

CHAPTER 29

NEW JERSEY STATE BOARD OF ACCOUNTANCY

Authority

N.J.S.A. 45:2B-48 and 45:1-15.1.

Source and Effective Date

R.2005 d.410, effective October 27, 2005. See: 37 N.J.R. 1408(a), 37 N.J.R. 4457(a).

Chapter Expiration Date

Chapter 29, New Jersey State Board of Accountancy, expires on October 27, 2010.

Chapter Historical Note

Chapter 29, New Jersey State Board of Accountancy, was originally filed and became effective prior to September 1, 1969.

Pursuant to Executive Order No. 66 (1978), Chapter 29, New Jersey State Board of Accountancy, was readopted as R.1990 d.318, effective May 23, 1990. See: 22 N.J.R. 1042(a), 22 N.J.R. 1940(d).

Pursuant to Executive Order No. 66(1978), Subchapter 1, General Rules and Regulations, expired on July 21, 1983 and a new Subchapter 1 was adopted as R.1985 d.287, effective . See: 17 N.J.R. 557(a), 17 N.J.R. 1424(a).

Pursuant to Executive Order No. 66(1978), Subchapter 2 expired on July 21, 1983 by R.1978 d.243, effective July 21, 1978. See: 10 N.J.R. 165(b), 10 N.J.R. 352(c).

Subchapter 2, Registered Municipal Accountants, was adopted as new rules by R.1985 d.286, effective June 3, 1985. See: 17 N.J.R. 559(a), 17 N.J.R. 1426(a).

Pursuant to Executive Order No. 66(1978), Subchapter 3 expired on January 14, 1985.

Pursuant to Executive Order No. 66(1978), Subchapter 3, Rules of Professional Conduct, was readopted as R.1985 d.104, effective March 4, 1985. See: 16 N.J.R. 3418(a), 17 N.J.R. 604(a).

Subchapter 5, Quality Enhancement Program, was adopted as R.1988 d.294, effective July 5, 1988. See: 19 N.J.R. 2240(a), 20 N.J.R. 1567(b).

Subchapter 6, Continuing Professional Education, was adopted as R.1989 d.194, effective April 3, 1989. See: 20 N.J.R. 2532(a), 21 N.J.R. 908(c).

Chapter 29, New Jersey State Board of Accountancy, was readopted as R.1995 d.268, effective May 1, 1995. See: 27 N.J.R. 1134(a), 27 N.J.R. 2238(a).

Pursuant to Executive Order No. 66(1978), Chapter 29, New Jersey State Board of Accountancy, were readopted as R.2000 d.222, effective May 1, 2000. See: 32 N.J.R. 987(a), 32 N.J.R. 2089(a).

Subchapter 1A, Examination and Licensure, was adopted as new rules by R.2004 d.480, effective December 20, 2004. See: 36 N.J.R. 3494(a), 36 N.J.R. 5686(a).

Chapter 29, New Jersey State Board of Accountancy, was readopted by R.2005 d.410, effective October 27, 2005. See: Source and Effective Date. See, also, section annotations.

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 See: 17 N.J.R. 557(a), 17 N.J.R. 1424(a).
 New Rule, R.1985 d.695, effective January 21, 1986.
 See: 17 N.J.R. 1639(a), 18 N.J.R. 204(a).
 Repeal and New Rule, R.1990 d.373, effective August 6, 1990.
 See: 22 N.J.R. 1438(a), 22 N.J.R. 2331(a).
 Amended by R.2000 d.222, effective June 5, 2000.
 See: 32 N.J.R. 987(a), 32 N.J.R. 2089(a).
 In (b), deleted including at the end and added an N.J.S.A. reference.
 Recodified from N.J.A.C. 13:29-1.4 by R.2004 d.480, effective December 20, 2004.
 See: 36 N.J.R. 3494(a), 36 N.J.R. 5686(a).
 Former N.J.A.C. 13:29-1.3, Applications; applicant qualifications, repealed.
 Amended by R.2005 d.410, effective November 21, 2005.
 See: 37 N.J.R. 1408(a), 37 N.J.R. 4457(a).
 Rewrote (a)-(c).

SUBCHAPTER 1. GENERAL RULES

13:29-1.1 Establishing name of Board

The Board shall be known as the New Jersey State Board of Accountancy, and shall maintain an office in the State of New Jersey for the regular transaction of its business.

New Rule, R.1985 d.287, effective June 3, 1985.
 See: 17 N.J.R. 557(a), 17 N.J.R. 1424(a).

13:29-1.2 Meetings

(a) The Board shall hold an annual meeting, in each year, in the month of April for the purpose of electing officers, from among its members, each for the term of one year, or until a qualified successor has been duly elected.

(b) Regular monthly meetings will be held in accordance with a published schedule of meetings. Special meetings may be held at the request of any Board member.

New Rule, R.1985 d.287, effective June 3, 1985.
 See: 17 N.J.R. 557(a), 17 N.J.R. 1424(a).

13:29-1.3 Notification of change of address; service of process

(a) A licensee of the Board of Accountancy shall notify the Board in writing of any change of his or her address of record. For purposes of this section, "address of record" means an address designated by a licensee which is part of the public record and which may be disclosed upon request. "Address of record" may be a licensee's home, business or mailing address, but shall not be a post office box unless the licensee also provides another address which includes a street, city, state and zip code. Notice shall be sent to the Board by mail or by electronic means, no later than 30 days following the change of address of record.

