

MATERIAL CHANGES TO THE DRAFT AUDIT OVERSIGHT REGULATIONS FROM THE CONSULTATION VERSION TO THE VERSION READY TO BE MADE

ALL REGULATIONS

- All Regulations have a commencement date of 5 April 2010, subject to Tynwald approval.
- The definition of exempt company has been extended to cover open-ended investment companies, as defined in section 26 of the Collective Investment Schemes Act 2008, to better reflect the relevant exemption in the EU Directive.

REGISTER OF RECOGNISED AUDITORS REGULATIONS

- **Regulation 4** – when withdrawing from the register the auditor is now obliged only to notify the Commission of this intention, rather than seek the Commission's permission.
- **Regulation 6(2)** – the application fee has been set at £1000 to reflect the costs to the Commission of setting up the register and the work that has been involved in this project to date. The application fee has been agreed by, and will be applied consistently across, the Crown Dependencies.
- **Regulation 7(3)** of the consultation version has been removed as the situation does not appear to be one requiring specific notification to the general public.
- **Regulation 8(1)** has been reworded to specify that an annual return form will be provided by the Commission, which should be received no later than 14 days before the anniversary of entry on the register each year.
- **Regulation 8(2)** – the annual fee has been set at £750 to reflect the costs to the Commission of maintaining the register and the on-going liaison required between the ICAEW, POB and the other Crown Dependencies. Again, this fee has been agreed by, and will be applied consistently across the Crown Dependencies.
- **Schedule** – minor changes include clarification that:
 - the addresses being sought in all cases are business and not personal addresses;
 - the register will show details of all Isle of Man resident directors etc. of the auditor (but not those resident outside of the Island);
 - responsible individuals will be listed on the register wherever they are resident.

ACCOUNTING (RECOGNISED AUDITORS) REGULATIONS

- **Regulation 4** - Regulations 4(2) and 4(3) of the consultation version have been removed regulation 4(4) of the consultation version is now regulation 4(2). This requires auditors, wherever resident, to apply to be included in the Isle of Man register, and to agree to submit to ICAEW and POB oversight, in order to be recognised auditors.

PUBLIC OVERSIGHT OF RECOGNISED AUDITORS REGULATIONS

- **Regulation 4** of the consultation version has been removed in its entirety as it was not required here as well as in the above Regulations.
- **Regulations 5 to 8** have now been renumbered 4 to 7 following the change detailed above.