# Use of ACCA designation in Canada

UPDATED: October, 2024

Dear member,

**Ontario accounting legislation passed maintaining prohibitions and exemptions relevant for ACCA members**

Legislation in Ontario has now been passed to implement the merger of the CAs, CGAs and CMAs in Ontario. Despite ACCA Canada's representations to various government representatives, the Chartered Professional Accountants Act, 2017 maintains the essential prohibitions that were in the preceding Chartered Accountants Act but also strengthens certain aspects of the prohibition on the use of the designation "Chartered Accountant" and the abbreviation "CA" and increases the penalties for a violation of the offence.

The following provides a summary of permitted uses of your ACCA designation in Ontario. As an overriding consideration, please note that nothing in the Act precludes you from being an ACCA member or from practising as an accountant in Ontario. The Act limits only the use of your ACCA designation.

**Use of ACCA designation without a disclaimer**

The Act specifically permits members to use their ACCA designations without any disclaimer as follows:

(a) in a proposal submitted in response to a request for proposals in which the reference is made to demonstrate that the individual meets the requirements for the work to which the proposal relates; or

(b) in a speech or other presentation given at a professional or academic conference or other similar forum.

**Use of ACCA designation with a disclaimer**

The Act also permits members to use their ACCA designations in

(c) an application for employment; or

(d) a private communication respecting the retainer of the individual's services,

as long as the member also includes a "disclaimer" expressly indicating that he or she is not a member of or governed by CPA Ontario.

A reasonable interpretation of this exemption is that it allows the use of an ACCA designation in either a written or emailed job application, resumé, Curriculum Vitae ("CV"), cover letter or letter of enquiry about the availability of employment or other communications sent regarding a member's employment. It also appears to allow the use of the ACCA designation in postings of employment applications on Internet job search sites, such as Workopolis.

Of course, if members prefer not to assume any risk of prosecution by CPA Ontario, they may wish to refrain from using their designations in situations not expressly mentioned in the Act.

**Disclaimers**

The Act is not entirely clear on what forms of "disclaimer" will be sufficient to comply with (c) and (d) above. However, the following guidance is offered:

A "disclaimer" could take the form of a note at the bottom of a page or business card provided it is likely to be seen by the reader, eg, by including an asterisk after the ACCA designation and using legible font size.

A "disclaimer" can be made verbally, but a written disclaimer provides better evidence of compliance.

The following "disclaimer" clearly satisfies the disclosure requirement: "Not a member of or governed by the Chartered Professional Accountants of Ontario". Please contact staff at ACCA Canada if you have questions about other possible forms of "disclaimers".

The Act specifically provides that a reference to the country of origin in brackets after the use of an ACCA designation is not, by itself, a sufficient "disclaimer".

Where space permits, members may prefer also to identify ACCA as the organisation by which they are governed, e.g.: "Member of and governed by the Association of Chartered Certified Accountants, not the Chartered Professional Accountants of Ontario".

Please visit *myACCA* for a further discussion and illustrations of the use of "disclaimers". Additional information on the impact and application of the restrictions is available at *myACCA* on our website.

**Other considerations**

Please note that the above-noted uses and exemptions do not exclude other provisions in the Act that prohibit a person who is not a member of CPA Ontario from either implying that he or she is a Chartered Professional Accountant, practicing as a Chartered Professional Accountant, or holding himself or herself out to be a Chartered Professional Accountant.

Members are also encouraged to keep in mind the following:

- The exemptions noted above, both with and without disclaimers, apply only to individuals and not to their employers.
- Members who offer services through a professional corporation should be aware that there are different rules for use of ACCA and FCCA accreditations by corporations.

**Other provinces**

The Act's prohibition on the use of the letters "CA" and the designation "Chartered Accountant" do not apply to the use of an ACCA designation by a person who does not reside, have an office, or provide accounting services in Ontario. However, members in other provinces still need to comply with the equivalent legislation in their province. The status of the restrictions in other provinces is summarized at *myACCA* on our website.

