

COMMISSION de SURVEILLANCE du SECTEUR FINANCIER

In case of discrepancies between the French and the English text, the French text shall prevail

Luxembourg, 4 December 2013

To all entities subject to the public oversight
of the audit profession by the CSSF

CIRCULAR CSSF 13/578

Re: Update of the general presentation of the law of 18 December 2009 and regulations relating to the audit profession

Ladies and Gentlemen,

This circular updates the legal and regulatory framework concerning the audit profession.

The law of 18 December 2009 concerning the audit profession which came into force on 23 February 2010 confers on the CSSF the public oversight of the audit profession.

This circular provides **further information** on the following laws and regulations:

- Law of 18 December 2009 concerning the audit profession, published in Mémorial A - No 22 of 19 February 2010 (the "**Law**");
- Grand-Ducal regulation of 9 July 2013 determining the requirements for the professional qualification of *réviseurs d'entreprises* (statutory auditors) pursuant to Article 3(2)(a) and Article 8(2)(a) of the Law as published in Mémorial A - No 121 of 16 July 2013 (the "**GDR access to the profession**");
- Grand-Ducal regulation of 15 February 2010 organising continuing training of *réviseurs d'entreprises* (statutory auditors) and *réviseurs d'entreprises agréés* (approved statutory auditors) as set forth in Article 9 of the Law as published in Mémorial A - No 22 of 19 February 2010 (the "**GDR continuing training**");
- Grand-Ducal regulation of 18 December 2009 determining the conditions for the recognition of service providers from other Member States as provided for in Article 7 of the Law as published in Mémorial A - No 22 of 19 February 2010 (the "**GDR LPS**");
- CSSF Regulation N° 13-03 on the establishment of a consultative commission for the access to the audit profession (the "**CSSFR consultative commission**");
- CSSF Regulation N° 13-05 on the training log to be presented by candidate *réviseurs d'entreprises* when applying for registration for the examination of professional competence (the "**CSSFR training log**");

- CSSF Regulation N° 13-01 relating to 1) the adoption of audit standards in the field of statutory audit under the Law, 2) the adoption of standards in the field of the other assignments reserved by the law exclusively to *réviseurs d'entreprises agréés* under the Law, 3) the adoption of standards on professional ethics and internal quality control under the Law (the "**CSSFR standards**");
- CSSF Regulation N° 13-04 relating to 1) establishment of a list of Master's degrees or diplomas corresponding to equivalent trainings which satisfy the requirements referred to in Article 2(1) and (2) of the GDR access to the profession, 2) the establishment of a list of approvals referred to in Article 1, Section D of the GDR access to the profession (the "**CSSFR list of diplomas and approvals**");

On 4 December 2013, this circular repeals and replaces, Circular CSSF 11/527 of 15 December 2011. It includes in particular the main amendments introduced by the **GDR access to the profession** as regards the candidates for the training and the trainees:

- to be **admitted to the training**, the candidates shall henceforth prove that they have completed at least 10 out of the 15 subjects of the administrative certificate referred to in Article 2(2) of the GDR access to the profession;
- as regards the **complementary training certificate** to be completed during the training, the trainees have a maximum of six academic semesters to complete again all subjects of the certificate and the tests of each subject can be taken up to six times only, bearing in mind that the ordinary test and the remedial examination are considered individually. After six failures in one subject, the candidate shall complete again all the subjects passed until that date. Moreover, an unjustified absence at a session shall be considered as failure;
- for the **examination of professional competence**, the registered candidate who does not attend the written test will be totally referred, except if s/he provides a valid reason for his/her absence. The jury will assess the validity of the reason given by the candidate during its deliberation.

Furthermore, the **third country approval holders** shall henceforth submit the same complementary training certificate as the approval holders from a Member State of the European Union or the European Economic Area.

Other administrative simplifications have also been brought through the new **CSSFR training log** which removes, in particular, for the trainees, the annual assessment to be submitted to the CSSF and reduces the number of information as regards the assignments to be included in the training log.

All the documents and forms relating to the information mentioned in this circular are available on the CSSF website: <http://www.cssf.lu/en/public-oversight-audit-profession/>

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1. General provisions and scope

1.1. Introduction of two statuses: *réviseur d'entreprises* (statutory auditor) and *réviseur d'entreprises agréé* (approved statutory auditor) (Article 1(28) and (29) of the Law)

Pursuant to the Law, *réviseur d'entreprises* shall mean a natural person qualified for carrying out the audit profession, but who is not approved to carry out the statutory audit and all other assignments conferred exclusively on *réviseurs d'entreprises agréés* by the law (as set forth under item 1.2. hereafter) and *réviseur d'entreprises agréé* shall mean a natural person who is allowed, in accordance with the Law, carrying out the activities reserved to the audit professionals and laid down in Article 1(29)(a) and (b) of the Law.

By analogy, the Law introduces the terms *cabinet de révision* (audit firm) and *cabinet de révision agréé* (approved audit firm) for legal persons. In this circular, the terms *réviseur d'entreprises* and *réviseur d'entreprises agréé* shall include, except otherwise stipulated, the *cabinet de révision* and *cabinet de révision agréé*.

In order to be granted the status *réviseur d'entreprises agréé*, a *réviseur d'entreprises* shall request an **approval** to carry out activities reserved to audit professionals, in accordance with the provisions set out in item 4. hereafter.

The status *réviseur d'entreprises* allows the persons with adequate professional qualification to hold this title regardless of the professional activity carried out and thus even if the persons take on a job in a company. These persons cannot carry out the statutory audit or any other activities which the law entrusts exclusively to *réviseurs d'entreprises agréés*, i.e. the assignments listed under item 1.2. hereafter.

Réviseurs d'entreprises agréés may carry out other activities than those reserved to them, such as domiciliation, contractual audit, tax advice, organising and carrying out the accounting and analysis, using accounting techniques, of the situation and functioning of undertakings from their various economic, legal and financial aspects, in compliance with the independence rules laid down in Articles 18 and 19 of the Law and in the CSSFR standards.

Réviseurs d'entreprises are free to exercise their professional activities, provided that they meet certain requirements and in particular that they are subject to different provisions of the Law, such as continuing education, ethical rules and supervision by the Institut des Réviseurs d'Entreprises ("IRE") in order to ensure the quality of the audit profession. *Réviseurs d'entreprises* do not fall within the scope of the public oversight of the CSSF.

