

**The Institute of Chartered Accountants of
Nepal**

Operational Procedure

for

**Nepal Chartered Accountant Students' Association,
2066**

First Amendment, 2073

Operational Procedure for Nepal Chartered Accountant Students' Association 2066 (2010)

Whereas, it is expedient to establish a students' body of Institute of Chartered Accountants of Nepal (ICAN) to plan and act as the representative of students studying Chartered Accountancy Courses in "The Institute of Chartered Accountants of Nepal" at various level, the Council of ICAN vide its 133rd meeting dated 2066 Chaitra 4, hereby, formulate this Procedure.

CHAPTER I Preliminary

1. Short title and commencement

- a) This Procedure shall be called "Operational Procedure of Nepal Chartered Accountant Students Association 2066 (2010)".
- b) This Procedure shall come into effect after approval of the Council of "The Institute of Chartered Accountants of Nepal (ICAN)".

2. Definitions

In this Procedure, unless the subject or the context otherwise requires:

- a) "Students' Association" means Nepal Chartered Accountant Students' Association established pursuant to Clause 3 of this Procedure.
- b) "Executive Committee" means the executive committee of Students' Association constituted pursuant to Clause 10 of this Procedure.
- c) "ICAN" means The Institute of Chartered Accountants of Nepal.
- d) "ICAN Council" means the Council of The Institute of Chartered Accountants of Nepal.
- e) "Procedure" means the Operational Procedure of Nepal Chartered Accountant Students' Association 2066 (2010).
- f) "Member" means a person possessing qualification under Clause 7 of this Procedure.
- g) "President" means the president of Students' Association elected under Clause 11(2)

- (a) of this Procedure.
- h) "Vice-President" means the vice president of Students' Association elected under Clause 11 (2) (b) of this Procedure.
 - i) "Secretary" means the Secretary of Students' Association elected under Clause 11 (2) (c) of this Procedure.
 - j) "Treasurer" means the treasurer of Students' Association elected under Clause 11 (2) (d) of this Procedure.
 - k) "Meeting" means the meeting of Executive Committee and other Committees formed under this Procedure.
 - l) "Active Members" means the member possessing qualifications under Clause 9 of this Procedure.

CHAPTER II

Establishment and provision of Students' Association

3. Establishment of Students' Association

1. A student body of ICAN in the name of "Nepal Chartered Accountant Students' Association" shall be established under the ICAN Council.
2. The Students' Association established under Sub-Clause 1 above shall not be affiliated to any political party.
3. The views or activities of Students' Association shall not represent/favour any political parties.

4. Students' Association as Representative Body

1. Students' Association shall be a representative body of the students of ICAN.
2. The Students' Association shall have a seal of its own for its purpose and acts.
3. Nobody else shall be allowed to use name of Students' Association and its seal.

5. Objectives

The objectives of Students' Association shall be as follows:

- i. To function as student body of ICAN and work to develop, protect and promote interest of students.
- ii. To play leading role for enhancing educational expertise, creativity, literacy, leadership, professionalism, socio-cultural activities of students by conducting

- different events and programs through itself or in co-ordination with ICAN or other organizations.
- iii. To play an advisory role to the ICAN Council in the matters of students' affairs.
 - iv. To organize different events as seminars, training, meetings, workshops, etc for enrichment of knowledge of students and publish bulletins, magazines, etc.
 - v. To do different activities to achieve the above stated objectives.

Chapter III Membership

6. Membership of the Students' Association

The students registered in ICAN to pursue CA education in different levels shall be the members of the Students' Association. The qualifications for membership shall be as prescribed in Clause 7.

