

Bill No. XXVIII-C of 2010

THE CHARTERED ACCOUNTANTS (AMENDMENT)
BILL, 2011
(AS PASSED BY THE RAJYA SABHA)

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BILL

further to amend the Chartered Accountants Act, 1949.

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows:—

1. (1) This Act may be called the Chartered Accountants (Amendment) Act, 2011.

Short title and
commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

38 of 1949. 5 **2.** In the Chartered Accountants Act, 1949 (hereinafter referred to as the principal Act), in section 2,—

Amendment
of section 2.

(i) in sub-section (1),—

(a) after clause (c), the following clause shall be inserted, namely:—

9 of 1932. 10 ‘(ca) “firm” shall have the meaning assigned to it in section 4 of the Indian Partnership Act, 1932, and includes,—

6 of 2009. (i) the limited liability partnership as defined in clause (n) of sub-section (1) of section 2 of the Limited Liability Partnership Act, 2008; or

(ii) the sole proprietorship,

registered with the Institute;’;

(b) after clause (ea), the following clauses shall be inserted, namely:—

‘(eb) “partner” shall have the meaning assigned to it in section 4 of the Indian Partnership Act, 1932 or in clause (q) of sub-section (I) of section 2 of the Limited Liability Partnership Act, 2008, as the case may be;

(ec) “partnership” means—

(A) a partnership as defined in section 4 of the Indian Partnership Act, 1932; or

(B) a limited liability partnership which has no company as its partner;’;

(c) after clause (ha), the following clause shall be inserted, namely:—

‘(haa) “sole proprietorship” means an individual who engages himself in the practice of accountancy or offers to perform services referred to in clauses (ii) to (iv) of sub-section (2);’;

(ii) in sub-section (2),—

(a) after the words “chartered accountants in practice”, the words “or in partnership with members of such other recognised professions as may be prescribed” shall be inserted;

(b) in the *Explanation*, for the words “a firm of such chartered accountants”, the words “a firm of such chartered accountants or firm consisting of one or more chartered accountants and members of any other professional body having prescribed qualifications” shall be substituted.

Amendment
of section 25.

3. In section 25 of the principal Act, in sub-section (1), the following *Explanation* shall be inserted, namely:—

Explanation.—For the removal of doubts, it is hereby declared that the "company" shall include any limited liability partnership which has company as its partner for the purposes of this section.'

RAJYA SABHA

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further to amend the Chartered Accountants Act, 1949.

(As passed by the Rajya Sabha)

GMGIPMRND—3166RS(S3)—12.12.2011.