**Next steps**

While it is helpful for ACCA members in Ontario to have the express comfort of being able to use their designations in these specified situations, we continue to believe that these prohibitions in the Act unfairly and unnecessarily restrain our members from providing their services in Ontario. We will continue to seek opportunities to change this situation and enable our members to freely use and refer to their designations in any accurate and non-misleading manner.

Finally, as it is not possible to anticipate all of the circumstances that our members may encounter that could raise issues under the Act, please contact staff at ACCA Canada if you have any questions or to report any practical difficulties you encounter under the Act which limit your employment opportunities in Ontario or your ability to use your ACCA designation, or discourage members from moving to Ontario.

# Prohibitions on the use of “Chartered Accountant”, “Certified Accountant” or “CA” by province*

| Province** | Offence | Comments |
|---|---|---|
| **British Columbia** | *Chartered Professional Accountants Act*, s. 45(1):<br>“Except as authorized by this Act … a person must not (a) use or display … (ii) [the designation “Chartered Accountant” or the initials “CA” signifying that designation, or the designation “Certified Accountant”] … or (c) in any other manner, imply, suggest or hold out that the person is a person entitled to use or display [the designation “Chartered Accountant”, the initials “CA” or the designation “Certified Accountant”].”<br>[Note: s. 21(b) of the Chartered Professional Accountants Act grants the board of the CPABC the power to make by-laws respecting the use of legacy designations, including “Chartered Accountant”, “CA” and “Certified Accountant”. However, advice from the BC Ministry of Advanced Education indicates that the Act contains no authority for the board of the CPABC to make by-laws purporting to regulate non-members’ use of accounting designations.] | Prohibits use as a designation of “Chartered Accountant”, “Certified Accountant” or the initials “CA” by themselves, and prohibits a person from, in any manner, implying, suggesting or holding out that the person is a Chartered Accountant or Certified Accountant |

* This chart is a summary based on a review of CA and CPA legislation and addresses only the use of “CA”, “chartered accountant” and “certified accountant”, and not any other initials or designations. The full legislation should be consulted for any particular proposed use.

** Green colouring indicates the province expressly prohibits the use of only “chartered accountant”, “certified accountant” or “CA” by itself and/or a use that implies CPA membership. Yellow colouring indicates the province expressly prohibits the use of “chartered accountant” or “CA” alone or in combination with other words. Red colouring indicates province expressly prohibits the use of “chartered accountant”, “certified accountant” or “CA” alone or in combination with other words or abbreviations.

| Province** | Offence | Comments |
|---|---|---|
| **Alberta** | *Chartered Professional Accountants Act*, s. 7(3):<br>“No person other than a registrant authorized by the regulations or an individual authorized by the bylaws shall use any of the following titles or abbreviations or initials, alone or in combination with other words, in a manner that states or implies that the person is authorized to use the title, abbreviation or initials … (e) “chartered accountant” or “CA”; (f) “Fellow of the Chartered Accountants” or “FCA”; [or] (g) “Associate of the Chartered Accountants” or “ACA” [or their French equivalents]…” | Prohibits the use of the title “Chartered Accountant” or the initials “CA”, alone or in combination with other words, when used in a manner that states or implies that the person is authorized to use the title “Chartered Accountant” or initials “CA”, “FCA” or “ACA”. |
| **Saskatchewan** | *The Accounting Profession Act (2014)*, s. 22:<br>“(3) No person other than a member who is authorized to use the designation in accordance with section 59 [use of legacy designation – ie, former CAs] and the bylaws shall use the designations … “Chartered Accountant” or the initials … “CA” … or “FCA” to imply that the person is or was a member of … The Institute of Chartered Accountants of Saskatchewan, as those bodies existed on the last day before the coming into force of this Act.<br>(4) No person other than a member shall use … the initials … “ACA” … to imply that the person is a member [of the Saskatchewan CPA Institute].” | Prohibits use of the designation “Chartered Accountant” or “CA” when used to imply that the person is or was a member of one of the legacy accounting institutes, including the Saskatchewan CA Institute. (No express prohibition on use of “CA” in combination with other words or abbreviations.) |
| **Manitoba** | *The Chartered Professional Accountants Act*, s. 40(1):<br>“No person, other than a person who is authorized by by-law to do so, shall use:<br>(a) the title “Chartered Accountant” … (b) the abbreviated title “CA” … or (c) a variation, or equivalent expression in another language, of any title or abbreviation set out in clause (a) or (b); in a manner that implies that the person was a member of The Institute of Chartered Accountants of Manitoba …”<br>(An equivalent prohibition exists with respect to the use of “Fellow Chartered Accountant” or “FCA”.) | Prohibits use of the title “Chartered Accountant” or the initials “CA”, or variations, in a manner that implies that the person was a member of the legacy CA Institute. |

