



REGISTRAR ISSUES RELIEF ON AUDITOR REGISTRATION

The Registrar of Indigenous Corporations, Anthony Beven, has issued a determination to provide relief to auditors and corporations who may be adversely affected by a potential technical defect in the registration of some auditors since 1 October 2006.

The Australian Securities & Investments Commission (ASIC) is responsible under Part 9.2 of the *Corporations Act 2001* for the registration of auditors. In November 2004 ASIC approved an auditing competency standard for persons seeking registration as an auditor. The standard was issued by CPA Australia and the Institute of Chartered Accountants in Australia.

ASIC's approval of the standard was never lodged for registration under the *Legislative Instruments Act 2003* and as a result the approval is likely to have been repealed on 1 October 2006. The legal standing of some auditors and audit firms registered since this date is therefore uncertain.

Each year many Aboriginal and Torres Strait Islander corporations are required under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* to prepare and lodge audited financial statements with the Registrar. It is a requirement that the financial statements are audited by a registered company auditor or audit firm.

The Registrar's determination gives an exemption to corporations which may be using an auditor or audit firm whose legal registration may be uncertain. It ensures that corporations are compliant with the CATSI Act and can carry on their business as usual. ASIC has issued similar relief under the *Corporations Act 2001*.

The Australian Government will introduce remedial legislation to ensure the validity of auditor registration for those that relied on the auditing competency standard after 1 October 2006.

The Corporations (Aboriginal and Torres Strait Islander) Determination 1 / 2014 and its explanatory statement are available on the Registrar's website.

For more information see ASIC's media release, *14-190MR Statement on auditor registration* at <http://www.asic.gov.au/asic/asic.nsf/byheadline/14-190MR+Statement+on+auditor+registration?openDocument>.

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