1.2. Other assignments conferred exclusively on *réviseurs d'entreprises agréés* by the Law (Article 1, item (29)(b) of the Law)

Nature of the assignments	Reference law
<ul style="list-style-type: none"> ▪ Contributions other than in cash and assimilated assignments 	Articles 26-1(2), 26-2, 31-1, 31-2, 31-3 and 32-1 of the law of 10 August 1915 on commercial companies
<ul style="list-style-type: none"> ▪ Merger/demerger auditor 	Sections XIV and XV of the law of 10 August 1915 on commercial companies
<ul style="list-style-type: none"> ▪ Liquidation auditor 	Article 151 of the law of 10 August 1915 on commercial companies and Article 35 of the law of 19 December 2002 on the commercial and companies register
<ul style="list-style-type: none"> ▪ Interim dividend distribution 	Article 72-2 of the law of 10 August 1915 on commercial companies
<ul style="list-style-type: none"> ▪ Audit on the production expenditures eligible for the granting of audiovisual certificates of investment and selective financial aid 	Grand-Ducal regulation of 16 March 1999 implementing the amended law of 11 April 1990 creating a <i>Fonds national de soutien à la production audiovisuelle</i> (national fund to support audiovisual production)
<ul style="list-style-type: none"> ▪ Audit of annual accounts in accordance with the international standard on the limited review assignments for non-governmental development organisations which receive an annual co-financing greater than or equal to one hundred thousand euros 	Grand-Ducal regulation of 7 August 2012 defining the intervention thresholds, the annual financial ceiling, the non-financial local contribution as well as the audit obligations within the context of the co-financing of the programmes or projects submitted by the non-governmental development organisations pursuant to the amended law of 6 January 1996 on development cooperation and humanitarian activity

This list does not aim to be comprehensive, but only mentions the most frequent assignments.

1.3. Reserved use of international audit standards and signature policies of the reports relating to the reserved activities (Article 70 of the Law)

All assignments carried out while referring to international auditing standards shall be exclusively entrusted to *réviseurs d'entreprises agréés* or *cabinets de révision agréés* in accordance with Article 70 of the Law.

Moreover, the reports issued by a *cabinet de révision agréé* within the framework of a statutory audit, an assignment conferred exclusively on *réviseurs d'entreprises agréés* or another assignment carried out while referring to international audit standards (such as

the contractual audit of accounts), **shall** be signed by the *réviseur(s) d'entreprises agréé(s)* responsible for such assignment, in accordance with Article 5(3)(a) of the Law.

Finally, where a *cabinet de révision agréé* carries out the statutory audit, Article 29 of the Law specifies that "the audit report shall be signed at least by the *réviseur(s) d'entreprises agréé(s)* carrying out the statutory audit on behalf of said cabinet." This does not allow, in any circumstance, a natural person who is not a *réviseur d'entreprises agréé* to sign such a report, even jointly with a *réviseur d'entreprises agréé*. On the contrary, such act is considered as a misuse of the title *réviseur d'entreprises agréé* and, therefore, a breach of the Law punishable by criminal sanctions laid down in Article 70.

1.4. Appointment of a public oversight authority for the audit profession (Article 57 of the Law)

The CSSF is the competent authority for the **public oversight of the audit profession**.

In this context, the CSSF is responsible for:

- granting the title *réviseur d'entreprises* and *cabinet de révision*;
- the approval and registration of *réviseurs d'entreprises* and *cabinets de révision* carrying out statutory audits and the other assignments conferred upon them by law on an exclusive basis;
- the registration and public oversight of third-country auditors and audit entities (cf. item 1.5. below);
- the adoption of auditing standards and standards of professional ethics and of internal quality control of *cabinets de révision agréés*;
- continuing education;
- quality assurance;
- investigations and sanctions relating to the activities that are carried out only by the audit profession;
- and the cooperation with the competent authorities of the other Member States and the competent authorities of third countries.

1.5. Registration and public oversight of third-country auditors and audit entities (Articles 79 and 80 of the Law)

As a significant number of companies are impacted by this measure, it is worth mentioning that entities - natural or legal persons - approved in a **third country**, outside the European Union, which provide an audit report concerning the accounts of companies whose transferable securities are admitted to trading on a regulated market in Luxembourg **shall be registered in Luxembourg** and **shall be subject to the systems of public oversight, quality assurance, investigations and sanctions of the CSSF**.

An exemption from certain requirements may however be granted, subject to reciprocity, provided that the entity carrying out the audit is subject to "equivalent" systems of public oversight, quality assurance, investigations and sanctions in the third country where it is registered.

The assessment process of this equivalence is carried out by the European Commission, in close co-operation with the Member States. At the end of this process, the European Commission decides either on the equivalence or absence of equivalence.

1.6. Concept of "public-interest entity" (Article 1(19), Article 19 and Chapter IX of the Law)

Pursuant to the Law, "**public-interest entities**" are:

- *entities governed by Luxembourg law whose transferable securities are admitted to trading on a regulated market of a Member State (e.g. listed companies);*
- *credit institutions incorporated under Luxembourg law;*
- *insurance undertakings incorporated under Luxembourg law.*

Each public-interest entity shall have an audit committee, **unless otherwise provided**.

Additional requirements are provided for in the Law, such as stricter independence rules including, in particular, that the key audit partner responsible for carrying out a statutory audit for such an entity on behalf of a *cabinet de révision agréé* rotates from the statutory audit within a maximum period of seven years from the date of appointment, and shall apply to entities governed by Luxembourg law whose securities are admitted to trading on a regulated market in a Member State. It also includes more frequent quality assurance reviews for *réviseurs d'entreprises agréés* and *cabinets de révision agréés*, which shall be carried out at least every three years (instead of six).

1.7. Transparency

The Law puts emphasis on transparency through the setting-up of a public register (Article 11 of the Law, cf. item 4.3. below) of natural and legal persons approved for carrying out statutory audits, the publication of an annual transparency report by the *cabinets de révision agréés* of public-interest entities (Article 73 of the Law) and the publication of annual work programmes and activity reports by the system of public oversight (Article 65 of the Law, cf. item 9. below).

2. Access to the audit profession

The three types of candidates for the audit profession in Luxembourg are:

- the candidates exercising a professional activity in Luxembourg as referred to in Article 1, Section A of the GDR access to the profession (cf. points 2.1. to 2.5. below);
- the candidates who are approved as statutory auditors or who satisfy the requirement of approval in other Member States, as referred to in Article 1, Sections B and C of the GDR access to the profession (cf. item 2.6. below);
- the candidates who are holders of an approval considered as equivalent in third countries ensuring reciprocity in Luxembourg, as referred to in Article 1, Section D of the GDR access to the profession (cf. item 2.6. below);

2.1. Admission to training

To be admitted to the training, the candidate shall submit an application to the CSSF using the **Registration form for trainee *réviseurs d'entreprises*** available at <http://www.cssf.lu/en/public-oversight-audit-profession/trainees/> and attach a copy of the diplomas referred to in Article 1, Section A, item (a) of the GDR access to the profession to allow the assessment of the theoretical qualification.

This interactive form shall be filled in and signed electronically. This process requires a Luxtrust certificate for the electronic transmission of the file (form and documents) through the portal Guichet.lu (after creating a MyGuichet account).

Instructions for filling in the form are set out in the Annex.

In summary, the following supporting documents shall be added to the registration form:

- Copy of higher education diploma(s);
- **Originals** of the administrative certificate(s) corresponding to the ECTS study points obtained (European Credit Transfer and Accumulation System) and issued by one or more higher education institutions (form available in French, English and German on the website <http://www.cssf.lu/en/public-oversight-audit-profession/trainees/>). As the files are transmitted electronically to the CSSF, the original versions shall be sent via mail to the CSSF at least eight business days before the presentation of the file to the consultative commission (cf. item 2.2. below);
- Copy of the identity card/passport;
- Declaration of honour for natural person (form available at <http://www.cssf.lu/en/public-oversight-audit-profession/administrative-information/>)
- Recent extract (maximum three months) of the police record.