| Province** | Offence | Comments |
|---|---|---|
| **Ontario** | *Chartered Professional Accountants of Ontario Act, 2017*, s. 29(1):<br>"No individual, other than a member of CPA Ontario, shall, through an entity or otherwise,<br>(a) take or use a designation referred to in section 17 or initials referred to in section 18 [including "Chartered Accountant", " C.A.", "A.C.A." and "F.C.A."], whether alone or combined or intermixed in any manner with any other words or abbreviations;<br>(b) take or use any term, title, initials, designation or description implying that the individual is a ... Chartered Accountant ...;<br>(c) otherwise hold himself or herself out as a ... Chartered Accountant ...; or<br>(d) practise as a Chartered Professional Accountant.<br>(2) Clauses (a) and (b) above do not apply to a reference to authentic professional accounting qualifications obtained by the individual from a jurisdiction other than Ontario, in<br>(a) a speech or other presentation given at a professional or academic conference or other similar form;<br>(b) an application for employment or a private communication respecting the retainer of the individual's services, if the reference is made to indicate the individual's educational background and the individual expressly indicates that he or she is not a member of CPA Ontario and is not governed by CPA Ontario; or<br>(c) a proposal submitted in response to a request for proposals, if the reference is made to demonstrate that the individual meets the requirements for the work to which the request for proposals relates.<br>(Stating the name of the jurisdiction from which a qualification was obtained after the term, title, initials, designation of description is not sufficient to indicate that the individual is not a member of CPA Ontario and is not governed by CPA Ontario.) | Subject to specified exceptions, prohibits use of<br>(i) the designation "Chartered Accountant" or the initials "CA" alone, in combination with or intermixed in any manner with other words or abbreviations,<br>(ii) any term or initials implying that one is a CA, or (iii) otherwise holding oneself out as a CA. (Similar prohibitions apply to corporations.) |
| **Quebec** | *Chartered Professional Accountants Act*, s. 13:<br>"No person may in any way whatsoever use the title "chartered accountant", "certified general accountant", "certified management accountant", "professional accountant" or "public accountant" or any title or abbreviation which may lead to the belief that the person is a chartered accountant, certified general accountant, certified management accountant, professional accountant or public accountant, or use initials which may lead to the belief that the person is a chartered accountant, certified general accountant, certified management accountant or professional accountant." | Prohibits use of the title "chartered accountant" or an abbreviation or initials which may lead to the belief that the person is a chartered accountant or professional accountant. (No express prohibition on use in combination with other words or abbreviations.)<br>Prohibition applies to all persons, including members of CPA Quebec. |
| **New Brunswick** | *Chartered Professional Accountants Act*, s. 25:<br>"(1) Only a person whose name is entered in the register, professional corporations register, specialists register or a roster ... may ...<br>(b) assume or use the titles, names, designations, initials or descriptions ... "chartered accountant", "comptable agree", "C.A.", "CA", "F.C.A.", "FCA" ... or any like words, initials or expressions used alone or in combination with any other word, letter, symbol, initial or abbreviation...<br>(2) No person shall assume or use the titles, names, designations, initials or descriptions ... "certified accountant", "comptable general" ... or any like words, initials, or expressions used alone or in combination with any other word, letter, symbol, initial or abbreviation except in accordance with, and only if permitted by, this Act, the by-laws and rules" | Prohibits use of "chartered accountant", "certified accountant", or "CA" alone or in combination with other words, initials or abbreviations. |