7. Qualifications for Membership

To be the member of the Students' Association, the student shall possess all the qualifications as follows:

- a. S/he is a student of ICAN after having been registered in ICAN to study Chartered Accountancy course in any level. However, for a student who has passed a level, his/her membership shall not be terminated till the first due date of registration in next level after the result.
- b. Not more than one year has elapsed after the completion of articleship training.
- c. S/he has not absconds himself consecutively for three times or more from the final examination of the level due to which s/he is a member of the Student Association.
- d. His/her registration has not been terminated by ICAN due to any reason.
- e. He/she has not completed both group of CAP III level.*

8. Disqualifications for Membership

The persons shall not be deemed to be the member of Students' Association if s/he fails to meet all the qualifications prescribed in Clause 7.

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9. Active Members & Qualification

Executive Committee maintains the list of active members of Students' Association for the purpose of recommendation of members to ICAN under Clause 11 (1) (b) of this Procedure. The qualifications of members to be an active member of Students' Association shall be as follows:

- a. S/he is/was a member of Executive Committee.
- b. S/he has worked for Students' Association after being a member of any Standing Committees or Sub-Committees formed under Clause 17 of this Procedure.

Chapter IV Executive Committee & Other Committees

10. Executive Committee

1. The Executive Committee shall be the Executive body of Students' Association.
2. The formation of Executive Committee shall be as per Clause 11.
3. Election procedure of Executive Committee shall be as per Chapter VII.

11. Formation of Executive Committee

1. Executive Committee shall be formed as follows:
 - a. 6 members elected directly from the members of Students' Association through the election as follows:

CAP III/ CA Final	:	4
CAP II/ CA Intermediate	:	2

- b. 3 members nominated by "The Institute of Chartered Accountants of Nepal" from amongst the active members in the following way on recommendation of the immediately preceding Executive Committee. For the purpose of this sub-clause, the existing Executive Committee shall recommend name of the active members at least twice the required numbers for each post.

CAP I / CA Foundation	:	1
CAP II / CA Intermediate	:	1
CAP III/ CA Final	:	1

For the purpose of this sub-clause, immediately preceding Executive Committee means the Executive Committee which is going to handover the charge to newly elected Executive Committee.

2. On fulfillment of the Executive Committee under sub-clause 1, the newly elected Executive Committee shall elect members for the following post within the time limit prescribed in Clause 27(3):
 - a. President elected from the CAP-III/CA Final members pursuant to Sub-

Clause (1) (a) above.

- b. Vice President from CAP-III/CA Final members pursuant to Sub-Clause (1) above.
 - c. Secretary from CAP-III/CA Final members pursuant to Sub-Clause (1) above.
 - d. Treasurer from members pursuant to Sub-Clause (1) above.
3. The election as per Sub-Clause (2) above shall be as prescribed by Election Commission constituted under Clause 26.
 4. The nomination of members under sub-clause (b) of Sub-Clause (1) above shall be completed within 7 days of declaration of election result pursuant to sub-clause 1(a). The immediately preceding Executive Committee shall complete the recommendation procedure before the election pursuant to sub-clause 1(a).
Notwithstanding anything contained in this sub-Clause, in case the members are not nominated within the time limit prescribed, the members elected under sub-clause 1(a) shall constitute the fully operational Executive Committee until nomination under sub-clause 1(b).
 5. Normally, the term of the Executive Committee shall be of 2 years.*

12. Meeting of Executive Committee

1. The Secretary of the Executive Committee shall convene meeting of the Executive Committee on such date, time and place as fixed by President.
2. The meeting of Executive Committee shall be held for at least seven times a year. The interval between two meetings shall not be of more than two months.
3. The President of the Executive Committee shall be the Chairperson of the meeting. In absence of President, Vice-president shall chair the meeting. In absence of both, a member designated by the majority of the Executive Committee present in the meeting shall chair the meeting.
4. The quorum of meeting shall be of at least 51% of total Executive Committee members.
5. If 25% of the total Executive Committee members deems it necessary to convene Executive Committee meeting in written before President, Executive Committee meeting shall be convened within 2 weeks.
6. Majority decision of the Executive Committee shall be binding. Upon tie, President shall cast "Casting Vote".
7. Minutes shall be maintained for recording the decisions of Executive Committee. The minutes shall be signed by every member who is present in the meeting. The disagreed member can write "Note of Dissent" in the Minute.