A file which does not include all the aforementioned documents in the required form, shall be considered as incomplete and its processing shall be suspended.

¹ Business Portal / Starting up & Development / 2. Access to a profession/business permit / Liberal professions subject to other permits / Audit professions

Two situations may arise once the candidate's file is complete:

- the diploma of the candidate is mentioned on the recognised diploma list (CSSFR list of diplomas and approvals):
 - the CSSF notifies the admission to the training within the legal period set out in the GDR access to the profession (within one month from receiving the candidate's application if the file is complete, otherwise from the date on which the file has been completed) and provides a personal ID number to the candidate.
- the diploma of the candidate is not mentioned on the list of recognised diploma (CSSFR list of diplomas and approvals) or is mentioned on the diploma list but does only partially comply with the prerequisites:
 - the file is on the agenda of the consultative commission (please refer to item 2.2. below) for final opinion;
 - the aforementioned consultative commission specifies the subjects to be completed. The candidate who has completed **at least** 10 subjects of the 15 referred to in Article 2(2) of the GDR access to the profession is admitted to the training. The candidate who has completed **less** than 10 subjects of 15 will not be admitted to the training; s/he will have to submit a new application for admission to the training *réviseur d'entreprises* at the time where s/he has completed at least 10 subjects of the 15 aforementioned subjects.
 - After the consultative commission has delivered an opinion, the CSSF notifies the candidates having completed at least 10 of the 15 subjects of the admission to the training within the legal period set out in the GDR access to the profession (within three months from receiving the candidate's application if the file is complete, otherwise from the date on which the file has been completed), the remaining subjects to be completed by one or several certificates confirming the subjects in question and provides the candidate with a personal ID number.
 - After the consultative commission has delivered an opinion, the CSSF notifies the candidates who have to complete more than five subjects of the 15 subjects by one or several certificates proving that the candidate has passed an examination or tests on the subjects in question.

The personal ID number allocated by the CSSF is a unique and permanent number for the exercise of the audit profession in Luxembourg.

Exemptions:

The persons who (Article 8(3) of the Law):

- have engaged, for **15 years**, in professional activities which have enabled them to acquire sufficient experience in the fields of finance, law and accountancy may, upon opinion of the consultative committee referred to in item 2.2. below, take the examination of professional competence. The exemption concerns the initial diploma, the training and the practical training;

- have engaged, for **seven years**, in professional activities in the fields of finance, law and accounting may, upon opinion of the consultative commission referred to above, complete the practical training (additional training certificate) and then take the professional qualification examination. The exemption concerns the initial diploma and the training provided that evidence is given of experience of at least three years in the area of audit of annual accounts, consolidated accounts and similar financial statements.

In order for the CSSF to analyse the application, the persons concerned are requested to transmit the following information to the CSSF:

- an application letter focusing mainly on the audit activity;
- the **Registration form for trainee *réviseurs d'entreprises*** (available at <http://www.cssf.lu/en/public-oversight-audit-profession/trainees/>) ;
- the work certificates;
- a curriculum vitae;
- a copy of the identity card/passport;
- a declaration of honour for natural person (form available at <http://www.cssf.lu/en/public-oversight-audit-profession/administrative-information/>)
- a recent extract (maximum three months) of the police record.

2.2. Consultative commission

The CSSF set up, by way of the CSSFR consultative commission, a consultative commission for the access to the audit profession, whose purpose is, among others, to verify the theoretical and professional qualification of the candidates to access the audit profession in Luxembourg, as well as that of the providers that are nationals from other Member States wishing to provide these services by way of free provision of services.

The consultative commission gives its opinion about the creation of a **list of Masters or diplomas corresponding to an equivalent qualification**, as set forth in Article 1, Section A of the GDR access to the profession, complying fully or partially with the conditions required under Article 2(1) and (2). The list of Masters or diplomas corresponding to an equivalent qualification shall be regularly reviewed by the consultative commission and updated whenever required.

The consultative commission gives its opinion about the creation of a **list of the approvals** meeting the conditions required under Article 1, Section D of the GDR access to the profession. The list of the approvals is periodically reviewed by the consultative commission and updated whenever required.

The CSSF publishes the above lists by means of a CSSF Regulation and on its website (CSSFR list of diplomas and approvals). Subsequently, these lists are submitted, on a yearly basis, to the consultative commission for suggestions on amendments and/or complements.

2.3. Training period (Article 4 of the GDR access to the profession)

The candidates admitted to the training shall **register** for the training which will, in principle, be of a minimum period of **three years** and a maximum period of **seven years**.

The registration to the training shall be **confirmed** to the CSSF by mail signed by the candidate or any other communication means accepted by the CSSF (by mail or email to: supaudit@cssf.lu, fax, etc.), countersigned by the *maître de stage* (person responsible for the training) within a maximum period of **one month** from the notification of the decision for admission to the training. If the confirmation is not received by the CSSF within one month, the training shall start on the date of receipt of the confirmation.

Upon the candidate's explicit request and provided that the one-month period for confirmation of registration to the training is complied with, the starting date of the training set by the CSSF may be retroactively effective for a maximum of six months from the admission date, if the candidate had already been employed by a *réviseur d'entreprises agréé* or *cabinet de révision agréé* during that period.

Throughout the professional training period, the candidate shall keep a **training log** indicating the assignments which s/he followed or carried out together with the assessment of the *maître(s) de stage* as to whether the goals have been achieved. A model training log is included in the CSSFR training log and on the CSSF website (<http://www.cssf.lu/en/public-oversight-audit-profession/trainees/>).

The candidate shall inform the CSSF, **within a maximum of one month**, of any change of *maître de stage* by mail signed by the candidate and countersigned by the new *maître de stage*, or any other communication means accepted by the CSSF. After this period of time, the training period is automatically interrupted until the mail or communication is received.

Any interruption and resumption of the training shall be notified to the CSSF within a **maximum of one month** by mail signed by the candidate and countersigned by the *maître de stage*, or by any other communication means accepted by the CSSF (by mail or email to supaudit@cssf.lu, fax, etc.). Where a training period interruption has not been communicated or where it is non-compliant (one-way information from only one of the two parties), the training period is automatically extended by a period that is double the interruption period.

Trainees are required to inform the CSSF as soon as possible of any change to their personal data by using the **Updating form for trainee réviseurs d'entreprises** (<http://www.cssf.lu/en/public-oversight-audit-profession/trainees/>) and attaching, where appropriate, the required supporting documents. This form and the documents to be attached shall be submitted electronically to the CSSF via the portal Guichet.lu.

Moreover, every year, in November, the CSSF will send by email to the persons in charge of human resources or, where appropriate, any primary contact person of every

cabinet de révision agréé a file containing the data of the audit firms' trainees taken from the CSSF's register as at 1 November of the year concerned. The persons responsible will confirm or update the data with the trainees using the **Updating form for trainee réviseurs d'entreprises** and attaching the required supporting documents prior to 15 December of the year in question. This form and the documents to be attached shall be submitted electronically to the CSSF via the portal Guichet.lu.

2.4. Certificate of complementary training (Article 3 of the GDR access to the profession)

The candidates to the access to the profession shall present a complementary training certificate on the legislation applicable in Luxembourg in various subjects. However, a difference shall be made between the candidates referred to in Article 1, Section A of the GDR access to the profession and the candidates referred to in Article 1, Sections B, C and D.