| Province** | Offence | Comments |
|---|---|---|
| **Nova Scotia** | *Chartered Professional Accountants Act*: Section 38:<br>"No individual or organization other than a member or registered firm shall use a legacy designation [includes "Chartered Accountant" and "CA"] or a protected designation [includes "professional accountant"] nor any derivation or combination of those initials, words or expressions whether alone or in combination with other initials, words or expressions where it is used to imply that a person is entitled to practise as a chartered professional accountant nor imply that the individual or organization is registered by CPA Nova Scotia." | Prohibits use of the designation "Chartered Accountant" or the initials "CA" alone or in combination with other initials, words or expressions where it is used to imply that the person is entitled to practice as a chartered accountant or is a CPA member. The Act defines the term "chartered professional accountant" to mean an individual who is permitted by the Act to use the designation "Chartered Professional Accountant" after his or her name. Accordingly, it is reasonable to interpret the section 38 prohibition as requiring an implication of CPA membership, and not just that the individual is both a "chartered" accountant and a "professional accountant". |
| **Prince Edward Island** | *Chartered Professional Accountants and Public Accounting Act, s.80(2):*<br>"No person shall use the following designations, except as required or otherwise permitted under this section: (a) "Chartered Accountant" or "CA"; [or] (b) "Fellow Chartered Accountant" or "FCA" [or their French equivalents]..." | Prohibits use of the designation "Chartered Accountant" or the initials "CA" by themselves. (No express prohibition on use in combination with other words or abbreviations.) |
| **Newfoundland** | *Chartered Professional Accountants and Public Accounting Act*, s.14(2):<br>"...a person shall not take or use, unless otherwise permitted under this Act, the following designations in upper or lower case, or an equivalent in another language, either alone or in combination with other words, or a name, title, initials, or description, implying or calculated to imply that the person is a certified general accountant, certified management accountant, chartered accountant, registered industrial accountant, public accountant or certified public accountant: ... (c) Chartered Accountant or the initials "CA"; ... (f) Fellow of the Chartered Accountants or the initials "FCA"; (g) Associate of the Chartered Accountants or the initials "ACA"..." | Prohibits use of the designation "Chartered Accountant" or the initials "CA" alone or in combination with other words. (No express prohibition on use in combination with other abbreviations or initials.) |

**End notes:**

1. Additionally, all provinces other than Alberta, Saskatchewan, PEI and New Brunswick have general prohibitions on persons who are not Chartered Accountants holding themselves out (or implying or representing themselves) as such.
2. This chart does not expressly identify all exceptions or defences. For example, some provinces provide defences for persons not residing, having an office, or providing accounting services in the province. Some provisions may apply only to individuals.
3. Penalties for violating these prohibitions vary by province.
4. This chart is current to June 17, 2024, except that Nova Scotia is updated to September 30, 2024.