(b) Failure to notify the Board of any change in a licensee's address of record pursuant to (a) above may result in disciplinary action in accordance with N.J.S.A. 45:1-21(h) and the imposition of the penalties set forth in N.J.S.A. 45:1-25.

(c) Service of any administrative complaint or other Board-initiated process at a licensee's address of record shall be deemed adequate notice for the purposes of N.J.A.C. 1:1-7.1 and commencement of any disciplinary proceedings.

13:29-1.4 Filing constitutes agreement

The act of filing an application for examination, or an application for licensure by waiver of examination based upon licensure in another jurisdiction, shall constitute an agreement on the part of the applicant that the applicant will observe and conform to the requirements of this chapter.

New Rule, R.1985 d.287, effective June 3, 1985.
 See: 17 N.J.R. 557(a), 17 N.J.R. 1424(a).
 Repealed by R.1985 d.287, effective June 3, 1985.
 See: 17 N.J.R. 557(a), 17 N.J.R. 1424(a).
 New Rule, R.1985 d.695, effective January 21, 1986.
 See: 17 N.J.R. 1639(a), 18 N.J.R. 204(a).
 Repeal and New Rule, R.1990 d.373, effective August 6, 1990.
 See: 22 N.J.R. 1438(a), 22 N.J.R. 2331(a).
 Amended by R.2000 d.222, effective June 5, 2000.
 See: 32 N.J.R. 987(a), 32 N.J.R. 2089(a).
 In (b), deleted including at the end and added an N.J.S.A. reference.
 Recodified from N.J.A.C. 13:29-1.5 by R.2004 d.480, effective December 20, 2004.
 See: 36 N.J.R. 3494(a), 36 N.J.R. 5686(a).
 Former N.J.A.C. 13:29-1.4, Notification of change of address; service of process, recodified to N.J.A.C. 13:29-1.3.
 Amended by R.2005 d.410, effective November 21, 2005.
 See: 37 N.J.R. 1408(a), 37 N.J.R. 4457(a).
 Rewrote the section.

13:29-1.5 Fees

(a) Fees for Certified Public Accountants, Public Accountants, and accounting firms, including sole proprietorships, partnerships, professional corporations, limited liability companies, or limited liability partnerships are as follows:

1. Application fee: \$75.00;
2. Initial license fee (for Certified Public Accountants and accounting firms only):
 - i. During the first year of a triennial registration period: \$90.00;
 - ii. During the second year of a triennial registration period: \$60.00;
 - iii. During the third year of a triennial registration period: \$30.00;
3. Triennial registration: \$90.00;

4. Reinstatement of license: \$150.00;
5. Late renewal fee: \$50.00;
6. Inactive status renewal: \$45.00;
7. Replacement wall certificate: \$40.00;
8. Replacement license: \$25.00.

(b) Fees for applicants seeking licensure by waiver of examination based upon licensure in another jurisdiction are as follows:

1. Application fee: \$75.00;
2. Waiver of examination fee: \$100.00.

(c) Fees for Registered Municipal Accountants are as follows:

1. Examination fee: \$225.00;
2. Reexamination fee: \$175.00;
3. Initial license fee:
 - i. During the first year of a triennial registration period: \$90.00;
 - ii. During the second year of a triennial registration period: \$60.00;
 - iii. During the third year of a triennial registration period: \$30.00;
4. Triennial registration: \$90.00;
5. Reinstatement of license: \$150.00;
6. Late renewal fee: \$50.00;
7. Inactive status renewal: \$45.00;
8. Replacement wall certificate: \$40.00;
9. Replacement license: \$25.00.

(d) Fees for Public School Accountants are as follows:

1. Triennial registration fee: \$50.00.

(e) Entities filing an application to become Sponsors of Continuing Professional Education shall pay a fee of \$100.00 for administrative costs and evaluation of programs submitted.

1. Sponsor fees shall be charged on a biennial basis on the first business day of July of each odd numbered year.

R.1978 d.243, effective July 21, 1978.

See: 10 N.J.R. 165(b), 10 N.J.R. 352(c).

Readopted by R.1984 d.312, filed June 29, 1984.

See: 16 N.J.R. 1026(a), 16 N.J.R. 2004(a).

Section expired July 21, 1983 pursuant to Executive Order 66(1978).

Section readopted by R.1984 d.312.

Amended by R.1991 d.55, effective February 4, 1991.

See: 22 N.J.R. 3314(b), 23 N.J.R. 310(e).

Established a fee of \$100.00 for the application of entities who wish to be approved by the Board as Sponsors of Continuing Professional Education courses to be given to licensees.

Amended by R.1991 d.319, effective July 1, 1991.

See: 23 N.J.R. 1061(a), 23 N.J.R. 2022(a).

Added (a)1. Redesignated (a)1 as 2; deleted "Original application,"; changed "\$100.00" to "\$125.00".

Redesignated (a)2 as 3; changed "\$75.00" to "\$125.00".

Redesignated (a)3 as 4; changed "\$60.00" to "\$100.00".

Redesignated (a)4 as 5; deleted "Original application,".

Redesignated (a)5 as 6; changed "\$60.00" to "\$100.00".

Deleted (a)6.

Deleted "Original application,"; added "plus application fee as set forth in (a)1 above" in (a)7.

Added (a)8.

Redesignated (a)8 as 9; deleted "or any portion thereof"; changed "\$40.00" to "\$80.00". Added (a)10, 11.

Amended by R.1993 d.585, effective November 15, 1993.

