

Guidelines applicable for Auditors who provide services to a Market Institution, Market Intermediary, Listed Public Company or a Collective Investment Scheme

General interpretation

1. The words and terms defined in the Securities and Exchange Commission of Sri Lanka Act No. 19 of 2021 shall unless the context requires otherwise have the same meaning assigned to them in the said Act:

“Auditor” means:

- (i) a Fellow Member of the Institute of Chartered Accountants of Sri Lanka, having obtained the relevant certificate to practice from the Institute of Chartered Accountants of Sri Lanka; or
- (ii) an Associate Member of the Institute of Chartered Accountants of Sri Lanka who has a minimum of five (5) years auditing experience and having obtained the relevant certificate to practice from the Institute of Chartered Accountants of Sri Lanka

who provides services to a market institution, market intermediary, listed public company or a collective investment scheme and falls within the definition of a Supplementary Service Provider under the SEC Act;

“Commission” means the Securities and Exchange Commission of Sri Lanka established in terms of the Securities and Exchange Commission of Sri Lanka Act No. 19 of 2021 as amended;

“SEC Act” means the Securities and Exchange Commission of Sri Lanka Act No.19 of 2021 as amended.

Applicability

2. The guidelines set out herein shall apply to all Auditors who provide services to a market institution, market intermediary, listed public company or a collective investment scheme.
3. Every Auditor shall comply with:
 - (a) the requirements set out herein and any amendments thereto;
 - (b) provisions of the SEC Act which may be relevant and/or applicable to an Auditor;

- (c) directives issued from time to time by the Commission and
- (d) all requirements and practices as morefully contained in the Code of Ethics of the Institute of Chartered Accountants of Sri Lanka.

4. The Commission may waive compliance with any of the guidelines set out herein in circumstances deemed appropriate.

Submission of reports and maintenance of records

5. An Auditor shall:

(a) submit to the Commission upon request any information/report in relation to services rendered by him to any party pertaining to matters relevant to services provided to a market institution, market intermediary, listed public company or a collective investment scheme;

(b) ensure that all documentation for the work undertaken on behalf of a party is maintained for a period of six (06) years; and

(c) not destroy, conceal or alter any records, property or books relating to the business of Auditor which are in its possession or under its control with the intention of defeating, preventing, delaying or obstructing the carrying out of any examination.

Governance and other related requirements

6. An Auditor who issues an audit opinion or any other communication shall do so in accordance with the Sri Lanka Auditing Standards (SLAuSs).

7. An auditor shall not disclose to another party any confidential information unless authorized to do so by the client or required to do so by Law.