# Prohibitions on the use of "Professional Accountant" by province[1]

| Province** | Offence | Comments |
|---|---|---|
| **British Columbia** | *Chartered Professional Accountants Act*, s. 45:<br>"(1) Except as authorized by this Act … a person must not (a) use or display (i) [the designation "professional accountant"] … or (c) in any other manner, imply, suggest or hold out that the person is a person entitled to use or display [the designation "professional accountant"]…<br>(4) Subject to section 44(1), a person must not use or display the designation "professional accountant" or the initials "PA" signifying that designation or, in any manner, imply, suggest or hold out that the person is a professional accountant."<br>[Note: A definition of "professional accounting" is set out in s. 47 of the *Chartered Professional Accountants Act*. This definition appears to be similar to definitions of public accounting in other legislation.] | Prohibits use of the designation "professional accountant" or the initials "PA", and prohibits a person from, in any manner, implying, suggesting or holding out that the person is a professional accountant. |
| **Alberta** | *Chartered Professional Accountants Act*, s. 7(3):<br>"No person other than a registrant authorized by the regulations or an individual authorized by the bylaws shall use any of the following titles or abbreviations or initials, alone or in combination with other words, in a manner that states or implies that the person is authorized to use the title, abbreviation or initials … (d) "professional accountant" …<br>(s) comptable professionnel." | Prohibits the use of the title "professional accountant", alone or in combination with other words, when used in a manner that states or implies that the person is authorized to use that title. |

1 This chart is a summary based on a review of CA and CPA legislation and addresses only the use of "professional accountant" and not any other terms. The full legislation should be consulted for any particular proposed use.

| Province** | Offence | Comments |
|---|---|---|
| **Saskatchewan** | *The Accounting Professions Act (2014)*, s. 22(1):<br>"No person other than a member or firm shall use the title "professional accountant", or the designation "Chartered Professional Accountant" or "Comptable Professionnel Agréé" or the initials "CPA" or any designation, title, initials or description, abbreviated or otherwise, to imply that the person is a member or a firm, as the case may be." | Prohibits use of the title "professional accountant", or any designation, title, initials or description (which might include the use of "professional accountant" as a description), when used to imply that the person is a member of the Saskatchewan CPA Institute, or a firm comprised of such members. |
| **Manitoba** | *The Chartered Professional Accountants Act*, s. 34(1):<br>"A corporation must not, unless it holds a valid permit issued under this Part, carry on any business in Manitoba if its name contains (a) the words … "professional accountant" … [, a variation] that implies that the corporation is authorized to provide public accounting services, or an equivalent in another language…"<br>s. 39(1): "No person — other than a member, professional corporation, firm or sole proprietorship using the title or designation in accordance with the by-laws — shall use any of the following titles or designations, a variation of any of them or an equivalent in another language: … (b) "professional accountant" | Prohibits use of the title "professional accountant" or a variation of that title.<br>Also prohibits a corporation from carrying on business in Manitoba it its name contains the words "professional accountant" or a variation that implies that the corporation is authorized to provide public accounting services. |
| **Ontario** | *Chartered Professional Accountants of Ontario Act, 2017*:<br>No prohibition on the use of "professional accountant". (The Act contains a general prohibition against non-members holding themselves out as chartered professional accountants or using the designation "Chartered Professional Accountant".) | No prohibition on the use of "professional accountant". |

