid down in Rule 25 and of the Final Examination in Rule 28 of the Myanmar Auditor's Certificates Rules, 1956. No text-books have been prescribed, but the following books are recommended for the guidance of candidates: —

FIRST EXAMINATION

Group I. — Accountancy and Auditing —

- (1) Book-keeping and Accounts by L.C Cropper.
- (2) Elementary Book-keeping by Spicer and Pegler.
- (3) Principles of Auditing by F.R. de Paula (First eight chapters only.)
- (4) Rapid Calculations by A.H.Russell, or Mental Arithmetic for Schools and Training Colleges by F.L. Grant.

Group II. — Mercantile Law, Company Law and General Commercial Knowledge.

- (1) Student's Edition of Pollock and Mulla's Indian Contract Act by D.F. Mulla and Balwantro K. Desai.
- (2) Company Law by K.J Rustomji (up to section 154 only, *i.e.*, Parts I to IV), or
The Indian Companies Act by J.S Khergamvala, or
The Indian Companies Act by Majumder and Majumder.
- (3) Modern Business Training and the Methods and Machinery of Business by J.K. Grebby and W.K. Scrivener.

FINAL EXAMINATION

Group I. — Advance Accounting and Auditing —

- (1) Book-keeping and Accounts by Spicer and Pegler.
- (2) Higher Book-keeping and Accounts by L.C Cropper.
- (3) Advanced Accounts by J.R. Batliboi.
- (4) Company Accounts by Arthur Coles.
- (5) Insurance Companies Accounts by A.E. Sprague.
- (6) Cost Accounts by L.W Hawkins.

- (7) Income-tax Manual.
- (8) Guide to Income-tax Practice by J.R. Batliboi.
- (9) Auditing by L.R. Dicksee.
- (10) Auditors : Their Duties and Responsibilities by W.Pixley.
- (11) Audit Programmes by Spicer and Pegler.
- (12) Report Writing by A.E Cutforth.
- (13) Stores Account and Stores Control by J.H. Burton.

Group II. — Mercantile Law, Company Law and Economics —

- (1) Steven's Elements of Mercantile Law.
- (2) Principles of Mercantile Law by N.M. Gharekhan.
- (3) Negotiable Instruments Act by J.S Khergamvala.
- (4) The following bare Acts —
 - (a) Arbitration Act.
 - (b) Yangon Insolvency Act.
 - (c) Provincial Insolvency Act.
 - (d) Bills of Lading Act.
 - (e) Electricity Act.
 - (f) Trustee Act.
 - (g) Trusts Act.
 - (h) Religious Endowments Act.
 - (i) Charitable Endowments Act.
 - (j) Charitable and Religious Trusts Act.
- (5) Company Law by K.J Rustomji.
- (6) The following bare Acts —
 - (a) Myanmar Companies Act, with rules framed thereunder.

- (b) Life Assurance Companies Act.
 - (c) Provident Insurance Societies Act.
 - (d) Societies Registration Act.
 - (e) Co-operative Societies Act.
- (7) Wealth by Edwin Cannan.
 - (8) Indian Economics by G.B Jathar and S.G. Beri.
 - (9) Economics for the General Reader by Henry Clay.
 - (10) Primer of Foreign Exchange by W.F. Spalding.
 - (11) Banking Law and Practice in India by M.L. Tannan.

Note - Candidates are required to attend at least 75 percent of the number of lectures delivered for each group.