See: 25 N.J.R. 1665(b), 25 N.J.R. 5352(c).

Amended by R.1995 d.268, effective June 5, 1995.

See: 27 N.J.R. 1134(a), 27 N.J.R. 2238(a).

Extended the section to limited liability companies and partnerships.

Amended by R.1996 d.349, effective August 5, 1996.

See: 28 N.J.R. 2316(a), 28 N.J.R. 3803(a).

In (a) deleted fees for certified public accountant examinations and reexaminations, and increased fees for registered municipal accountant examinations and reexaminations.

Amended by R.1999 d.274, effective August 16, 1999.

See: 31 N.J.R. 1150(a), 31 N.J.R. 2359(a).

In (a), substituted references to triennial registration periods for references to biennial registration periods and increased fees in 5, 6 and 9, and inserted 5iii.

Administrative correction.

See: 34 N.J.R. 4223(a).

Recodified from N.J.A.C. 13:29-1.13 by R.2004 d.480, effective December 20, 2004.

See: 36 N.J.R. 3494(a), 36 N.J.R. 5686(a).

Former N.J.A.C. 13:29-1.5, Filing constitutes agreement, recodified to N.J.A.C. 13:29-1.4.

Amended by R.2005 d.410, effective November 21, 2005.

See: 37 N.J.R. 1408(a), 37 N.J.R. 4457(a).

Rewrote the section.

13:29-1.6 Notification of convictions

Any licensee of the Board of Accountancy, upon conviction of any crime, shall notify the Board of Accountancy of such conviction in writing within 30 days.

New Rule, R.1986 d.172, effective May 19, 1986.

See: 18 N.J.R. 264(a), 18 N.J.R. 1104(b).

Amended by R.2000 d.222, effective June 5, 2000.

See: 32 N.J.R. 987(a), 32 N.J.R. 2089(a).

Substituted "is required to" with "shall".

Recodified from N.J.A.C. 13:29-1.14 by R.2004 d.480, effective December 20, 2004.

See: 36 N.J.R. 3494(a), 36 N.J.R. 5686(a).

Former N.J.A.C. 13:29-1.6, Applications for original examination; education and experience requirements, recodified to N.J.A.C. 13:29-1A.3.

13:29-1.7 (Reserved)

Amended by R.1983 d.211, effective June 20, 1983.

See: 14 N.J.R. 1279(a), 15 N.J.R. 1035(c).

In (b), deleted old 1.-9. and added 1.-9.

Readopted by R.1984 d.311, filed June 29, 1984.

See: 16 N.J.R. 1025(a), 16 N.J.R. 2003(b).

Repeal and New Rule, R.1987 d.262, effective July 6, 1987.

See: 19 N.J.R. 48(b), 19 N.J.R. 1227(a).

Amended by R.1991 d.310, effective June 17, 1991.

See: 23 N.J.R. 1060(a), 23 N.J.R. 1959(a).

Added "of 75 or more"; deleted "provided the candidate attains an average grade of 50 for the subjects failed. This minimum grade requirement is waived if three subjects are passed at a single sitting." in (b)2.

Deleted "and an average grade in all subjects not passed. While an average grade of less than 50 prevents the candidate from adding to this conditional status, it alone does not remove or cancel conditional status previously attained." in (b)3.

Changed "six examinations" to "10 examinations" in (b)4.

Changed the date in (b)7.

Amended by R.1994 d.316, effective June 20, 1994.

See: 26 N.J.R. 1217(a), 26 N.J.R. 2589(a).

Amended by R.2000 d.80, effective March 6, 2000.

See: 31 N.J.R. 2443(a), 32 N.J.R. 813(a).

In (b), substituted "received conditional credit pursuant to (b)2 below" for "yet received a passing grade of 75" at the end of 1, and substituted ", at a minimum, are" for "are substantially," following "requirements" in the second sentence, and inserted a new third sentence in 7.

Repealed by R.2004 d.480, effective December 20, 2004.

See: 36 N.J.R. 3494(a), 36 N.J.R. 5686(a).

Former N.J.A.C. 13:29-1.7, Applications for reexamination; condition credit, is recodified to 13:29-1A.6.

13:29-1.8 (Reserved)

New Rule, R.1985 d.287, effective June 3, 1985.

See: 17 N.J.R. 557(a), 17 N.J.R. 1424(a).

Amended by R.1991 d.319, effective July 1, 1991.

See: 23 N.J.R. 1061(a), 23 N.J.R. 2022(a).

Added "endorsement, initial license and application fees as set forth in N.J.A.C. 13:29-1.13;" deleted "fee of \$100.00" in (a)1.

Amended by R.2000 d.222, effective June 5, 2000.

See: 32 N.J.R. 987(a), 32 N.J.R. 2089(a).

Rewrote the section.

Recodified by R.2004 d.480, effective December 20, 2004.

See: 36 N.J.R. 3494(a), 36 N.J.R. 5686(a).

Former N.J.A.C. 13:29-1.8, Applications for license by endorsement, is recodified to 13:29-1A.8.

13:29-1.9 (Reserved)

Repealed by R.2000 d.222, effective June 5, 2000.

See: 32 N.J.R. 987(a), 32 N.J.R. 2089(a).

Section was "Chartered accountant".

13:29-1.10 (Reserved)

New Rule, R.1985 d.287, effective June 3, 1985.

See: 17 N.J.R. 557(a), 17 N.J.R. 1424(a).