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8. Notwithstanding anything contained elsewhere in this Clause, whenever all the Executive Committee members are satisfied by circulation with a decision to be taken, a decision taken without the meeting of Executive Committee shall be deemed to be taken by the meeting itself.
9. The Executive Committee may invite one or more persons to attend Executive Committee meeting, if deems necessary.

13. Provision of Resignation

- a. Any Executive Committee member can make their post vacant by resignation.
- b. For the purpose of resignation as per sub-Clause (1) above, President shall produce his resignation before the Executive Committee meeting. Other members shall tender their resignation through President.
- c. If the majority of Executive Committee decides to approve the resignation, then the post of the member who resigned shall be vacant.

14. Post to be Vacant

The post of the Executive Committee member shall be deemed to be vacant if:

- a. In case s/he is disqualified as per Clause 8 of this Procedure.
- b. S/he ceases to be the member of Students' Association.
- c. In case the Executive Committee accepts his/her resignation under Clause 13.
- d. S/he, without giving a reasonable notice, absconds himself/herself from three consecutive meeting of the Executive Committee.
- e. In the event of his/her death.
- f. In case his/her affiliation to any political party is proved.
- g. In case s/he is convicted by the court in a criminal offense or of an offense involving moral turpitude.
- h. In s/he is declared insane.

15. Fulfillment of Vacancy

1. If the Executive Committee member discontinues to hold his/her post due to any cause, the fulfillment of vacancy shall be as follows:
 - a. In the case the remaining term is less than six months, the majority of Executive Committee shall nominate a member to fulfill the vacancy.
 - b. In case the remaining term exceeds six months, the vacancy shall be fulfilled

by fulfilling the conditions as laid down in Clause 11 (1) (b).

2. The term of the members so nominated shall be of the remaining term of outgoing member.
3. Notwithstanding anything contained in this Clause; if the term of Executive Committee is less than 2 months, then no member shall be nominated as per Sub-Clause 1 above.

16. Power, Functions and Duties of Executive Committee

Power, functions and duties of Executive Committee shall be as follows:

1. To execute the activities for the fulfillment of the objectives of Students' Association under Clause 5 of this Procedure for the protection of rights and interests of CA students and the profession.
2. To prepare budgets for next fiscal year, and get it presented to ICAN Council.
3. To operate its activities as per this Procedure.
4. To fully utilize available resources to meet the objectives of Students' Association.
5. To formulate action plans, implement it, analyze the sources, and monitor and supervise the functions of Students' Association.
6. To utilize resources properly.
7. To open and operate bank accounts of Students' Association.
8. To formulate and implement the Staff Service By-rules for the staff of Students' Association.
9. To form Standing Committees and any sub-committees if deemed necessary.
10. To accept and approve the resignation of Executive Committee members and members of Standing Committees & Sub-Committees.
11. To perform all other activities as required to fulfill its objectives.
12. To perform other activities as prescribed and instructed by ICAN.

17. Other Committees of Students' Association

1. For the purpose of assisting the daily affairs of Executive Committee, the following Standing Committees shall be constituted:
 - a. Member Relationship Committee
 - b. Fund Management Committee
 - c. Grievance Management Committee
 - d. Public Relation and International Affairs Management Committee
2. The power, functions and duties of the Standing Committees shall be as prescribed by the Executive Committee.

3. Each of the Standing Committee shall consist of 5 members, including a coordinator.
4. The meeting of Standing Committee shall convene as required.
5. The Executive Committee upon requirement can direct members of Standing Committees to attend the meeting of Executive Committee and/or clarify and complete the assigned task. It shall be the duty of members of Standing Committees to accomplish as per Executive Committee's directives.
6. Executive Committee may form other Sub-committees as per the requirement. The power, functions, duties and term of the Sub-committees shall be as prescribed by Executive Committee.
7. Upon requirement, Executive Committee may dissolve and re-constitute the Standing Committees.

