

Chapter Accy 4

BIENNIAL REGISTRATION

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Accy 4.01 More than one office. A proprietorship, partnership or corporation with more than one office in Wisconsin is required to register only once.

History: Cr. Register, May, 1974, No. 221, eff. 6-1-74.

Accy 4.02 Individual and firm registration. All Wisconsin resident partners, stockholders and others with an equity interest in a firm of public accountants or certified public accountants shall register as individuals. In addition, all resident firms with which they are associated shall register except as specified in s. Accy 4.03. An application for registration shall be granted or denied within 30 business days after receipt of a completed application.

History: Cr. Register, May, 1974, No. 221, eff. 6-1-74; r. and recr. Register, February, 1976, No. 242, eff. 3-1-76; am. Register, April, 1986, No. 364, eff. 5-1-86.

Accy 4.03 Individual registration of sole proprietor. A sole proprietor practicing in his or her own name shall register as an individual. One so registered may also register as a firm. An application for registration shall be granted or denied within 30 business days after receipt of a completed application.

History: Cr. Register, May, 1974, No. 221, eff. 6-1-74; am. Register, April, 1986, No. 364, eff. 5-1-86.

Accy 4.04 Names or designations not to be misleading. Applicants shall not submit for registration names or designations which are misleading.

History: Cr. Register, May, 1974, No. 221, eff. 6-1-74.

Accy 4.05 Applications for registration. Registration shall be by application which is to include such information relating to identification, professional competence, and conduct as may be specified by the board.

History: Cr. Register, May, 1974, No. 221, eff. 6-1-74.

Accy 4.06 Firms without office in this state. Firms without a bona fide office in this state may apply for registration if there is a licensed Wisconsin certified public accountant designated as the manager for the Wisconsin engagement or engagements. All other nonresident partners, stockholders and others with an equity interest in the firm must have certified public accountant certificates in good standing and be licensed to practice in the state of their resident office.

History: Cr. Register, May, 1974, No. 221, eff. 6-1-74; r. and recr. Register, February, 1976, No. 242, eff. 3-1-76; am. Register, February, 1992, No. 434, eff. 3-1-92.

Accy 4.07 Reporting of nonresident partners. (1) Nonresident partners of firms registered to practice in Wisconsin, or their corporate counterparts, shall register to participate as individuals in Wisconsin when such partner has direct responsibility and authority in the Wisconsin practice. An application for registration shall be granted or denied within 30 business days after receipt of a completed application.

(2) Except as noted in sub. (1), firms with a bona fide office in this state are not required to register non-resident partners, stockholders or others with an equity interest in the firm, but these must be reported in writing to the board at the time of biennial registration and must be holders of certified public accountant certificates in good standing and be licensed to practice from the state or other state jurisdiction of their resident office.

History: Cr. Register, May, 1974, No. 221, eff. 6-1-74; r. and recr. Register, February, 1976, No. 242, eff. 3-1-76; am. Register, October, 1976, No. 260, eff. 11-1-76; am. (2), Register, December, 1978, No. 276, eff. 1-1-79; am. Register, April, 1986, No. 364, eff. 5-1-86; reprinted to restore dropped copy, Register, March, 1987, No. 375.

Accy 4.08 Fees. Fees shall be those specified in s. 440.05, Stats.

History: Cr. Register, May, 1974, No. 221, eff. 6-1-74; am. Register, October, 1974, No. 226, eff. 11-1-74; r. and recr. Register, December, 1978, No. 276, eff. 1-1-79.

Accy 4.09 Out-of-state firms with a bona fide office in Wisconsin but no resident partner or stockholder. (1) Out-of-state firms with a bona fide Wisconsin office, as defined in sub. (2), but with no Wisconsin resident partner or stockholder, may be registered to practice in Wisconsin provided that there is a licensed Wisconsin certified public accountant designated as resident manager for the Wisconsin practice office and all of the partners or stockholders of the out-of-state practice office with responsibility for the Wisconsin practice office are licensed in Wisconsin. Firms so licensed must have designated one or more partners or stockholders from the out-of-state office responsible for the practice from the bona fide Wisconsin office, as the managing partner(s) or stockholder(s) for the Wisconsin practice. All other non-resident partners, stockholders and others with an equity interest in the firm (in other out-of-state practice offices) must hold certified public accountant certificates in good standing and be licensed to practice in the state of their resident office.

(2) A bona fide office is one which has the following characteristics:

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(a) *Office facilities.* Readily identifiable as the certified public accountant's separate office.

(b) *Supervision.* Work performed by or through the office is under the direct supervision of one or more certified public accountants.

(c) *Certified public accountant availability.* A certified public accountant is present in the office on a regular basis and frequently.

(d) *Staffing.* During normal business hours, there is present in the office a partner or proprietor of the firm or a person employed by the firm. This requirement will not be applicable where the firm has but one office.

History: Cr. Register, February, 1976, No. 242, eff. 3-1-76; renum. to be (1) and am., cr. (2), Register, December, 1978, No. 276, eff. 1-1-79; r. and recr. (1), Register, February, 1980, No. 290, eff. 3-1-80.

Accy 4.10 Registration of service corporations. (1) A service corporation shall register as a firm to practice in Wisconsin. Any service corporation shall be incorporated and appropriately registered under ch. 180, Stats., and be licensed as a firm to practice in Wisconsin. An application for registration shall be granted or denied within 30 business days after receipt of a completed application.

(2) All stockholders of a service corporation registered to practice in Wisconsin must also be registered to practice as individuals.

(3) Service corporations registered to practice must be in compliance with ss. 180.1901 to 180.1921, Stats. This includes proper registration with the secretary of state and the register of deeds for the county in which the firm is located or has its principal office, and the filing of the required annual report.

(4) The corporate name of a service corporation may not be misleading by including a designation such as "and Company" or "and Associates" or "Company" or "Asso-

ciates" or "Firm" when there is only one stockholder or when all stockholders are listed in the name of the corporation.

(5) In accordance with s. 180.1913, Stats., a service corporation with only one stockholder may have only one director, who shall be the stockholder and who shall serve both as president and treasurer. Other officers in this situation need not be certified public accountants or public accountants registered in Wisconsin, but such other officers cannot be stockholders. Such other officers must be reported at the time of biennial registration, and the board informed within 30 days after any change in status.

(6) Provisions of s. Accy 4.10 are applicable to all professional certified public accountant service corporations operating in Wisconsin. It is noted that there is no provision in Wisconsin statutes for licensing foreign (out-of-state) professional certified public accountant service corporations.

History: Cr. Register, February, 1976, No. 242, eff. 3-1-76; am. (5), Register, December, 1978, No. 276, eff. 1-1-79; cr. (6), Register, February, 1980, No. 290, eff. 3-1-80; am. (1), Register, July, 1980, No. 295, eff. 8-1-80; am. (4), Register, July, 1983, No. 331, eff. 8-1-83; am. Register, April, 1986, No. 364, eff. 5-1-86; reprinted to restore dropped copy, Register, March, 1987, No. 375; correction in (3) and (5) made under s. 13.93 (2m) (b) 7, Stats., Register, February, 1992, No. 434.

Accy 4.11 Changes. (1) The board is to be notified in writing of prospective changes in proprietors, partners or stockholders or firm name for continuing practice units or is to be notified of the consummation of such changes no later than 30 days after the change.

(2) Reorganizations, mergers, or comparable changes in which a new practice unit is created must make application and the new practice unit licensed before practice can be commenced.

History: Cr. Register, February, 1980, No. 290, eff. 3-1-80.