- The candidates who fulfil the requirements of Article 1, Section A of the GDR access to the profession (including the candidates who were exempted in accordance with Article 8(3)(b) of the Law (seven years), shall take all tests in the seven fields defined in the aforementioned GDR to obtain the complementary training certificate.

They shall complete, within a period of maximum six academic and consecutive semesters, all subjects as defined and taught and shall obtain at least half of the marks in the various subject(s) confirming each of the subjects.

The tests of each subject can be taken up to six times only, bearing in mind that the ordinary test and the remedial examination are considered individually. After six failures in one subject, the candidate shall re-take all of the subjects passed until that date. The candidate's unjustified absence at a session in which s/he was registered shall be considered as failure.

The complementary training may be suspended without penalty:

- where the candidate interrupts his/her training in accordance with Article 4(11) of the GDR access to the profession;
 - upon authorisation of the CSSF for other valid reasons to be justified in writing (extended illness, professional exchange abroad, force majeure, etc.).
- The candidates meeting the requirements of Sections B, C and D hold tests only in four fields defined in the GDR access to the profession in order to obtain the complementary training certificate.
The tests of each subject can also be taken up to six times only, bearing in mind that the ordinary test and the remedial examination are considered individually. After six failures in one subject, the candidate shall re-take all of the subjects passed until that date. The candidate's unjustified absence at a session in which s/he was registered shall be considered as failure.

The University of Luxembourg organises preparation classes to these tests, based on an agreement between the State, the CSSF and the University of Luxembourg.

For any further information on these classes, please refer to the following website:
http://www.fr.uni.lu/formations/fdef/formation_complementaire_des_candidats_reviseurs_d_entreprises_et_experts_comptables

The candidates having followed and passed the exams on the same subjects in the context of a Master in Accounting and Audit organised by the University of Luxembourg before their admission to the professional training are exempted from taking the corresponding tests for the complementary training certificate.

The CSSF authorises the registration for the tests based on the lists of candidates registered at the *University of Luxembourg*.

Registration for the tests shall be authorised provided that:

- The candidates referred to in Article 1, Section A of the GDR access to the profession are admitted to the professional training, have confirmed their registration and are actually on training at the time of the tests, or are exempted from the training in accordance with Article 8(3)(b) of the Law.
- The candidates referred to in Article 1, Sections B, C, D of the GDR access to the profession have been notified by the CSSF that they fulfil the requirements referred to in Article 1, Sections B, C and D, item (a).

2.5. Examination of professional competence (Article 5 of the GDR access to the profession)

The examination of professional competence aims at verifying the candidate's capacity to apply the theoretical knowledge acquired, beforehand and during the professional training period, to the practice of the statutory audit of the *réviseur d'entreprises*.

Note: The candidates having started their professional training period before the entry into force of the Law shall attend the examination of professional competence **at the latest seven years** as from **23 February 2010**.

The **practical details** relating to the examination of professional competence (opening and closing dates of the ordinary session, registration deadline, dispatch of documents, attachments to the registration applications and processing of registration applications) are published on the CSSF website every year in June.

2.5.1. Examination sessions

The examination consists of an ordinary session and an extraordinary session, which take place between September and December. The extraordinary session is reserved exclusively for candidates who have undergone partial adjournment at the ordinary session of the same year.

The opening and closing dates for the ordinary and extraordinary sessions are determined by the CSSF in agreement with the examination jury. The candidates are informed of the opening and closing dates for the ordinary session through the press (Luxemburger Wort) and by the publication of the practical details on the CSSF website.

The candidates having partially failed at the ordinary session are called in individually for the extraordinary session.

2.5.2. Registration

Registration to the ordinary session of the examination is authorised by decision of the CSSF upon receipt of the written application signed by the candidate according to the terms provided on the CSSF website.

2.5.3. Examination

The examination consists of two parts:

- a written examination representing 50% of the marks;
- and an oral examination representing 50% of the marks.

The written test of the examination consists of several independent practical questions relating to one or more subjects falling within the scope of the statutory audit assignments of *réviseurs d'entreprises*.

The oral examination focuses on the practice of the audit profession, the assignments and responsibilities of a *réviseur d'entreprises*.

In order to be able to sit the oral examination, the candidate shall obtain at least half of the marks allocated to the written examination.

A candidate who does not obtain half of the marks allocated to the written examination at the ordinary or extraordinary session will undergo complete adjournment.

In order to pass the examination, the candidate shall obtain at least half the total amount of marks at the ordinary or extraordinary session.

The CSSF notifies the decisions of the jury to the candidates by mail. Successful candidates can obtain the title *réviseur d'entreprises* (cf. item 3.1. below) and may request their approval immediately (cf. item 3. below). They will receive their diploma subsequently.

2.6. Access to the profession in Luxembourg for auditors of other Member States and third countries (outside the EU)

The persons referred to in Sections B, C and D of the GDR access to the profession can submit an application to the CSSF in order to obtain the title *réviseur d'entreprises*.

The persons concerned are requested to transmit the following information to the CSSF in order for the CSSF to analyse the application:

- a copy of the authorisation of the candidate's home country or the documents confirming that the candidate fulfils the authorisation requirements in his/her home country;
- the **Registration form for *réviseurs d'entreprises* (independent or employed by a company)** (available at <http://www.cssf.lu/en/public-oversight-audit-profession/administrative-information/>);
- a copy of the identity card/passport;
- a declaration of honour for natural person (form available at <http://www.cssf.lu/supervision-profession-audit/donnees-administratives/>);
- a recent extract (maximum three months) of the police record.

When the file is complete, candidates of **Sections B and C**, shall submitted it to the consultative commission in view of an opinion and, on the basis of this opinion, the CSSF notifies the candidates by mail of:

- the recognition of the qualification as statutory auditor within the meaning of Article 3 of Directive 2006/43/EC;
- the complementary training certificate to be submitted (cf. item 2.4. above).

When the file is complete, there are two possibilities for the candidates of **Section D**:

1. The approval of the candidate in his/her home country **is registered** on the list of the recognised approvals (cf. item 2.2. above, CSSFR list of diplomas and approvals). The file is then submitted to the consultative commission in view of an opinion and, on the basis of this opinion, the CSSF notifies the candidates by mail of:
 - the recognition of the professional qualification;
 - the complementary training certificate to be submitted (cf. item 2.4. above).
2. The approval of the candidate in his/her country of origin **is not registered** on the list of recognised approvals (CSSFR list of diplomas and approvals). The CSSF shall then first ensure that the third country imposes the same approval conditions or equivalent conditions as those provided for in Directive 2006/43/EC and that the third country applies reciprocity conditions to the Luxembourg *réviseurs d'entreprises*. It is only after this process that the file shall be submitted to the consultative commission in view of an opinion:
 - *If the consultative commission issues a positive opinion:* the CSSF notifies the candidates by mail of:

- the recognition of the professional qualification;
- the complementary training certificate to be submitted (cf. item 2.4. above).
- *If the consultative commission issues a negative opinion:* the CSSF informs the candidates by mail of the fact that the approval is not recognised in Luxembourg, but that s/he may apply as trainee *réviseur d'entreprises* if the criteria for the access to the training are met.