| Province** | Offence | Comments |
|---|---|---|
| **Quebec** | *Chartered Professional Accountants Act*, s. 13:<br>"No person may in any way whatsoever use the title … "professional accountant" … or any title or abbreviation which may lead to the belief that the person is a … professional accountant … or use initials which may lead to the belief that the person is a … professional accountant." | Prohibits the use of the title "professional accountant" by itself.<br>Also prohibits the use of any title, abbreviation or initials which may lead to the belief that the person is a professional accountant.<br>Prohibition applies to all persons, including members of CPA Quebec. |
| **New Brunswick** | *Chartered Professional Accountants Act*, s. 25(2):<br>"No person shall assume or use the titles, names, designations, initials or descriptions … "professional accountant" … "comptable professionnel" … or any like words, initials, or expressions used alone or in combination with any other word, letter, symbol, initial or abbreviation except in accordance with, and only if permitted by, this Act, the by-laws and rules" | Prohibits the use of "professional accountant" alone or in combination with other words, initials or abbreviations. |
| **Nova Scotia** | *Chartered Professional Accountants Act*:<br>Section 40 prohibits use of the designation "professional accountant". (Section 38 also prohibits use of "professional accountant" (or combinations with other words) where it is used to imply that a person is entitled to practise as a chartered professional accountant nor imply that the individual or organization is registered by CPA Nova Scotia.) | Prohibits the use of the designation "professional accountant" by non-CPA members. |
| **Prince Edward Island** | *Chartered Professional Accountants and Public Accounting Act*:<br>No prohibition on the use of "professional accountant". (The Act contains a general prohibition against non-members holding themselves out as chartered professional accountants or using the designation "Chartered Professional Accountant".) | No prohibition on the use of "professional accountant". |
| **Newfoundland** | *Chartered Professional Accountants and Public Accountants Act:*<br>No prohibition on the use of "professional accountant". (The Act contains a general prohibition against non-members holding themselves out as chartered professional accountants or using the designation "Chartered Professional Accountant".) | No prohibition on the use of "professional accountant". |

Penalties for violating these prohibitions vary by province.

This chart does not expressly identify all exceptions or defences. For example, some provinces provide defences for persons not residing, having an office, or providing accounting services in the province. Some provisions may apply only to individuals.

Certain provinces prohibit use of the title "professional accountant". Such prohibitions may not apply when "professional accountant" is used as a description and not as a title (eg "Jane Doe is a professional accountant" versus "Jane Doe, Professional Accountant").

This chart is current to June 17, 2024, except that Nova Scotia is updated to September 30, 2024.

# FAQs on the Chartered Professional Accountants Act, 2017 (Ontario)

## 1 What does the Chartered Accountants Act say about the use of ACCA designations?

The Chartered Professional Accountants Act, 2017 (the "Act") was proclaimed in force on May 17, 2017. This legislation implemented the merger of the CAs, CGAs and CMAs in Ontario. The Act essentially maintains the prohibitions that were in the preceding legislation governing the Institute of Chartered Accountants of Ontario, but also strengthens the prohibition on the use of the designation "Chartered Accountant" and the abbreviation "CA" and increases the penalties for violation of the offence.

Specifically, the Act prohibits individuals, other than members of CPA Ontario ("CPAO"), and corporations, other than corporations established by a member of CPAO, from, among other things:

(a) taking or using the designation "Chartered Accountant" or the initials (with or without periods) "C.A.", "A.C.A.", "F.C.A.", whether alone or combined or intermixed in any manner with any other words or abbreviations;

(b) taking or using any term, title, initials, designation or description implying that the individual/corporation is a Chartered Accountant;

(c) otherwise holding himself, herself or itself out as a Chartered Accountant; or

(d) practising as a Chartered Professional Accountant.

Anyone violating any of these prohibitions is subject to a fine of up to $10,000 for a first offence and $25,000 for subsequent offences, and may be ordered to compensate anyone who has suffered a loss as a result of the offence and/or cover CPAO's costs of investigating and prosecuting the matter.

## 2 What uses are prohibited?

Subject to certain exemptions, ACCA members are not allowed to use their ACCA or FCCA designation in any communication to another person, whether in writing or orally. Additionally, ACCA members' employers are potentially subject to the prohibitions if they communicate an employee's ACCA designation in any manner.

## 3 What exemptions apply to ACCA members?

The Act includes two categories of exemptions.

**Exemptions not requiring a disclaimer**
The Act specifically permits members to use their ACCA designations without any disclaimer as follows:

(a) in a proposal submitted in response to a request for proposals in which reference is made to demonstrate that the individual meets the requirements for the work to which the proposal relates; or

(b) in a speech or other presentation given at a professional or academic conference or other similar forum.

Regard should be had to the specific terms and conditions of the exemption. For example, a valid use of the exemption allowing for use of an ACCA designation in response to a request for proposals must be in response to such a request. Depending on the circumstances, a member might not be able to rely on this exemption for a communication initiated by the ACCA member (although such use may be acceptable with a disclaimer, as discussed below).