Amended by R.1995 d.268, effective June 5, 1995.

See: 27 N.J.R. 1134(a), 27 N.J.R. 2238(a).

Changed the examination from three to two days and required that examination papers remain in possession of the Board.

Amended by R.2000 d.80, effective March 6, 2000.

See: 31 N.J.R. 2443(a), 32 N.J.R. 813(a).

Rewrote (h).

Amended by R.2000 d.222, effective June 5, 2000.

See: 32 N.J.R. 987(a), 32 N.J.R. 2089(a).

Rewrote the section.

Repealed by R.2004 d.480, effective December 20, 2004.

See: 36 N.J.R. 3494(a), 36 N.J.R. 5686(a).

Section was "Examinations".

13:29-1.11 (Reserved)

New Rule, R.1985 d.287, effective June 3, 1985.

See: 17 N.J.R. 557(a), 17 N.J.R. 1424(a).

Amended by R.1985 d.700, effective January 21, 1986.

See: 17 N.J.R. 2092(a), 18 N.J.R. 204(b).

(a): Old text deleted and new text substituted.

Amended by R.1991 d.319, effective July 1, 1991.

See: 23 N.J.R. 1061(a), 23 N.J.R. 2022(a).

Added "the initial license fee as set forth in N.J.A.C. 13:29-1.13"; deleted "a fee of \$14.00 which reflects the cost of the issuance of a certified public accountant's certificate and of a character investigation by the State Police." in (a).

Added "A late renewal fee shall be charged for ... for the current registration period."; added "or her"; deleted "A Certified Public Accountant who fails to timely renew his certificate shall have it declared forfeited. When the Certificate holder seeks to renew a certificate which has been declared forfeited the Board may reinstate his certificate provided he pay the fee for the current registration period in addition to a reinstatement fee set by the Board." in (c).

Amended by R.2000 d.222, effective June 5, 2000.

See: 32 N.J.R. 987(a), 32 N.J.R. 2089(a).

In (b), replaced a comma with the word "in"; in (c), increased renewal period for license and added an N.J.A.C. reference; added (d).

Amended by R.2002 d.127, effective May 6, 2002.

See: 33 N.J.R. 2594(a), 34 N.J.R. 1725(a).

Rewrote (c); in (d), substituted "a suspended" for "an expired"; and added (e).

Recodified by R.2004 d.480, effective December 20, 2004.

See: 36 N.J.R. 3494(a), 36 N.J.R. 5686(a).

Former N.J.A.C. 13:29-1.11, Licensee requirements; renewal; suspended license; reinstatement, is recodified to 13:29-1A.10.

13:29-1.12 (Reserved)

New Rule, R.1976 d.87, eff. March 16, 1976.

See: 8 N.J.R. 45(a), 8 N.J.R. 204(b).

Repeal and New Rule, R.1985 d.287, effective June 3, 1985.

See: 17 N.J.R. 557(a), 17 N.J.R. 1424(a).

Amended by R.1991 d.319, effective July 1, 1991.

See: 23 N.J.R. 1061(a), 23 N.J.R. 2022(a).

Changed "\$5.00" to "\$50.00"; changed "one year" to "two years".

Amended by R.2000 d.222, effective June 5, 2000.

See: 32 N.J.R. 987(a), 32 N.J.R. 2089(a).

Substituted a reference to certificate for license, deleted "\$50.00" preceding "fee", changed "two" to "three" and added an N.J.A.C. reference.

Recodified by R.2004 d.480, effective December 20, 2004.

See: 36 N.J.R. 3494(a), 36 N.J.R. 5686(a).

Former N.J.A.C. 13:29-1.12, Public School Accountant's license, was recodified to 13:29-1A.9

13:29-1.13 (Reserved)

R.1978 d.243, effective July 21, 1978.

See: 10 N.J.R. 165(b), 10 N.J.R. 352(c).

Readopted by R.1984 d.312, filed June 29, 1984.

See: 16 N.J.R. 1026(a), 16 N.J.R. 2004(a).

Section expired July 21, 1983 pursuant to Executive Order 66(1978). Section readopted by R.1984 d.312.

Amended by R.1991 d.55, effective February 4, 1991.

See: 22 N.J.R. 3314(b), 23 N.J.R. 310(e).

Established a fee of \$100.00 for the application of entities who wish to be approved by the Board as Sponsors of Continuing Professional Education courses to be given to licensees.

Amended by R.1991 d.319, effective July 1, 1991.

See: 23 N.J.R. 1061(a), 23 N.J.R. 2022(a).

Added (a)1. Redesignated (a)1 as 2; deleted "Original application,"; changed "\$100.00" to "\$125.00".

Redesignated (a)2 as 3; changed "\$75.00" to "\$125.00".

Redesignated (a)3 as 4; changed "\$60.00" to "\$100.00".

Redesignated (a)4 as 5; deleted "Original application,".

Redesignated (a)5 as 6; changed "\$60.00" to "\$100.00".

Deleted (a)6.

Deleted "Original application,"; added "plus application fee as set forth in (a)1 above" in (a)7.

Added (a)8.

Redesignated (a)8 as 9; deleted "or any portion thereof"; changed "\$40.00" to "\$80.00". Added (a)10, 11.

Amended by R.1993 d.585, effective November 15, 1993.

See: 25 N.J.R. 1665(b), 25 N.J.R. 5352(c).