3. Procedure to obtain the title *réviseur d'entreprises* or *cabinet de révision* (Article 3 of the Law)

3.1. Procedure to obtain the title *réviseur d'entreprises*

Upon written application, the CSSF grants the title *réviseur d'entreprises* to:

- candidates who have passed the examination of professional competence;
- candidates referred to in Sections B, C and D of the GDR access to the profession who have been authorised by the CSSF and who have completed the complementary training certificate.

To obtain the title, the persons concerned shall submit a written application to the CSSF attaching:

- the certificate of the examination of professional competence or the professional competence diploma for trainee candidates;
- the complementary training certificate for candidates referred to in Sections B, C and D of the GDR access to the profession;
- an extract of the police record less than three months old;
- a declaration of honour for natural person (form available at <http://www.cssf.lu/en/public-oversight-audit-profession/administrative-information/>).

In a maximum period of eight working days from receiving the written application, and provided that the file allowing the verification of the prerequisites is complete, the CSSF notifies, by mail, the approval or refusal to grant the title *Cabinet de révision*. The mail conferring the title includes the personal ID number granted to the *réviseur d'entreprises* by the CSSF, which will appear on all subsequent correspondence with the CSSF.

The personal ID number allocated by the CSSF is a unique and permanent number for the exercise of the audit profession in Luxembourg.

3.2. Procedure to obtain the title *Cabinet de révision*

The legal persons wishing to receive this title shall send an email to the CSSF to supaudit@cssf.lu requesting a personal ID number and by attaching:

- the articles of incorporation of the company;

- an extract of the Registre de Commerce et des Sociétés less than three months old;
- the register of shareholders/partners;

On the basis of this information, the CSSF carries out a first control of the conditions laid down by the Law for the award of the title and communicates, by email, the personal ID number to the firm.

On the basis of this personal ID number, the relevant persons shall then submit an application to the CSSF through the "Registration form for audit firms" available on the CSSF website (<http://www.cssf.lu/en/public-oversight-audit-profession/administrative-information/>).

This interactive form shall be filled in and signed electronically. This process requires a Luxtrust certificate for the electronic transmission of the file (form and documents) through the portal Guichet.lu (after creating a MyGuichet account).

Instructions for filling in the form are set out in the Annex.

Legal persons shall attach to their application:

- a) **for the legal person:**
 - a declaration of honour for legal person (form available on the CSSF website at <http://www.cssf.lu/en/public-oversight-audit-profession/administrative-information/>) signed by the entity's legal representative(s);
 - an extract of the Registre de Commerce et des Sociétés, dated less than three months (this extract shall be provided to the CSSF on an annual basis);
 - a proof of the filing of the annual accounts.
- b) **for all members** of the administrative body or management body of the entity:
 - a copy of an ID document;
 - a curriculum vitae;
 - an extract of the police record and a declaration of honour for natural person (form available on the CSSF website at <http://www.cssf.lu/en/public-oversight-audit-profession/administrative-information/>).

In a maximum period of eight working days from receiving the written application, and provided that the file allowing the verification of the prerequisites is complete, the CSSF notifies, by mail, the approval or refusal to grant the title in question. The mail conferring the title includes the personal ID number granted to the *cabinet de révision* by the CSSF, which will appear in all subsequent correspondence with the CSSF.

The personal ID number allocated by the CSSF is a unique and permanent number for the exercise of the audit profession in Luxembourg.

² Business Portal/Starting up & Development/2. Access to a profession/business permit/Liberal professions subject to other permits / Audit professions

4. Approval procedure (Article 5 of the Law)

To carry out the statutory audit activities and the activities referred to in item 1.2. above, the *réviseurs d'entreprises* and *cabinets de révision* shall request their **approval of the CSSF**.

4.1. Approval requirements for natural persons

To be approved, a natural person shall be professionally established in Luxembourg and authorised to hold the title *réviseur d'entreprises*.

The approved natural person receives the title **réviseur d'entreprises agréé**.

4.2. Approval requirements for legal persons

To be approved, a legal person shall be authorised to hold the title *cabinet de révision* and meet the following conditions:

- natural persons carrying out the activities referred to in Article 1(29)(a) and (b) of the Law, on behalf of a legal person, shall be *réviseurs d'entreprises agréés*;
- a majority of the voting rights in an entity shall be held by *réviseurs d'entreprises agréés*, *cabinets de révision agréés*, statutory auditors or audit firms (as defined in Article 1 of the Law);
- a majority of the members of the administrative body or management body of the entity shall be composed of *réviseurs d'entreprises agréés* or statutory auditors. Where such a body has no more than two members, at least one of those members shall satisfy the conditions in this point;
- fulfil the requirements of good repute;
- have a professional establishment in Luxembourg.

The approved legal person receives the title **cabinet de révision agréé**.

4.3. Procedure

To be approved, the natural and legal persons meeting the requirements set out above shall submit a **written application to the CSSF** (by mail or email if scanned to the address: supaudit@cssf.lu).

Any written application **shall** indicate the personal ID number allocated by the CSSF. Applications which do not include such number will not be considered.

The CSSF requests, where appropriate, that the required documents be updated when granting the title (declarations of honour, extracts from the police record, etc.).

In a maximum period of eight working days from receiving the written application, and provided that the file allowing the verification of the prerequisites is complete, the CSSF notifies, by mail, the approval or refusal of the approval.

5. National registration

5.1. Update of administrative data

Réviseurs d'entreprises and *cabinets de révision* are required to inform the CSSF of any change to their administrative data without undue delay.

Moreover, every year, in January, the CSSF requests all *cabinets de révision* and *réviseurs d'entreprises* to confirm or to update their personal data by adding the required supporting documents.

Cabinets de révision agréés and *réviseurs d'entreprises agréés* are also required to fill in the [Annual Appendix](#) and *réviseurs d'entreprises agréés* are required to fill in the [Annual declaration of continuing education](#) (cf. item 6. below).

The **Annual Appendix** includes statistical data and shall be filled in by the *cabinets de révision agréés*, the *réviseurs d'entreprises agréés* employed by an audit firm and the independent *réviseurs d'entreprises agréés*.

The CSSF has implemented a system allowing the persons concerned to update the data online via three interactive forms available in French and English on the CSSF website (<http://www.cssf.lu/en/public-oversight-audit-profession/administrative-information/>):

- [Updating Form for audit firms and approved audit firms](#)
- [Updating Form for *réviseurs d'entreprises* \(employed by an audit firm\)](#)
- [Updating Form for independent *réviseurs d'entreprises* \(independent or employed by a company\)](#)

The CSSF has set up the following procedure for the annual confirmation or update of data:

- for the *cabinets de révision agréés*, the CSSF sends an email with the data included in the CSSF register by mid-December to the CSSF's primary contact person of the audit firm. The latter shall then organise the confirmation or update of the data by using the relevant form and by transmitting the required supporting documents via the portal Guichet.lu.
- for the *réviseurs d'entreprises agréés*, the CSSF will send an email with the data included in the CSSF register by mid-December to every *réviseur d'entreprises agréé*. Every *réviseur d'entreprises agréés* has to confirm or update the data by using the relevant form and by transmitting the required supporting documents via the portal Guichet.lu.