Additionally, the exemption allowing for the use of an ACCA designation in a speech or other presentation likely permits the use or distribution of written materials as part of the presentation.

**Exemptions requiring a disclaimer**
The Act permits members to use their ACCA designations in:

(a) an application for employment, or

(b) a private communication respecting the retainer of the individual's services,

as long as the reference is made to indicate the member's educational background and the member also includes a "disclaimer" expressly indicating that he or she is not a member of or governed by CPAO.

This exemption appears to allow the use of an ACCA designation in a job application, resumé, Curriculum Vitae ("CV"), cover letter or letter of enquiry about the availability of employment. It also appears to allow the use of the ACCA designation in postings of employment applications on Internet job search sites, such as Workopolis.

A reasonable interpretation is that members can also rely on this exemption to use their ACCA designation (with a "disclaimer") in letters, emails, business cards or other private communications sent in the course or in respect of their employment. To evidence their intent to comply with this interpretation, it may be helpful for members to refer to their employment or service arrangements or contracts as "retainers" or "retainer agreements".

**Other offences**
Please note that these uses and exemptions do not exclude other provisions in the Act that prohibit a person who is not a member of CPAO from either implying that he or she is a Chartered Professional Accountant, practicing as a Chartered Professional Accountant, or holding himself or herself out to be a Chartered Professional Accountant.

## 4 What exemptions apply to corporations?

ACCA members who carry on business through a corporation have fewer exemptions available to them. Such corporations are permitted to use an ACCA designation only in a proposal submitted in response to a request for proposals in which the reference is made to demonstrate that the corporation meets the requirements for the work to which the proposal relates.

## 5 What other exemptions may apply?

ACCA members are free to use the titles "Accountant", "Professional Accountant", "Qualified Accountant", "British-trained Accountant", "Holder of an internationally recognized accounting designation", "Provider of professional accounting services", "Holder of a leading British accounting designation" or other similar titles or descriptions that do not include the term "Chartered Accountant" or the initials "CA", "ACA" or "FCA" alone or combined or intermixed with any other words or abbreviations as long as a prohibited designation is not also used. Such titles may be used in any communications, including advertisements.

Additionally, the Act's prohibitions do not apply to ACCA members who are also members of CPAO. Subject to CPAO rules, these members are free to use their ACCA designations as they see fit, provided such use is not false or misleading.

Furthermore, these prohibitions do not apply to the use of an ACCA designation by a person who does not reside, have an office, or provide accounting services in Ontario. ACCA members in other provinces will need to comply with equivalent legislation in their province. The status in other provinces is summarized in the charts included in this package.

## 6 What information should a "disclaimer" contain?

It is not entirely clear what forms of "disclaimer" will be sufficient to comply with the above- noted exemptions. However, the following guidance is offered:

- A "disclaimer" could take the form of a note at the bottom of a page or business card provided it is likely to be seen by the reader, eg, by including an asterisk after the ACCA designation and using legible font size.
- A "disclaimer" can be made verbally, but a written disclaimer provides better evidence of compliance.
- The following "disclaimer" clearly satisfies the disclosure requirement: "Not a member of or governed by the Chartered Professional Accountants of Ontario". Please contact staff at ACCA Canada if you have questions about other possible forms of "disclaimers".
- The Act specifically provides that a reference to the UK in brackets after the use of an ACCA designation is, by itself, not a sufficient "disclaimer".

Where space permits, members may prefer to also identify the ACCA as the organisation by which they are governed, eg: "Member of and governed by the Association of Chartered Certified Accountants, not the Chartered Professional Accountants of Ontario".