Amended by R.1995 d.268, effective June 5, 1995.

requirements set forth in this rule. Conditional credits shall not be recognized unless such credits were obtained in a manner consistent with the provisions of (b)1, 2 and 3 above. In all cases, the duration of recognized conditional credit shall not be continued beyond the period determined by the rules of the Board.

(c) This section shall expire on April 30, 2009.

Amended by R.1983 d.211, effective June 20, 1983.

See: 14 N.J.R. 1279(a), 15 N.J.R. 1035(c).

In (b), deleted old 1.-9. and added 1.-9.

Readopted by R.1984 d.311, filed June 29, 1984.

See: 16 N.J.R. 1025(a), 16 N.J.R. 2003(b).

Repeal and New Rule, R.1987 d.262, effective July 6, 1987.

See: 19 N.J.R. 48(b), 19 N.J.R. 1227(a).

Amended by R.1991 d.310, effective June 17, 1991.

See: 23 N.J.R. 1060(a), 23 N.J.R. 1959(a).

Added "of 75 or more"; deleted "provided the candidate attains an average grade of 50 for the subjects failed. This minimum grade requirement is waived if three subjects are passed at a single sitting." in (b)2.

Deleted "and an average grade in all subjects not passed. While an average grade of less than 50 prevents the candidate from adding to this conditional status, it alone does not remove or cancel conditional status previously attained." in (b)3.

Changed "six examinations" to "10 examinations" in (b)4.

Changed the date in (b)7.

Amended by R.1994 d.316, effective June 20, 1994.

See: 26 N.J.R. 1217(a), 26 N.J.R. 2589(a).

Amended by R.2000 d.80, effective March 6, 2000.

See: 31 N.J.R. 2443(a), 32 N.J.R. 813(a).

In (b), substituted "received conditional credit pursuant to (b)2 below" for "yet received a passing grade of 75" at the end of 1, and substituted ", at a minimum, are" for "are substantially," following "requirements" in the second sentence, and inserted a new third sentence in 7.

Recodified from N.J.A.C. 13:29-1.7 and amended by R.2004 d.480, effective December 20, 2004.

See: 36 N.J.R. 3494(a), 36 N.J.R. 5686(a).

Rewrote (a) and (c).

13:29-1A.7 Security and irregularities; cheating

(a) Notwithstanding any other provisions of this subchapter, the Board may postpone scheduled examinations, the release of grades, or the issuance of licenses due to a breach of examination security; unauthorized acquisition or disclosure of the contents of an examination; suspected or actual negligence, errors, omissions, or irregularities in conducting an examination; or for any other reasonable cause or unforeseen circumstance.

(b) Cheating by an applicant in applying for, taking, or subsequent to the examination shall be deemed to invalidate any grade otherwise earned by the applicant on any test section of the examination, and may warrant summary expulsion from the test site and disqualification from taking the examination for a specified period of time.

(c) For purposes of this section, the following actions or attempted activities, among others, may be considered cheating:

1. Falsifying or misrepresenting educational credentials or other information required for admission to the examination;

2. Communication between applicants while the examination is in progress both inside or outside the test site or copying another applicant's answers;

3. Communication with others inside or outside the test site while the examination is in progress;

4. Substitution of another person to sit in the test site in place of the actual applicant;

5. Violating the nondisclosure prohibitions of the examination or aiding or abetting another in doing so; or

6. Retaking or attempting to retake a test section by an individual holding a valid license or by an applicant who has unexpired credit for having already passed the same test section, unless the individual or applicant has been expressly directed to retake the test section pursuant to a Board order or expressly authorized by the Board to retake the test section.

(d) In any case where it appears that cheating has occurred or is occurring, the applicant may be summarily expelled from the examination or moved to a position in the test site away from other examinees where the applicant may be watched more closely.

New Rule, R.2004 d.480, effective December 20, 2004.

See: 36 N.J.R. 3494(a), 36 N.J.R. 5686(a).

13:29-1A.8 Licensure by waiver of examination for applicants licensed in another jurisdiction; application procedures

(a) Applications for licensure by waiver of examination based upon licensure in another jurisdiction shall be made on a form supplied by the Board that shall require applicants to provide the following information:

1. The month and year of the applicant's successful completion of the Uniform CPA Examination;

2. A list of all states or jurisdictions in which the applicant holds or has ever held a license to practice accountancy;

3. All academic degrees held by the applicant; and

4. All experience and employment the applicant has obtained since being awarded his or her academic degree.

(b) Applications for licensure by waiver of examination based upon licensure in another jurisdiction shall be accompanied by the following items:

1. The waiver of examination, initial license and application fees for Certified Public Accountants as set forth in N.J.A.C. 13:29-1.5;

2. Written verification from the issuing authority in all foreign and domestic jurisdictions where the applicant holds a license, that the applicant's license in the jurisdiction is valid and in good standing, and setting forth

the applicant's full name, license number and the date the license was issued.

(c) Applicants shall appear upon request before the Board or any Committee appointed by the Board for the purpose of determining whether the applicant satisfies the requirements set forth at N.J.A.C. 13:29-1A.3.

New Rule, R.1985 d.287, effective June 3, 1985.

See: 17 N.J.R. 557(a), 17 N.J.R. 1424(a).

Amended by R.1991 d.319, effective July 1, 1991.

See: 23 N.J.R. 1061(a), 23 N.J.R. 2022(a).

Added "endorsement, initial license and application fees as set forth in N.J.A.C. 13:29-1.13;" deleted "fee of \$100.00" in (a)1.

Amended by R.2000 d.222, effective June 5, 2000.