The **Annual Appendix** shall be transmitted by all *cabinets de révision agréés* and *réviseurs d'entreprises agréés* via the portal Guichet.lu, **independently** from the updating form (sent separately). The *réviseurs d'entreprises agréés* will attach the [Annual declaration of continuing education](#) thereto.

The CSSF expects that the **Annual Appendix of the *cabinet de révision agréé* corresponds to the sum of individual appendices of the audit firm's *réviseurs d'entreprises agréés*.**

The deadline to receive all the forms and required supporting documents is set at 31 January each year.

Instructions for filling in the forms are set out in the Annex of this Circular. (cf. Annex)

5.2. Public register (Article 11 of the Law)

Réviseurs d'entreprises agréés and *cabinets de révision agréés* are registered in a public register kept by the CSSF.

Each *réviseur d'entreprises agréé* or *cabinet de révision agréé* is identified in the public register by its personal ID number allocated by the CSSF.

The information required in accordance with the Law is stored in electronic form and available electronically to the public through a link on the CSSF website: <http://www.cssf.lu/en/public-oversight-audit-profession/public-register/>

It shall be borne in mind that all *réviseurs d'entreprises agréés* and *cabinets de révision agréés* shall inform the CSSF of any change in the data included in the public register without undue delay, i.e. within **a maximum of one month**.

6. Continuing education of *réviseurs d'entreprises* and *réviseurs d'entreprises agréés* (Article 9 of the Law)

Pursuant to the Law and the GDR continuing training, *réviseurs d'entreprises* and *réviseurs d'entreprises agréés* shall participate in appropriate programmes of continuing education in order to maintain their theoretical knowledge, their professional skills and their values at a sufficiently high level.

Both *réviseurs d'entreprises* and *réviseurs d'entreprises agréés* shall take at least **120 hours of continuing education** per reference period of three years, **of which a minimum of 20 hours per reference year**. Additional minimum criteria per field and subject have been defined in the above Grand-Ducal regulation.

The CSSF is responsible for monitoring the activities of continuing education of the *réviseurs d'entreprises agréés* within the context of the quality assurance reviews and the

³ The IRE is responsible for monitoring the continuing education activities of the *réviseurs d'entreprises*.

annual update of the administrative data. Thus, the *réviseurs d'entreprises agréés* are required to indicate each year, in January, in the form, [Annual Appendix](#), the hourly volume of training attended during the previous year. In parallel, they shall fill in the form [Annual declaration of continuing education](#) and attach it to their **Annual Appendix** according to item 5.1. (above).

In accordance with Article 3 of the GDR continuing training, the CSSF may require supporting documents and the certificate of attendance of a minimum 60 out of the 120 hours required per reference period of three years.

When monitoring the continuing education, the following principles should be applied:

- In general and for the purposes of simplifying the administrative procedures, where the title *réviseur* is granted during the first half of the calendar year, the training requirement shall start on 1st January of this calendar year. However, where the title is granted during the second half, the training requirement shall start on 1st January of the following calendar year.

As the reference periods are fixed, (the current period which runs from 1st January 2013 to 31 December 2015), an annual prorata temporis shall be applied: thus, for example, a *réviseur* having received his/her title between July 2013 and June 2014 will have a minimum training requirement of 80 hours ($120 \times 2 / 3$) and a *réviseur* having received his/her title between July 2014 and June 2015 will have a minimum training requirement of 40 hours.

- For part-time *réviseurs d'entreprises*, the regulation shall be complied with without applying a prorata temporis.
- Where the *réviseur d'entreprises agréé* benefits from a leave provided for in the Labour Code, and the duration of this leave is less than the calendar year, s/he may be offered a six-month period to get back into his/her programme of continuing education. S/he shall then justify to the CSSF the duration of his/her leave provided for in the Labour Code and s/he will be notified of the six-month upgrade period by mail.

Where the *réviseur d'entreprises agréé* benefits from a leave provided for in the Labour Code and the duration of this leave exceeds the calendar year, the reference period of the three years is interrupted, s/he shall contact the CSSF after returning from his/her leave in order to determine the period s/he will be offered to upgrade his/her skills.

- UCI audits shall meet the definition of transnational audit: thus, the *réviseurs d'entreprises agréés* involved in these audits shall dedicate 16 hours to the continuing education in the following areas:
 - the statutory audit of transnational structures or groups;
 - and specific obligations linked listed companies.

7. Audit standards and other standards (Article 57(3)(d), (e) and (f))

The CSSF is responsible for:

- the adoption of audit standards in the field of statutory audit for matters not covered by the audit standards as adopted by the European Commission;
- the adoption of standards on professional ethics and internal quality control of the *cabinets de révision agréés*;
- the adoption of standards relating to other assignments entrusted exclusively to the *réviseurs d'entreprises agréés* by the Law.

Until the European Commission adopts the international audit standards through an EU regulation⁴, and in order to ensure the continuity of the regulatory framework applicable to the activity of statutory audits in Luxembourg, the CSSF adopted on 20 August 2013, by means of the CSSFR standards, the parts "Introduction", "Objective", "Definitions" and "Requirements" of the International Standards on Auditing as established by the International Auditing and Assurance Standards Board (IAASB) in their clarified version and published in the *Handbook of International Quality Control, Auditing, Review, Other Assurance and Related Services Pronouncements - 2013 Edition* of the International Federation of Accountants (IFAC).

These professional standards apply to the statutory audits carried out as from **1 January 2013**, unless other provided.

In the same vein, the CSSF has adopted through this CSSFR standards:

- the International Standard on Quality Control as drawn up by the International Auditing and Assurance Standard Board (IAASB) in a clarified version and published in the *Handbook of International Quality Control, Auditing, Review, Other Assurance, and Related Services Pronouncements - 2013 Edition* by the International Federation of Accountants (IFAC), and the Luxembourg appendix to this standard relating to the retention of working documents of *réviseurs d'entreprises agréés* and;
- the code of ethics for the audit profession which corresponds to the code of ethics issued as in its revised version by the International Ethics Standards Board of Accountants (IESBA) in force as from 1 January 2011 as amended and published on 30 May 2013, except for the additional provisions set down in Article 5(2) of the CSSFR standards.

Finally, through this regulation the CSSF has adopted the following professional standards relating to the assignments referred to in Article 1(29)(b) of the Law:

- "Contributions in kind";
- "Merger/demerger auditor";
- "Liquidation auditor";
- "Interim dividend distribution";
- "Audit on the eligible production expenditures AVCI / SFA"; and
- "Limited review engagements for non-governmental development organisations which receive an annual co-financing of between one hundred thousand euros and five hundred thousand euros" (Standard ISRE 2400 *Engagement to review historical financial statements*).

⁴ EU regulations are directly applicable in national law. No transposition is required.

Concomitantly to the CSSFR standards, the CSSF has adopted:

- the parts "Application and Other explanatory material" of the international standards on auditing referred to in Chapter 1 of the CSSFR standards and of the International Standard on Quality Control referred to in Chapter 3 of said regulation which provides supplementary specifications and/or explanations to these standards;
- the Appendices to the international standards on auditing referred to in Chapter 1 of the CSSFR standards which provides examples and illustrations essential for the compliance with these standards.