18. Actions Not To Be Invalidated

Notwithstanding anything contained in this Procedure, the actions and decisions of the Executive Committee shall not be invalidated on the ground that the Executive Committee cannot be fulfilled due to the restrictive sub-clause mentioned in Clause 11(4) and 15(3). The remaining members shall continue the Executive Committee till the term expires.

Chapter V

Power, Functions and Duties of Executive Committee Members

19. Power, Functions and Duties of Executive Committee Members

The power, functions and duties of Executive Committee members shall be as follows:

1. **Power, Functions and Duties of President:**
 - a. To chair and execute the meeting of Executive Committee.
 - b. To tender Casting Vote.
 - c. To represent Students' Association or send representative.
 - d. To direct Secretary to call meetings as required.
 - e. To assign task to other members.
 - f. To certify the records.
 - g. To protect or make the property of Students' Association protected.
2. **Power, Functions and Duties of Vice-President:**
 - a. To assist President.

- b. To accomplish the responsibility assigned by President.
 - c. To act as president in his/her absence or if the post of President is vacant under Clause 15(3).
3. **Power, Functions and Duties of Secretary:**
- a. To operate and care the Secretariat of Students' Association.
 - b. To convene Executive Committee meeting as directed by President.
 - c. To accomplish the other responsibilities assigned by President.
 - d. To protect the records of Students' Association.
 - e. To properly maintain the minutes of meetings.
 - f. To properly maintain the records of all properties or keep it maintained.
4. **Power, Functions and Duties of Treasurer:**
- a. To protect and execute the fund of Students' Association.
 - b. To maintain the books of accounts properly.
 - c. To perform other functions assigned by President or Executive Committee.
5. **Power, Functions and Duties of Members:**
- a. To regularly take part in the meetings of Executive Committee.
 - b. To play the constructive role in Student Association's functions.
 - c. To perform other functions assigned by President or Executive Committee.

CHAPTER VI

Fund of Students' Association and Financial Management

20. Fund of the Students' Association

- 1) Students' Association shall have a fund of its own, and following amounts shall be deposited in its fund.
 - a. Membership Fee received from its Members.
 - b. Donation given by other Institution or person.
 - c. Grant received from ICAN.
 - d. Amounts received from International or foreign associations, organizations or persons.
 - e. Amounts obtained from the common effort of members.
 - f. Amounts received from the Government of Nepal.
- 2) All expenses to be incurred on behalf of Student Association shall be borne out of the fund referred under Sub-clause (a) above.

21. Membership Fee and Collection of Membership Fee

- 1) ICAN shall be responsible to provide membership fee from each student of ICAN at the time of registration at each level.
- 2) Membership fee to be provided under Sub-Clause (1) above shall be as follows for different level of CA education:
 - a. CA Foundation/ CAP I: Rs. 300
 - b. CA Intermediate/ CAP II Level: Rs. 400
 - c. CA Final/ CAP III Level: Rs. 600

22. Deposit of fund

All amount obtained by Students' Association shall be deposited in an account opened in the name of Students' Association in any Bank of Nepal. It shall be the duty of ICAN to deposit amount collected under Clause 21 in the account so maintained.

23. Operation of Bank Account

Bank account shall be operated in joint signatory of Treasurer and any one of President or Secretary of Executive Committee.

24. Utilization of fund

- a. Expenses of fund shall be made only for attainment of objectives stated in Clause 5.
- b. Annual budget and list of activities shall be prepared and approval for the same must be obtained by Executive Committee.
- c. Detailed books of accounts shall be prepared for recording all income and expense of the Students' Association.
- d. Statement of income and expense shall be presented to ICAN Council.