See: 32 N.J.R. 987(a), 32 N.J.R. 2089(a).

Rewrote the section.

Recodified from N.J.A.C. 13:29-1.8 and amended by R.2004 d.480, effective December 20, 2004.

See: 36 N.J.R. 3494(a), 36 N.J.R. 5686(a).

In (b)1 and (c), amended the N.J.A.C. references.

Amended by R.2005 d.410, effective November 21, 2005.

See: 37 N.J.R. 1408(a), 37 N.J.R. 4457(a).

Section was "Applications for license by endorsement"; rewrote introductory paragraph of (a) and (b); rewrote (b)1.

13:29-1A.9 Public School Accountant's license

The holder of a license as a Certified Public Accountant or registered municipal accountant shall be granted a Public School Accountant's license upon application to the Board, and the payment of a fee for a period of three years, as set forth in N.J.A.C. 13:29-1.5.

New Rule, R.1976 d.87, eff. March 16, 1976.

See: 8 N.J.R. 45(a), 8 N.J.R. 204(b).

Repeal and New Rule, R.1985 d.287, effective June 3, 1985.

See: 17 N.J.R. 557(a), 17 N.J.R. 1424(a).

Amended by R.1991 d.319, effective July 1, 1991.

See: 23 N.J.R. 1061(a), 23 N.J.R. 2022(a).

Changed "\$5.00" to "\$50.00"; changed "one year" to "two years".

Amended by R.2000 d.222, effective June 5, 2000.

See: 32 N.J.R. 987(a), 32 N.J.R. 2089(a).

Substituted a reference to certificate for license, deleted "\$50.00" preceding "fee", changed "two" to "three" and added an N.J.A.C. reference.

Recodified from N.J.A.C. 13:29-1.12 and amended by R.2004 d.480, effective December 20, 2004.

See: 36 N.J.R. 3494(a), 36 N.J.R. 5686(a).

Amended the N.J.A.C. reference.

13:29-1A.10 Licensee requirements; renewal; suspended license; reinstatement; inactive status

(a) Applicants who satisfy the requirements of this subchapter shall pay the initial license fee as set forth in N.J.A.C. 13:29-1.5.

(b) Every successful applicant shall comply with the Rules of Professional Conduct in N.J.A.C. 13:29-3.

(c) A Certified Public Accountant shall renew his or her license for a period of three years from the last expiration date. The licensee shall remit a renewal application to the Board, along with the renewal fee set forth in N.J.A.C. 13:29-1.5, prior to the date of license expiration. A licensee who submits a renewal application within 30 days following the

date of license expiration shall submit the renewal fee, as well as the late fee set forth in N.J.A.C. 13:29-1.5. A licensee who fails to submit a renewal application within 30 days of the date of license expiration shall have his or her license suspended without a hearing.

(d) A licensee who continues to engage in the practice of accountancy with a suspended license shall be deemed to be engaging in the unauthorized practice of accountancy and shall be subject to the penalties set forth in N.J.S.A. 45:1-25 et seq.

(e) A licensee who has had his or her license suspended pursuant to (c) above may apply to the Board for reinstatement within five years following the date of license expiration. A licensee applying for reinstatement shall submit:

1. A renewal application, including an affidavit of employment listing each job held during the period of license suspension, including the names, addresses, and telephone numbers of each employer;
2. All past due renewal fees set forth in N.J.A.C. 13:29-1.5;
3. The reinstatement fee set forth in N.J.A.C. 13:29-1.5;
4. Any outstanding penalties imposed by the Board; and
5. Evidence of having completed 120 continuing professional education credit hours in the three-year period prior to reinstatement.

(f) If a Certified Public Accountant has had his or her license suspended pursuant to (c) above for more than five years, and wishes to have the license reinstated, then he or she shall successfully complete the examination required for initial licensure as set forth in N.J.A.C. 13:29-1A.2 and shall submit the documents required by (e)1 through 4 above.

(g) If a Public Accountant has had his or her license suspended pursuant to (c) above for more than five years, and wishes to have the license reinstated, then he or she shall reapply for licensure and shall demonstrate that he or she has maintained proficiency. An applicant who fails to demonstrate to the satisfaction of the Board that he or she has maintained proficiency while suspended may be subject to an examination or other requirements as determined by the Board prior to reinstatement of his or her license.

(h) The Board shall send a notice of renewal to each licensee at least 60 days prior to the expiration of the license. If the notice to renew is not sent at least 60 days prior to the expiration date, no monetary penalties or fines shall be imposed upon the licensee for failure to renew.

(i) A licensee may, upon application to the Board, choose inactive licensure status. A licensee electing inactive status shall not engage in the practice of accountancy in New Jersey for the entire triennial registration period unless the licensee

required by the Board to document the elements of (a) above, and, in addition thereto, certifies that the sponsor shall:

1. Maintain and retain accurate records of attendance for a five-year period;
2. Retain a written outline of course materials for a five-year period; and
3. Comply with the requirements of N.J.A.C. 13:29-6.12 relative to the responsibilities of program sponsors.