Consequently, the *réviseurs d'entreprises agréés* and *cabinets de révision agréés* shall take into account these implementing arrangements and any other explanatory information as well as the appendices for the assignments carried out in the context of Article 1(29)(a) of the Law. Paragraph 19 of ISA 200 also explains the importance of these implementing arrangements in order to correctly implement the binding provisions.

These specifications and other explanatory information as well as the appendices form an integral part of the international standards on auditing and shall apply as from the entry into force of the above-mentioned CSSF regulation.

8. Quality assurance reviews (Article 59 of the Law)

Among the missions which are conferred to the CSSF, the Law provides that it is in charge of the implementation of a quality assurance system.

This quality assurance system shall apply to all *réviseurs d'entreprises agréés* and *cabinets de révision agréés* for the statutory audit and for all other assignments which are conferred exclusively on them by the Law (Article 1(29)(a) and (b) - cf. item 1.2. above).

The quality assurance review includes an assessment of the internal quality control system and an adequate testing of selected audit files. It comprises:

- an assessment of compliance of the audit files with applicable international standards on auditing;
- an assessment of compliance with the principles of professional ethics and independence;
- an assessment of the quantity and quality of resources spent as well as of the audit fees charged in the context of assignments.

The quality assurance review shall take place at least every six years. The quality assurance review of *réviseurs d'entreprises agréés* and *cabinets de révision agréés* which audit public-interest entities whose securities are admitted to trading on a regulated market in a Member State shall be carried out at least every three years.

The CSSF follows a "global" approach of control which considers the audit firm as the entry point for the periodical quality assurance review.

This approach, laid down in an EC recommendation, has been adopted by a majority of other European competent authorities.

The global control of the audit firm consists in:

- appraising the existence within the audit firm, of an organisation, policies and procedures aimed to ensure the quality of the statutory audit assignments and the fact that it is designed and operating effectively, and the independence of the *réviseur d'entreprises agréé/cabinet de révision agréé* in accordance with the International Standard on Quality Control ISQC 1;
- verifying, based on a sample of audit files, the proper execution of certain assignments by the audit partners (*réviseurs d'entreprises agréés*) to ensure, on the basis of this selection, the existence and efficiency of the procedures and internal quality control system, and
- assessing the content of the transparency report for *cabinets de révision agréés* that are required to draw up such a report.

The quality assurance review of an audit firm is conducted through several steps:

- gathering preliminary information from audit firms;
- developing a control plan;
- conducting on-site inspections;
- presenting observations raised;
- gathering the audit firm's responses to the CSSF's observations, and
- writing and issuing the report.

The CSSF set down a multiannual programme for the control of *cabinets de révision agréés/réviseurs d'entreprises agréés*, which aims at observing the legal periodicity of quality assurance reviews.

Prior to its intervention, the CSSF sends a **Preliminary information questionnaire** by email to the *cabinet de révision agréé* to be controlled. It will be the basis for the audit firm's control programme.

This questionnaire consists of two parts and includes, on the one hand, information on the identification of the audit firm and the mandates carried out by the latter (**Appendix mandates**) and, on the other hand, information relating to the environment in which the audit activity is performed, the relations of the audit firm with other structures and processes for general organisation of the activity within an audit firm.

Pursuant to Articles 58 and 61 of the Law, the CSSF may require any information useful to fulfil its missions and has the right to access any document in any form whatsoever and receive a copy thereof.

In order to facilitate the process of the quality assurance review, CSSF agents shall have unrestricted access to the data necessary to accomplish their duties.

In addition, the audit firm appoints a contact person as intermediary between CSSF agents and the audit firm. The duties of this contact person include centralising all the CSSF's requests, gathering the CSSF's observations and ensuring that they are being followed up within the deadlines. The contradictory process regarding the CSSF's observations will be **in writing** and will take place via the contact person appointed by the audit firm.

After the quality assurance review, the CSSF issues, on the one hand, the conclusions for the *réviseurs d'entreprises agréés* whose audit files have been reviewed and commented upon and, on the other hand, a summary of the recommendations for the audit firm.

The conclusions for the *réviseurs d'entreprises agréés* may impose different types of measures depending on the shortcomings identified in the course of the assignments. Without being comprehensive, these measures may take the form of training plans, internal reviews of files by a second *réviseur d'entreprises agréé* before issuing the report, and being accompanied, where appropriate, by a specific monitoring of the implementation of the recommendations in accordance with the provisions of Article 60 of the Law. In certain cases, these measures may be accompanied by an individual administrative decision taken by the CSSF which consists of the requirement of a dual signature of the audit reports.

The summary for the audit firm includes the main recommendations aimed to remedy the shortcomings relating to the internal organisation of the audit firm identified during the quality assurance review for which the CSSF requests the implementation of corrective measures, as well as the possible list of *réviseurs d'entreprises agréés* for whom a specific conclusion was issued, and asks the audit firm for its action plan to remedy the situation.

Monitoring will take place in order to verify that the relevant audit firms have taken the appropriate corrective measures and that the professionals for which the shortcomings were identified during the statutory audit assignments remedy the identified shortcomings.

Where the weaknesses are not considered to be of major importance, the corrective actions taken by the audit firm are monitored within the context of the next periodical quality assurance review planned within the statutory deadline.

In case of significant weaknesses, a specific monitoring is planned within twelve months following the issue of the report.

9. Recognition of providers from other Member States (Article 7 of the Law)

In accordance with the Law and the GDR LPS, the professionals that wish to carry out in Luxembourg, on a temporary and occasional basis, the activities referred to in item 1.2. of this circular, by way of free provision of services and without having a stable establishment, are required to notify the CSSF before their first provision of services.

The CSSF may refer to the consultative commission as defined in item 2.2. of this circular to verify the professional qualifications of the providers that wish to exercise by way of free provision of services in Luxembourg. Two cases must be distinguished:

- *the consultative commission issues a positive opinion on the professional qualification:* the CSSF informs the provider that the service provision may be performed.
- *the consultative commission issues a negative opinion on the professional qualification:* the CSSF informs the provider that s/he shall first take an aptitude test to perform the requested service provision.

10. Investigations and sanctions (Articles 61, 62, 63, 66, 67 and 70 of the Law)

The CSSF holds powers of inspection, investigation, injunction, call to order and sanction necessary to perform its duties.

The administrative sanctions imposed in the exercise of its duties are published in the Mémorial and in the CSSF's monthly Newsletter.

11. Annual report and work programme (Article 65 of the Law)

In order to ensure transparency of the public oversight of the audit profession, the CSSF publishes on its website:

- its work programmes and annual activity reports on the exercise of its duties for the public oversight of the audit profession;
- and, on an annual basis, the overall results of the quality assurance reviews.

These points are included in the CSSF Annual Report.

12. Fees (Article 64 of the Law)

Grand-Ducal regulation of 28 October 2013 relating to the fees to be levied by the CSSF sets the basis for the financing of the public oversight of the audit profession.

The fees levied to cover the staff, financial and operating costs of the CSSF for the public oversight of the audit profession.

An additional fee is foreseen in the event of a specific monitoring procedure arising from a quality assurance review.

13. Consultative committee for the audit profession (Article 85 of the Law)

A consultative committee of the audit profession is created within the CSSF.

