
City Council

Notice of Motion

MM49.11	ACTION			Ward: All
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Bill 158 - The Accounting Professions Act - by Councillor Vaughan, seconded by Mayor Miller

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Executive Committee. A two thirds vote is required to waive referral.*

Recommendations

Councillor Vaughan, seconded by Mayor Miller, recommends that:

1. City Council write to the Premier, the Attorney General and the Government of Ontario with respect to Bill 158, and specifically to request that the proposed legislation be amended by including the following:

“Any use of the initials ‘ACMC (UK)’ or ‘FCMA (UK)’ by an individual who is a member of the Chartered Institute of Management Accountants is deemed not to be a contravention of Section 26”.
2. City Council direct that the Chartered Institute of Management Accountants (CIMA), the Toronto Region Immigrant Employment Council (TRIEC) and the South Asian Legal Clinic of Ontario (SALCO) be advised of the position taken by City Council.

Summary

Throughout the history of the city, Toronto has acted to show leadership in the protection, recognition and celebration of human rights. In particular, the City of Toronto and this Council have been strong advocates for the recognition and inclusion of foreign-trained professionals in our local economy and workforce.

The Province of Ontario has recently proposed Bill 158 for the purpose of modernizing the accounting profession in Ontario. Specifically, Bill 158 seeks to safeguard consumer protection and strengthen the accounting industry's transparency. Clearly, both are commendable goals.

Over 171, 000 members of CIMA (UK) in 165 countries around the world including approximately 1000 members in Ontario use the ACMA(UK) designation. This has been the practice for members of CIMA (UK) in its 90 year old history.

Under the Bill 158, a CIMA member in Ontario will be unable to use the designatory letters ACMA (UK) on any documents including business cards, email signatures or on letters to the newspaper or magazine articles. This restriction will place professionally qualified international accountants at a disadvantage when they immigrate to Canada and in particular to Toronto. This will be an employment barrier as their designations will no longer be recognized.

The Bill also has a similar Clause affecting the use of another UK Accounting designation ACCA(UK) which negatively affects another 2,500 UK qualified Accountants in Ontario.

Bill 158 is in direct contradiction of the City of Toronto's commitment to helping new immigrants integrate into our economy. Canada actively seeks skilled immigrants, but this type of action serves to keep those immigrants from making best use of their skills and experience. It also prevents them from wanting to migrate to Canada.

The UK government through, Mr. Jonathan Dart, the British Consul General in Toronto, has cautioned Ontario that the prohibitions introduced by Bill 158 are excessively restrictive and risked raising suspicions in some quarters of protectionism. They are concerned that the current wording could create difficulties for Canada/Ontario in the current negotiations of the Canada/EU Economic and Trade Agreement (CETA), and could also complicate the position of members of the Canadian Accounting bodies operating in the UK.

The South Asian Legal Clinic of Ontario ("SALCO") is a not-for-profit legal aid clinic that was first established in 1999. Part of SALCO's mandate is to identify and participate in law reform initiatives which will advance the social, economic and legal interest of South Asians in Ontario. SALCO has written to Attorney General expressing concern that the prohibition introduced in Bill 158 will create barriers for foreign-trained accountants, namely from South Asia and will have a disproportionate and adverse effect on them. SALCO states that the Prohibitions, in the current form, discriminate against foreign-trained accountants on the basis of their place of training, which is an indirect form of discrimination based on the basis of place of origin. This is contrary to both the Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms.

Toronto Region Immigrant Employment Council (TRIEC) has also expressed similar concerns about Bill 158.

(Submitted to City Council on May 11 and 12, 2010 as MM49.11)