(c) A continuing professional education sponsor who wishes to offer a course on New Jersey law and ethics, as set forth in N.J.A.C. 13:29-6.3A, shall apply to the Board in writing for prior approval of the course. As part of the application, the program sponsor shall submit the following:

1. A complete course outline and course materials which shall document, at a minimum, instruction in the following areas:

- i. The Accountancy Act of 1997, N.J.S.A. 45:2B-42 et seq.;
- ii. The rules of the New Jersey State Board of Accountancy, N.J.A.C. 13:29, specifically including, but not limited to, the rules of professional conduct set forth in N.J.A.C. 13:29-3;
- iii. The Uniform Enforcement Act, N.J.S.A. 45:1-7.1, 7.2, 7.3 and 18 et seq.; and
- iv. The uniform regulations of the Division of Consumer Affairs, N.J.A.C. 13:45C;

2. Information documenting that the course shall be:

- i. A formal course of learning which contributes directly to the maintenance of professional competence of a licensee;
- ii. A total of four credit hours in length; and
- iii. Conducted by a qualified instructor or discussion leader; and

3. A certification verifying that the sponsor shall:

- i. Provide copies of the materials set forth in (c)1 above to each course attendee;
- ii. Maintain and retain accurate records of attendance at the course for a five-year period;
- iii. Retain a written outline of course materials for a five-year period; and
- iv. Comply with the requirements of N.J.A.C. 13:29-6.12 relative to the responsibilities of program sponsors.

(d) A continuing professional education sponsor who has qualified as a sponsor pursuant to (a) above, or has obtained prior Board approval for a course pursuant to (b) above, shall not offer courses for continuing professional education credit to any Board licensee in subject matters other than those

enumerated in N.J.A.C. 13:29-6.3 or 6.4. A continuing professional education sponsor who has obtained Board approval pursuant to (c) above shall not offer any New Jersey law and ethics course for continuing professional education credit to any Board licensee other than the law and ethics course approved by the Board to fulfill the four credit hour requirement set forth in N.J.A.C. 13:29-6.2.

Amended by R.2000 d.104, effective March 20, 2000.

See: 31 N.J.R. 2446(a), 32 N.J.R. 1034(a).

In (b), inserted "professional" following "continuing" throughout; and added (c).

Amended by R.2002 d.293, effective September 3, 2002 (operative January 1, 2003).

See: 34 N.J.R. 433(a), 34 N.J.R. 3097(a).

In (a) and (b), inserted references to N.J.A.C. 13:29-6.3 and 6.4 in the introductory paragraphs; added a new (c); recodified former (c) as (d) and rewrote the paragraph.

13:29-6.7 Credit-hour calculations

(a) The minimum measurement for continuing professional education credit shall be a whole credit hour. Except for those sources of continuing professional education for which another system of credit hour calculation is set forth in this subchapter, a continuing professional education credit hour shall be equivalent to 50 minutes.

(b) Unless otherwise provided, only in-class participation, not student time devoted to preparation, shall be counted toward satisfaction of the continuing professional education requirements of this subchapter.

Amended by R.2000, d.222, effective June 5, 2000.

See: 32 N.J.R. 987(a), 32 N.J.R. 2089(a).

Rewrote the section.

13:29-6.8 Reporting of continuing education credit hours

(a) Licensees shall provide, at a time prescribed and on forms approved by the Board, a signed statement certifying that continuing professional education requirements have been satisfied and which shall include, where applicable, the following:

1. Dates attended;
2. Credit hours claimed;
3. Title of course and description of content;
4. School, firm, or organization sponsoring course;
5. Instructor;
6. Location of course;
7. Public speaking;
8. Lecturing; and
9. Discussion leader activity.

(b) Falsification of any information provided pursuant to (a) above may result in the suspension or revocation of the licenses held by the falsifier.

Administrative correction to (b).

See: 21 N.J.R. 1366(a).

Amended by R.2000, d.222, effective June 5, 2000.

See: 32 N.J.R. 987(a), 32 N.J.R. 2089(a).

In (a), substituted shall for must and satisfied for met; in (b), substituted provided pursuant to (a) above for required.

13:29-6.9 Retention of continuing professional education records

(a) A licensee shall be primarily responsible for documenting satisfaction of continuing professional education requirements. Evidence to support fulfillment of continuing professional education requirements shall be maintained for a period of five years after the completion of educational courses. Such evidence shall be subject to periodic audit by the Board. Satisfactory documentation of the necessary information, including the retention of attendance records and written outlines, shall be accomplished as follows:

1. For courses taken for scholastic credit in accredited universities or colleges, a certified transcript or notarized statement of appropriate school authority shall constitute evidence of satisfactory completion of the course. For noncredit courses taken, a statement of the hours of attendance signed by the instructor, shall be obtained by the licensee.
2. For correspondence and independent study courses, written evidence of completion shall be submitted by the licensee.
 - i. Acceptable evidence of the completion of a correspondence course shall be a certificate of satisfactory completion acquired by the licensee from the program sponsor.
 - ii. Acceptable evidence of the completion of an independent study course shall be a summary of the program material drafted by the licensee.
3. If the program sponsor retains a copy of the course materials and a record of attendance, the licensee shall maintain a record of the information listed in N.J.A.C. 13:29-6.8(a). The licensee shall be responsible for determining whether or not the program sponsor retains such records. If there is a dispute concerning whether claimed activity should be granted credit and if the dispute could be resolved by the production of documented information to support the claim of the licensee, the dispute shall be resolved against the licensee if he or she fails to produce evidence sufficient to document his or her claim.
4. If the licensee determines that the program sponsor does not retain the information discussed in (a)3 above, the licensee shall maintain a record of that information and a copy of the course outline prepared by the program sponsor.

Amended by R.2000, d.222, effective June 5, 2000.

See: 32 N.J.R. 987(a), 32 N.J.R. 2089(a).