The government may seek advice from this committee on any draft law or Grand-Ducal regulation in the field of statutory audit and the audit profession subject to the oversight of the CSSF.

Upon the request of one of its members, the committee will meet whenever necessary depending on the needs arising from the implementation or application of the legislation on the public oversight of the audit profession for which the CSSF is competent.

Yours faithfully,

Luxembourg, 4 December 2013

COMMISSION DE SURVEILLANCE DU SECTEUR FINANCIER

Claude SIMON
Director

Andrée BILLON
Director

Simone DELCOURT
Director

Jean GUILL
Director General

Annex

Annex: Instructions for filling in the forms

Audit Firm Forms

- The ID number is the number allocated by the CSSF.
- The name of the audit firm shall be indicated in **capital letters**.
- Where no information is available from the audit firm in a section of the form (e.g. concerning the network), "NEANT" (n/a) must be indicated in that section.
- The "+"-symbol appearing next to certain titles of the tables allows adding rows to each table. As many rows as necessary may be inserted, but there must not be any uncompleted row in the table.
- Drop-down menus are integrated in the different tables of the form for ease of entry.
- The "List of Employed *Réviseurs d'Entreprises*" shall mention all *réviseurs d'entreprises* employed by the audit firm.
- Depending on its legal form, the audit firm shall complete **either** the table "Management Body" **or** the table "Administrative Body".

Forms *Réviseurs cabinets* and *Independent réviseurs* or employed by a company

- The ID number is the number allocated by the CSSF.
- Please respect the order NAME + Surname and indicate the **NAME** in **capital letters** and the **Surname** in **lower-case letters**.
- The *réviseurs d'entreprises* employed by a company may indicate the name of that company.
- The "+"-symbol appearing next to certain titles of the tables allows adding rows to each table. As many rows as necessary may be inserted, but there must not be any uncompleted row in the table.
- Each *réviseur* shall indicate at least one business sector.

Trainee Form

- Trainees shall indicate "0" in the Section "CSSF ID" of the registration form. The ID number allocated by the CSSF shall be stated in the updating form.
- Trainees shall state the personal ID number of their audit firm mentioned in Annex 2 of this circular, or if such number is not available, contact the CSSF at the numbers indicated on the form.
- Please respect the order NAME + Surname and indicate the **NAME** in **capital letters** and the **Surname** in **lower-case letters**.
- Trainees shall indicate their private address.
- The "+"-symbol appearing next to certain titles of the tables allows adding rows to each table. As many rows as necessary may be inserted, but there must not be any uncompleted row in the table.
- If the trainee did not change his/her *maître de stage*, the column "End" must be left empty.

Annual Appendix

- The Annual Appendix shall be filled in by the *cabinets de révision agréés* and by the *réviseurs d'entreprises agréés* (whether they are employed by an audit firm or independent).
- The applicant shall select one of the three statuses in accordance with his/her situation. Depending on the status chosen, the form will automatically adapt.

Case 1: A cabinet de révision agréé fills in the Annual Appendix

- The ID number is the number allocated by the CSSF.
- The name of the audit firm shall be indicated in **capital letters**.
- The primary contact person shall be considered as the person responsible for the report and his/her contact details shall be indicated.
- The data to be included shall be that of the previous calendar year (i.e. the declaration to be completed in 2014 shall refer to the reporting year 2013.)
- The number of assignments will be calculated as per the basis set out in the Grand-Ducal regulation of 18 December 2009 relating to the fees to be levied by the CSSF: "[...] The calculation basis of the number of statutory audit assignments referred to in Article 1, item 29(a) is the previous financial year of the audited entity, the calculation basis of the other assignments referred to in item 29(b) is the date of the *réviseur d'entreprises*' report."
- The audit firm shall indicate the total number of *réviseurs d'entreprises*, whether approved or not, within the firm, at the closing date of the reporting year.
- The audit firm shall indicate the total number of employees admitted to the training for *réviseurs d'entreprises* on the closing date of the reporting year. The candidates who have applied but have not been admitted yet, shall not be taken into consideration.

Case 2: A réviseur d'entreprises agréé employed with a cabinet de révision fills in the Annual Appendix

- The ID number of the firm is the number allocated by the CSSF.
- The name of the audit firm shall be indicated in **capital letters**.
- The CSSF ID number of the *réviseur* is the number allocated by the CSSF.
- Please respect the order NAME + Surname and indicate the **NAME** in **capital letters** and the **Surname** in **lower-case letters**.
- The contact details of the person responsible for this report are in this case the contact details of the *réviseur d'entreprises* him/herself.
- The data to be included shall be that of the previous calendar year (i.e. the declaration to be completed in 2014 shall refer to the reporting year 2013).
- The number of assignments will be calculated as per the basis set out in the Grand-Ducal regulation of 18 December 2009 relating to the fees to be levied by the CSSF: "[...] The calculation basis of the number of statutory audit assignments referred to in Article 1, item 29(a) is the previous financial year of the audited entity, the calculation basis of the other assignments referred to in item 29(b) is the date of the *réviseur d'entreprises*' report."
- The *réviseur d'entreprises* shall indicate the number of hours spent for

continuing education during the reporting year pursuant to the GDR continuing training. The volume of hours shall be detailed in the *Annual declaration of continuing education*.

Case 3: An independent réviseur d'entreprises agréé fills in the Annual Appendix

- The CSSF ID number of the auditor is the number allocated by the CSSF.
- Please respect the order NAME + Surname and indicate the **NAME** in **capital letters** and the **Surname** in **lower-case letters**.
- The contact details of the person responsible for this report are in this case the contact details of the *réviseur d'entreprises* him/herself.
- The data to be included shall be that of the previous calendar year (i.e. the declaration to be completed in 2014 shall refer to the reporting year 2013).
- The number of assignments will be calculated as per the basis set out in the Grand-Ducal regulation of 18 December 2009 relating to the fees to be levied by the CSSF: "[...] The calculation basis of the number of statutory audit assignments referred to in Article 1, item 29(a) is the previous financial year of the audited entity, the calculation basis of the other engagements referred to in item 29(b) is the date of the *réviseur d'entreprises*' report."
- The *réviseur d'entreprises* shall indicate, where applicable, the total number of employees admitted to the training for *réviseurs d'entreprises* on the closing date of the reporting year. The candidates who have applied but have not been admitted yet, shall not be taken into consideration.
- The *réviseur d'entreprises* shall indicate the number of hours spent for continuing education during the reporting year pursuant to the GDR continuing training. The volume of hours shall be detailed in the *Annual declaration of continuing education*.

Annual declaration of continuing education

- The Annual declaration of continuing education shall be completed by the *réviseurs d'entreprises agréés* (whether they are employed an audit firm or independent).
- The applicant shall state his/her **NAME** in **capital letters** and his/her **First name** in **lower-case letter**. The CSSF ID number of the auditor is the number allocated by the CSSF.
- The reference period is that defined by the GDR continuing training. The current period has started on 1st January 2013 and will end on 31 December 2015.
- The data to be included shall be that of the previous calendar year (i.e. the declaration to be completed in 2014 shall refer to the reporting year 2013).
- The applicant shall state the number of training hours followed and the category and details of the training (category, title, institute, date and number of hours).