

Statutory Document No. 20XX/XXXX

*Companies Act 1982*

REGISTER OF SECTION 14E AUDITORS REGULATIONS 2023

*Approved by Tynwald:**Coming into Operation:**1 April 2023*

The Isle of Man Financial Services Authority makes the following Regulations under section 14G(1) of the Companies Act 1982.

1 Title

These Regulations are the Register of Section 14E Auditors Regulations 2023.

2 Commencement

If approved by Tynwald, these Regulations come into operation on 1 April 2023.¹

3 Interpretation

In these Regulations —

“**the Act**” means the Companies Act 1982;

“**the annual review date**” means 1 September;

“**the Authority**” means the Isle of Man Financial Services Authority;

“**recognised accountancy body**” has the meaning given in section 14F(1) of the Act as may be amended by the Authority by order under section 14F(2)(a);

“**the register**” means the register of section 14E auditors kept under section 14G of the Act;

“**responsible individual**” means an individual, designated by the section 14E auditor, who, in respect of the section 14E auditor’s authorisation, is

¹ Section 14G(9) of the Companies Act 1982 specifies that regulations made by the Isle of Man Financial Services Authority under that section shall not come into operation unless they are approved by Tynwald.

responsible for audit work on the auditor's behalf, who is permitted to sign audit reports for the section 14E auditor and whose name is entered on the register; and

“section 14E auditor” means a person authorised by the Authority under section 14E of the Act.

4 Register of section 14E auditors

The Authority shall establish and maintain a register of section 14E auditors.

5 Content of register

The register shall contain the information specified in Schedule 1.

6 Application fees

- (1) An applicant for authorisation as a section 14E auditor must pay to the Authority the relevant application fee specified in Table A in Schedule 2.
- (2) An existing section 14E auditor must pay to the Authority the relevant application fees for any of the application types specified in Table B in Schedule 2.
- (3) Application fees are payable by the applicant on submission of an application.
- (4) Subject to (5), application fees are not refundable.
- (5) The Authority may determine that an application fee, or any element of it, is not payable under (1), for example where a matter is deemed by the Authority to be inconsequential or if a matter may incur multiple application fees where the Authority deems it appropriate for fewer application fees, or one application fee, to be incurred.

7 Annual fees

- (1) Subject to (4), on every annual review date a section 14E auditor must pay to the Authority an annual fee calculated in accordance with Table B of Schedule 2.
- (2) Subject to (4), annual fees cover the year from the annual review date to the next annual review date.
- (3) Annual fees are not refundable.
- (4) In the first year of authorisation, the proportion of the annual fee relating to the period from the date of authorisation until the next annual review date will be calculated in accordance with (5) and is payable on the date of authorisation.
- (5) Where (4) applies, the annual fee is calculated in accordance with the following formula and rounded up to the nearest £10 —

$$(F \div 12) \times N$$

where —

- (a) “F” is the annual fee that would be payable under (1); and
- (b) “N” is the number of months between the date of authorisation and the next annual review date, counting a part of a month as a complete month.

MADE

B. ROTH

Chief Executive of the Isle of Man Financial Services Authority

L. BOYLE

Chairperson of the Isle of Man Financial Services Authority

SCHEDULE 1

Regulation 5

CONTENT OF REGISTER

The register shall contain the following particulars of each section 14E auditor —

- (1) the name of the section 14E auditor;
- (2) the business address of the section 14E auditor;
- (3) the date when the section 14E auditor was first authorised;
- (4) any conditions to which the section 14E auditor's authorisation is subject;
- (5) the names of all responsible individuals (wherever resident) together with those individuals' business addresses, if different to the address of the section 14E auditor;
- (6) the date when any current responsible individual was first entered on the register; and
- (7) the name of the accountancy body that each responsible individual is a member of.

SCHEDULE 2

Regulations 6 and 7

TABLE A: APPLICATION FEES

Activity	Application Fee		
	From 1 April 2023 to 31 March 2024	From 1 April 2024 to 31 March 2025	From 1 April 2025
Authorisation under section 14E of the Companies Act 1982	£2,500	£2,550	£2,601

TABLE B: ANNUAL FEES

Activity	Annual Fee		
	From 1 April 2023 to 31 March 2024	From 1 April 2024 to 31 March 2025	From 1 April 2025
Authorisation under section 14E of the Companies Act 1982	£500	£510	£520

TABLE C: OTHER APPLICATION FEES

Activity	Other Application Fees		
	From 1 April 2023 to 31 March 2024	From 1 April 2024 to 31 March 2025	From 1 April 2025
Application to amend an existing authorisation under section 14E of the Companies Act 1982 to include any additional Isle of Man companies	£1,000	£1,020	£1,040
Notification of the appointment of a new Responsible Individual that <u>is</u> a member of a recognised accountancy body	£100	£102	£104
Notification of the appointment of a new Responsible Individual that is <u>not</u> a member of a recognised accountancy body	£250	£255	£260

*EXPLANATORY NOTE**(This note is not part of the Regulations)*

These Regulations provide for the keeping by the Authority of a register of auditors authorised under section 14E of the Companies Act 1982. The Regulations deal with matters such as application for entry on the register, the contents of the register and the fees applicable from 1 April 2023 to 31 March 2024, from 1 April 2024 to 31 March 2025 and from 1 April 2025.

These Regulations provide for fees to be apportioned, where applicable, if an authorisation is granted during a period.

DRAFT