

GUIDELINES FOR CONSTITUTION/RECONSTITUTION OF PARTNERSHIP FIRM

Only the **members** of the Institute i.e. AICWA or FICWA who have **obtained Certificate of Practice** and are **engaged in full time practice** are entitled to constitute/reconstitute a partnership firm of Cost Accountants. For this purpose, the following procedure have to be followed and the related conditions have to be complied with :-

1. Application has to be made to the Council in Form 'L', which should be duly filled in and signed by all the partners, indicating the name and membership no. against each signature.
2. The application should be accompanied by a copy of Deed of Partnership duly executed on a non-judicial stamp paper by all the partners and attested by at least two witnesses indicating their full names and addresses. The date of execution of the Deed and submission of Form 'L' should pertain to a date on or after the date of purchase of the non-judicial stamp paper.
3. A declaration in the Deed of Partnership is required from all the partners that they are fully engaged in the practice of profession of Cost Accountancy and engaged in no other occupation.
4. The name of the partnership firm to be indicated in sl. no. 1 of Form 'L' and Deed of Partnership should be in accordance with the provisions of Regulation 108 of the Cost and Works Accountants Regulations, 1959. Such a firm name should have the suffix "& Associates" or "& Co."
5. Prior to the approval of the Council, the use of any stamp/visiting card/letter head or the like in any firm name is strictly prohibited.
6. When a partnership firm is reconstituted on account of admission, retirement, death of partners or change of terms and conditions, etc., a fresh Deed of Partnership has to be duly executed by the existing partners, and copy of such Deed alongwith Form 'L' has to be submitted to the Council for Reconstitution of the partnership firm.
7. When a partnership firm is dissolved, a copy of Deed of Dissolution of Partnership duly executed by all the partners has to be submitted to the Council for its record.
8. Whenever there is a change in the address of the Head Office or Branch Office of the partnership firm, it is to be immediately intimated to the Council in Form 'L'.
9. The Head Office or any Branch Office, if any, of the firm should be headed by a person who is member of the Institute i.e. AICWA or FICWA.
10. No Constitution or Reconstitution of partnership firm is valid unless it is approved by the Council.
11. If the partner of a firm gets engaged in any salaried employment, he should immediately retire from the partnership firm and intimate to the Institute immediately. Under such, circumstances, the remaining partners may reconstitute the firm by executing a fresh Deed of Partnership and Form 'L'.