## 7 How large does the "disclaimer" have to be in printed material?

The Act does not specify how large a "disclaimer" must be or where it should be located. However, we recommend that "disclaimers" be noticeable, likely to be read and legible. For example, a disclaimer is more likely to be noticeable if it is on the front of a business card, or on the same page as an email or website (without the need to click through to another page).

## 8 What are some examples of acceptable uses of an ACCA designation?

We believe that business cards using an ACCA designation in a manner substantially similar to the below example would be acceptable when given to a client during the course of a retainer:


Similarly, the following signature lines could be included in an e-mail sent in the course of a member's retainer. This example disclaimer could also be included on a resumé accompanying a job application:

John Doe, ACCA*
100 Main Street
Toronto, ON M1M 2M3
(416) 555-1234

* Member of and governed by the Association of Chartered Certified Accountants, not the Chartered Professional Accountants of Ontario

## 9 Why isn't using "ACCA (UK)" sufficient? Why do we have to say what we are not?

The Act specifically provides that stating the name of the jurisdiction from which a qualification was obtained after that qualification is not in itself a sufficient disclaimer.

## 10 What if I live in another province?

The Ontario Act's prohibition on the use of the letters "CA" and the designation "Chartered Accountant" do not apply to the use of an ACCA designation by a person who does not reside, have an office, or provide accounting services in Ontario.

However, members in other provinces still need to comply with the equivalent legislation in their province. The status in other provinces is summarized in the charts included in this package.

## 11 What is the safest thing for me to do?

The safest choice for ACCA members would be to refrain from referring to your ACCA designation, whether in writing or orally, except where expressly permitted by the Act (or other applicable provincial legislation). Not using your ACCA designation would ensure that you are not in violation of the prohibition on the use of the abbreviation "CA" or the designation "Chartered Accountant" (unless you are also using another abbreviation or designation).

This is obviously not the optimal solution for ACCA members who are justifiably proud of their respected and hard-earned designations. However, the Act does allow for the use of an ACCA designation in certain circumstances.

### 12 I work for the Government or a company. What do I have to do?

You can either refrain from using your ACCA designation or use it only in accordance with the exemptions discussed above.

As noted above, a reasonable interpretation is that members can use their ACCA designations with a disclaimer in letters, emails, business cards or other communications sent in the course of or in respect of their employment. To evidence an intent to rely on this interpretation, it may be helpful to refer to your employment or service arrangements or contracts as “retainers” or “retainer agreements”.

### 13 How much flexibility is there in the wording of a “disclaimer”?

The Act does not mandate the specific words that must be used to convey that an individual is not a member of or governed by the Chartered Professional Accountants of Ontario. A disclaimer that conveys that information in substance should be sufficient. See #6 above for additional comments on information to be included in a “disclaimer”.

### 14 Where can I hand out my business card (even if it has a disclaimer on it)?

Apart from speeches or similar presentations, applications for employment, and responses to requests for proposals, use of ACCA designations to indicate an individual’s educational background is permitted (with a disclaimer) in private communications respecting the retainer of the individual’s services. A reasonable interpretation is that members can rely on this exemption to give their business cards to other persons in the course of or in respect of their employment. An example might be handing your card to other persons attending a business meeting that you are attending in the course of your employment, or attaching your business card to material that you are sending to another person in the course of your employment.

### 15 Can I use my ACCA designation on social media?

An ACCA member can use an ACCA designation only if such use falls within one of the exemptions described above. Depending on the nature of the social media application on which an ACCA designation is to be used, the purpose of an ACCA member’s use of the social media application, restrictions on public access and other considerations, the use of an ACCA designation may or may not fall within the scope of the Act’s exemptions.

### 16 I live in Vancouver. Do I need to add a disclaimer to my business communications?

The Ontario Act does not apply to an ACCA member based in Vancouver unless he or she also resides, has an office, or provides accounting services in Ontario (in which case the Ontario Act does apply). A member in Vancouver should also comply with British Columbia legislation. See the charts included in this package for a summary of the relevant legislation in B.C.