

Ministry of Finance considers regulating the occupation of accountant

I. Ministry of Finance wants to determine if regulating the occupation of accountant is necessary

The Ministry of Finance is holding pre-consultations on the advancement directions for the occupation of accountant. Polish legislation has never included provisions that regulate the occupation of accountant. It is only the provision of bookkeeping services that has been regulated – such activities can only be performed by authorized persons, i.e. those holding an accounting certificate (minister's of finance bookkeeping services qualification certificate), as well as certified auditors and tax advisors. In 2014, however, the occupation of accountant was opened up to a wider range of individuals. Now the Ministry wants to comprehensively regulate the rules that govern the occupation of accountant.

II. Occupation of accountant was deregulated eight years ago along with 240 other occupations

Steps were taken in Poland in the years 2013–2014 to facilitate access to regulated occupations. This was done by introducing three laws that deregulated access to more than 240 occupations. Bookkeeping services were covered by the second batch of deregulations. Up until 9 August 2014, the activities that comprise bookkeeping services could only be performed by authorized persons, i.e. those holding an accounting certificate (minister's of finance bookkeeping services qualification certificate), as well as certified auditors and tax advisors.

III. Today the occupation of accountant may be performed by anyone who meets minimum requirements

As of 10 August 2014, i.e. the effective date of the deregulations, bookkeeping services may be performed by anyone who: has full legal capacity; has not been convicted in a court of law for a strictly defined list of crimes, i.e. for crimes against the credibility of documents, property, economic trade, trade in cash and securities, tax crimes and crimes listed in Chapter 9 of the Accounting Act; has civil liability insurance.

The Ministry of Finance is considering regulating the occupation of accountant by either adding it to regulated occupations, or by professionalizing the occupation. Whether this will happen or not will be decided in pre-consultations.



IV. Regulated occupations require obtaining a license to perform them

The term regulated occupation refers to those occupations that require a license – after specific conditions are met (e.g. passing an exam, completing required internships, being entered on a list/register, completing relevant course of study or training). At this time, accounting related occupations that are regulated in Poland include that of certified auditor and tax advisor.

V. Ministry of Finance is proposing that accountant becomes a regulated occupation or profession

One of the ideas presented by the Ministry of Finance is to add the occupation of accountant to the list of regulated occupations. This would mean that the activities listed in the regulations as those that can only be performed by qualified accountants could only be performed by individuals with relevant licenses obtained after strictly defined conditions are met. In other words, these would be activities reserved for the occupation of accountant. As a result, unlicensed individuals could not perform those activities. An alternative solution would be to professionalize the occupation of accountant. This solution would make it possible to obtain professional qualifications granted by a selected institution, to confirm one's qualifications and skills. It would also impose certain obligations, such as continuing professional training, compliance with professional ethical standards, as well as introduce oversight. At the same time, it would not limit the ability of those without such qualifications to perform accounting activities.

VI. Occupational regulating may vary in scope and may even encompass specialists

If accountant becomes a regulated occupation, it will be necessary to regulate activities reserved for the various groups covered by a given regulation. Depending on the approach adopted and demanded by the market, the regulation could apply to: accounting employees from mid-level through specialists and managers, or only those who sign financial statements. It would also be possible to introduce regulated activities by accounting offices that provide services to third parties, i.e. similarly to the way things were prior to deregulation.

VII. Once accountant is added to regulated occupations, some activities will be restricted

If the occupation of accountant is added to regulated occupations, it will become necessary to specify a list of activities that will require having an accountant's license. This list could include, for example, the activities specified in Article 4 par. 3 points 2–6 of the Accounting Act, or be limited to just the signing of financial statements as the person referred to in Article 52 par. 2 of the Accounting Act.



VIII. Professionalization means voluntary certification

The Ministry of Finance defines professionalization as systemizing the occupation of accountant, including setting its definition, defining occupational activities, introducing voluntary occupational certification. This would raise the security of accounting services, increase the occupation's prestige and improve the quality of the work performed by accountants. This solution would not entail the introduction of a regulated occupation, as no activities would be restricted by law. Under this solution it would be possible (rather than legally required) to obtain professional qualifications supported with the title of certified accountant issued by a state or statutory authority.



PIOTR GRACZ
Head of Business &
Outsourcing
Department BDO
tel.: +48 22 543 16 00
Piotr.Gracz@bdo.pl

IX. With professionalization some activities reserved for those certified

In the case of professionalization, the list of occupational activities could include, among others, those referred to in Article 4 par. 3 points 2–6 of the Accounting Act: the keeping, based on accounting evidence, of books of account that record events in a chronological and systematic order; periodic determination or verification through physical counts of the actual balances of assets and liabilities; valuation of assets and liabilities and determination of financial results; preparation of financial statements; collection and storage of accounting evidence and other documents as required by law, as well as other activities, such as: cost and financial management; payroll process design; payroll process oversight; accounting for social insurance premiums.

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BDO spółka z ograniczoną odpowiedzialnością sp.k., ul. Postępu 12, 02-676 Warszawa;
tel.: +48 22 543 1600, fax: +48 22 543 1601, e-mail: office@bdo.pl