25. Audit of the fund

- a. The accounts and books of Students' Association shall be audited by auditor of ICAN.
- b. ICAN, if so desires, examine or cause to be examined the books of accounts and documents of Students' Association at any time.

**Chapter VII
Election Procedure**

26. Election Commission to be formed

1. For the purpose of conducting election of Executive Committee Member as per Clause 11 (1) (a), an Election Commission shall be formed at least one month

before the election.

2. The Commission so formed shall be comprised of the following members:
 - a. One person designated by ICAN - Chairperson
 - b. Two Persons nominated by ICAN - Member
 - c. Two persons nominated by ICAN from amongst the Non Participating Member of Students' Association on recommendation of Executive Committee- Member

For the purpose of this sub-clause "Non Participating Member of Students' Association" means that member who is not an active member of Students' Association, who will not take part in election as candidate and who shall act with impartiality. However the "Non Participating Member of Students' Association" shall not be restricted to cast his/her vote as active member of Students' Association in the Election.

3. It shall be the duty of the ICAN to hold the election of Executive Committee of Students' Association in co-ordination with Election Commission formed under Sub-Clause (2) above.
4. The Election Commission shall not be biased and partial. It shall carry out the election with fairness and impartiality and shall not show its interest towards one or more candidates.
5. The member of the Election Commission shall, in no way, be allowed to take part in election campaign.

27. Election to be held

1. The election of Executive Committee shall be held at least one month before the commencement of term of New Executive Committee.
2. The election under Clause 11(2) shall be conducted before the office is resumed. The Commission under Clause 26 shall be responsible to conduct the election.
3. The existing Executive Committee shall have the executive power to conduct the affairs of Students' Association after the declaration of election till the newly elected Executive Committee resume its office. *
4. Newly elected Executive Committee cannot interfere the day to day business of existing Executive Committee till its office is resumed under Sub-Clause (2) above.
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28. Right to Vote

1. The Executive Committee members of the respective level shall be elected from the vote of members of respective levels.

29. Other Procedures

1. Other procedures of election shall be as prescribed by the Election Commission constituted under Clause 26.

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2. The Election Commission can formulate and implement the Codes of conduct. It shall be the duty of every candidate and voter to follow the Codes of Conduct.

CHAPTER VIII

Changing provisions of Procedure & Miscellaneous

30. Communication with ICAN

Any change in the composition of the Executive Committee shall be conveyed to ICAN Council within 15 days of such change. All the information to ICAN and Communication to & fro ICAN shall be transmitted/conducted through Executive Director of ICAN.

31. Advisory Committee

- a. An advisory committee to advice in different matters of Students' Association shall be formed as follows:
 - Executive Director, ICAN – Coordinator
 - One representative from amongst the past president of Students' Association- Member
 - One person nominated by Executive Committee of Students' Association – Member
- b. The power, functions & duties of Advisory Committee shall be as prescribed by Executive Committee.

32. Changing provisions of Procedure

ICAN Council may make necessary amendments in Operational Procedure, if deems necessary.

33. Provision regarding Removal of Difficulty

If any difficulty arises in the implementation of this Operational Procedure and/or in the day to day function of Students' Association or in the going concern of Students' Association, such difficulty shall be removed by the ICAN Council.

34. Constitution of Ad-Hoc Committee

- a. An ad-hoc committee shall be constituted by the decision of ICAN Council in order to elect first Executive Committee.
- b. Committee as referred above shall be dissolved automatically on formation of first Executive Committee.
- c. The Ad-Hoc Committee shall hold the election of first Executive Committee within two months of its formation.

- d. Until the first Executive Committee
- e. Resumes its office, the existing Executive Committee shall perform regular activities of Students' Association.

35. Operational Procedure to be Inoperative to The Extent of Conflict

In case the provisions of this Operational Procedure are inconsistent with the prevailing law, it shall be null to the extent of such inconsistency.