In (a), amended first and third sentence; in (a)3, substituted shall be for is, such for these and shall for will.

13:29-6.10 Continuing professional education requirements; reciprocity

An individual who holds a valid and unrevoked license issued by any state or other political subdivision of the United States and who receives a license to practice in New Jersey under the appropriate provisions of N.J.S.A. 45:2B-42 et seq. and pursuant to N.J.A.C. 13:29-1A.8 shall be required to comply with the continuing professional education requirements applicable to all other licensees.

Amended by R.2000 d.104, effective March 20, 2000.

See: 31 N.J.R. 2446(a), 32 N.J.R. 1034(a).

In (a), changed N.J.S.A. reference, and inserted "professional" following "continuing"; and rewrote (b).

Amended by R.2005 d.410, effective November 21, 2005.

See: 37 N.J.R. 1408(a), 37 N.J.R. 4457(a).

Section was "Continuing professional education requirements; reciprocity or reinstatement"; deleted designation (a); deleted (b).

13:29-6.11 Responsibilities of program developers

(a) Program developers shall specify the level of knowledge to be imparted under the continuing professional education program in order to provide sufficient information to potential participants and sponsors. As an illustration, a program may be described as having the objective of imparting technical knowledge at such levels as basic, intermediate, advanced, or overview, which may be defined as follows:

1. A basic level program teaches fundamental principles or skills to participants having no prior exposure to the subject area;
2. An intermediate level program builds on a basic level program in order to relate fundamental principles or skills to practical situations and extend them to a broader range of applications;
3. An advanced level program teaches participants to deal with complex situations; and
4. An overview program enables participants to develop perspective as to how a subject area relates to the broader aspects of accounting or brings participants up-to-date on new developments in the subject area.

(b) Program developers shall clearly identify what prerequisites are suggested for enrollment. If no prerequisite is necessary, a statement to this effect shall be made. Prerequisites shall be specified in precise language so potential participants may readily ascertain whether the program would be beneficial to them or whether the program is above or below their level of knowledge or skill.

(c) Programs shall be developed by individuals qualified in the subject matter and in instructional design. An individual program developer need not be both technically

competent and competent in instructional design, provided that both types of competency are represented in the program's development. Mastery of the technical knowledge or skill in instructional design may be demonstrated by appropriate experience or educational credentials.

(d) The program developer shall review the course materials periodically to ensure that they are accurate and consistent with currently accepted standards relating to the program's subject matter. Between these reviews, errata sheets shall be issued where appropriate, and obsolete material shall be deleted; however, between the time a new pronouncement is issued and the issuance of errata sheets or removal of obsolete materials, the instructor shall be responsible for informing participants of changes. If, for example, a new accounting standard is issued, a program shall not be considered current unless the ramifications of the new standard have been incorporated into the materials or the instructor appropriately informs the participants of the new standard.

Amended by R.2000, d.222, effective June 5, 2000.
See: 32 N.J.R. 987(a), 32 N.J.R. 2089(a).

In (a), rewrote the first sentence and deleted the second sentence; and rewrote (b), (c) and (d).

13:29-6.12 Responsibilities of program sponsors

(a) In addition to the requirements of N.J.A.C. 13:29-6.6, continuing professional education program sponsors shall comply with the following requirements:

1. Disclosure to prospective participants: The program sponsor shall disclose in advance to prospective participants the objective, prerequisites, experience level, content, required advanced preparation, teaching method, and number of continuing professional education credits involved in the program. Sponsors shall also advise participants, in advance, of courses which qualify as "auditing" pursuant to N.J.A.C. 13:29-6.3(a).

2. Selection and review of instructors: The program sponsor shall select and assign qualified instructors for the continuing professional education program. Sponsors shall evaluate the performance of the program instructors at the conclusion of each program to determine the instructors' suitability to continue to serve as instructors in the future.

3. Number of participants and adequacy of physical facilities: The program sponsor shall be responsible for assuring that the number of participants and the physical facilities are consistent with the teaching methods to be utilized.

4. Program evaluation: Program evaluation shall be in accordance with the following:

i. The sponsor shall provide some means of program evaluation. Evaluations shall be solicited from both the participants and instructors. Programs shall be evaluated to determine whether:

- (1) Objectives have been met;
- (2) Prerequisites were necessary or desirable;
- (3) Facilities were satisfactory;
- (4) The instructor was effective;
- (5) Advanced preparation materials were satisfactory; and
- (6) The program content was timely and effective.

ii. Evaluations shall take the form of one or a combination of pretests for advanced preparation, post-tests for effectiveness of the program, questionnaires completed at the end of the program or later, or oral feedback to the instructor or sponsor. Instructors shall be informed of their performance, and sponsors shall systematically review the evaluation process to insure its effectiveness.

Amended by R.2000, d.222, effective June 5, 2000.
See: 32 N.J.R. 987(a), 32 N.J.R. 2089(a).

Rewrote the section.

13:29-6.13 Sponsor's failure to comply with continuing education responsibilities

Failure of a sponsor to comply with the requirements for continuing professional education programs, as set forth in N.J.A.C. 13:29-6.6, and responsibilities of program sponsors, as set forth in N.J.A.C. 13:29-6.12, may result in the suspension of the preapproved status for programs offered by the sponsor.

Amended by R.2000, d.222, effective June 5, 2000.
See: 32 N.J.R. 987(a), 32 N.J.R. 2089(a).

Added N.J.A.C. references.