COMPLIANCE AUDIT
REGULATION
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1. **AUTHORITY**

1.1 This Regulation is enacted pursuant to sections 3.1 and 42.1 of the *By-law* of the Council.

1.2 In the event of any conflict between the English version and the French version of this Regulation, or between this Regulation and the Council’s *By-law*, the English version of the *By-law* shall govern.

2. **PURPOSE**

2.1 The purpose of conducting compliance audits is to fulfill the Council’s mandate of protecting the public by ensuring a member operates his/her practice in a professional and ethical manner in accordance with the Council’s *By-law*, *Code of Professional Ethics* and Regulations. Compliance audits and financial inspections are part of the Council’s practice inspection program provided for in the Council’s *By-law*.

3. **DEFINITIONS**

3.1 In this Regulation, capitalized terms, unless otherwise defined herein, have the same meaning as they do in the *By-law*.

3.2 In this Regulation:

   a) **“Compliance audit”** means a compliance assessment of various aspects of a Member’s practice to determine compliance with the Council’s *Code of Professional Ethics* and Regulations.

   b) **“Financial inspection”** means an examination of a Member’s finances by an inspector appointed by the Council.

   c) **“Required documentation”** means those documents to be submitted by a Member to the Council as specified in the Notice of Compliance Audit sent to Members.

4. **EXPECTATIONS**

4.1 A Member shall submit ALL required documentation, complete and correct, by the prescribed deadlines set by the Council in section 5 of this Regulation hereof to complete the compliance audit process.

4.2 All documents received by the Council shall be in English or French. Documents translated to English or French shall be completed by a certified translator.

4.3 A Member shall comply with the findings of the compliance audit including but not limited to, completing remedial education and/or re-submitting selected documentation for reassessment within the prescribed deadlines.
4.4 A Member is responsible for all expenses incurred as a result of a financial inspection required by the Council.

5. **AUDIT CYCLE**

5.1 The compliance audit cycle begins on July 1 of each calendar year. A Member shall submit all required documentation complete and correct in the two-month period between May 1 and July 1 of each year.

5.2 A Member on a medical leave of absence, a retirement leave of absence, or who has the status of being resigned, is not required to complete the compliance audit until such time that he/she returns to active status.

5.3 Further to section 5.1 of this Regulation, a new Member is required to submit all required documentation on or before the first anniversary of his/her membership.

5.4 A Member is required to submit an updated *Background and Good Conduct Statutory Declaration* annually as part of the compliance audit.

6. **REVIEW PROCESS**

6.1 The Council spot audits the documentation and if it gives notice to the Member that there are compliance issues, they must be corrected within thirty (30) calendar days of the date of the notice.

7. **FINANCIAL INSPECTION**

7.1 If the Council refers issues to a financial inspection, the inspector appointed by the Council has the powers provided for in the *By-law* and the Member shall not obstruct the inspector executing his or her duties or withhold from him or her or conceal, alter or destroy any document or thing relevant to the inspection.

7.2 The inspector shall, in his or her sole discretion, determine the number and type of Client Account documents to be reviewed.

7.3 At the conclusion of the inspection, the inspector shall prepare a draft report setting out any Reportable Deficiencies. For this purpose, “Reportable Deficiencies” means matters which are departures from the rules and standards established or adopted by the Council from time to time.

7.4 The Council or delegate will provide the draft report to the Member and invite him or her to make comments within twenty-one (21) calendar days.

7.5 The Council shall review the draft report and any comments received from the Member and shall amend the draft report, as appropriate, concluding with recommendations as to a course of action and shall submit the final report to the Review Committee for review.
The Review Committee shall consider the materials pertaining to the financial inspection and shall do one or more of the following:

a) deem the inspection complete;

b) require the Member to provide further written submissions on the intended correction of any identified deficiencies and consider the matter further once such submissions have been received or the time for making submissions has expired;

c) order the Member to be subject to a full inspection within one (1) year;

d) require the Member to undertake certain specified actions; or

e) refer the Member to the Complaints and Professional Standards department of the Council.

8. **PENALTIES FOR BREACH OF REGULATION**

8.1 Electronic submissions are due no later than 11:59 pm Eastern Time on the first anniversary of a new Member’s membership and 1 July. Late submissions shall be subject to a $100.00 fine.

8.2 A Member is required to submit all missing or requested documentation within thirty (30) calendar days of the date of the request. Failure to:

a) submit required documentation at any stage of the compliance audit process;

b) comply with the findings of a compliance audit, including but not limited to, completing remedial education and/or re-submitting selected documentation for re-assessment within the prescribed deadlines; or

c) undertake a financial inspection directed by the Council within the prescribed deadlines will result in suspension, and potentially revoked, in accordance with the *By-law*.