2009 ASEAN MUTUAL RECOGNITION ARRANGEMENT FRAMEWORK ON ACCOUNTANCY SERVICES

1.This MRA Framework lays down the broad principle and framework for the negotiations of bilateral or multilateral MRAs on Accountancy Services between or among ASEAN Member States.

2.The objectives of this MRA Framework are: To facilitate the negotiations of MRAs on Accountancy Services between or among ASEAN Member States by providing a structure towards the conclusion of such MRAs; and To exchange information in order to promote and take into consideration the development of the best practices on standards and qualifications in the accountancy profession.

3.In achieving the above objectives, ASEAN Member States shall be guided by the following principles: Promoting efficiency and quality of standards of the accountancy profession in ASEAN Member States; Enhancing cooperation in the accountancy profession among ASEAN Member States; Respecting and conforming with the Domestic Regulations of the participating ASEAN Member States without lowering the standards and requirements of the accountancy profession in each ASEAN Member State; and All negotiations between or among ASEAN Member States for the conclusion of bilateral or multilateral MRAs on Accountancy Services shall be based on objectivity, fairness and reciprocity.

4.The ASEAN Member States hereby recognise that education, licences, demonstration of competencies and experience may be the principal elements considered in granting mutual recognition.

5.The ASEAN Member States agree that a PPA of an ASEAN Member State who seeks recognition in another ASEAN Member State should have met the educational requirements in effect in the Country of Origin. Such individual’s educational credentials may be accepted as having satisfied the educational requirements of the Host Country’s NAB and/or PRA.

6.Where licences are required from governmental or regulatory bodies other than the NAB and/or PRA of each ASEAN Member State, the ASEAN Member States shall, subject to their Domestic Regulations, use their best endeavours to facilitate the PPA of the other ASEAN Member States to obtain the necessary approval.

7.The ASEAN Member States recognise the need to require the PPA seeking recognition to demonstrate competencies to assure that the PPA has satisfactory knowledge of the Domestic Regulations of the Host Country.

8.A PPA seeking recognition shall meet the experience requirements specified by the Host Country.

9.ASEAN Member States are encouraged to take into account the standards and guidelines set out by IFAC. The professional competencies and qualifications threshold for the practice of accountancy in ASEAN Member States shall be established, maintained and upheld according to these standards taking into consideration the Domestic Regulations of each ASEAN Member State.

10.Any bilateral or multilateral MRAs on Accountancy Services between or among ASEAN Member States shall not prejudice the rights, powers and authority of each ASEAN Member State and its NAB and/or PRA and other regulators of the profession to set and regulate the necessary Domestic Regulations.

11.The NAB and/or PRA of each ASEAN Member State, where applicable, shall be responsible for the following: Granting recognition to the PPA who applies to work solely or in collaboration with the PPA of the Host Country, subject to Domestic Regulations; Monitoring the professional practice of the PPA granted recognition to practice Accountancy Services in the Host Country;

12.Following the signing of this MRA Framework, ASEAN Member States are encouraged to negotiate and conclude bilateral or multilateral MRAs on Accountancy Services.

13.Subject to the circumstances of each ASEAN Member State, an MRA may be concluded with the involvement and/or consent of the NAB and/or PRA and the relevant government agencies. A sample MRA is attached at APPENDIX II.

14.ASEAN Member States are encouraged to keep to the spirit of the World Trade Organisation (WTO) Guidelines for Mutual Recognition Agreements or Arrangements in the Accountancy Sector. A copy of the Guidelines is attached at APPENDIX III.

15.ASEAN Member States are urged to keep to the spirit of this MRA Framework when negotiating and concluding bilateral or multilateral MRAs on Accountancy Services.

16.The provisions of this MRA Framework shall apply to nationals of ASEAN Member States unless otherwise provided for in bilateral or multilateral MRAs on Accountancy Services.

17.The provisions of this MRA Framework may only be amended by written agreement by the Government of all ASEAN Member States.

18.APPENDIX I (List of NAB and/or PRA) may be amended administratively by the ASEAN Secretary-General upon notification by an ASEAN Member State of any change to its NAB and/or PRA. The ASEAN Secretary-General shall thereafter notify the other ASEAN Member States of the change.

19.ASEAN Member States shall at all times endeavour to agree on the interpretation and application of this MRA Framework and shall make every attempt through communication, dialogue, consultation and cooperation to arrive at a mutually satisfactory resolution of any matter that might affect the implementation of this MRA Framework.

20.The provisions of the ASEAN Protocol on Enhanced Dispute Settlement Mechanism, done at Vientiane, Lao PDR on the 29 November 2004, shall apply to disputes concerning the interpretation, implementation, and/or application of any of the provisions under this MRA Framework.

21.The terms and definitions and other provisions of the GATS and AFAS shall be referred and applied to matters arising under this MRA Framework for which no specific provision has been made under it.

22.This MRA Framework shall enter into force 3 months after the date of signature by all ASEAN Member States.

23.This MRA Framework shall be deposited with the ASEAN Secretary-General, who shall promptly furnish a certified copy thereof to each ASEAN Member State.