

GUIDELINES FOR COMPULSORY ATTENDANCE OF PROFESSIONAL DEVELOPMENT PROGRAMMES BY THE MEMBERS¹

In exercise of the powers conferred by Clause (1) of Part II of the Second Schedule to the Company Secretaries Act, 1980 (56 of 1980), as amended by the Company Secretaries (Amendment) Act, 2006, the Council of the Institute of Company Secretaries of India hereby issues the following guidelines :-

1. INTRODUCTION

The Company Secretaries Act, 1980 was enacted to make provisions for the regulation and development of the profession of Company Secretaries. The Institute of Company Secretaries of India set up under the said Act has been conducting examinations and prescribing standards for adherence by its members.

Members of the Institute in employment occupy important positions in industry. The concept of whole-time practice, which gained its initial recognition in 1988, has gained momentum after the enactment of the Companies (Amendment) Act, 2000 which required Compliance Certificate to be issued by Practising Company Secretary for certain category of companies. Our members in practice are also being recognized for issuing various certificates by various regulatory authorities.

In the present day scenario, a profession cannot maintain its cutting edge competencies unless its members regularly update their knowledge. Attendance and participation in Professional Development Programs, Participative Certificate Programs organized by the Headquarters and Centre for Corporate Governance Research and Training (CCGRT), and Seminars, Conferences, Study Circle Meetings organised by the Council, Regional Councils, Chapters and other recognised bodies enable members to –

1. Constantly upgrade professional competence and skills.
2. Sensitize them to new and emerging opportunities for service.
3. Assure users of professional services that they possess adequate skills commensurate with their professional responsibilities.
4. Improve their level of confidence to meet ever-changing demands on the profession.

The Perspective Planning Group constituted by the Council had recommended compulsory attendance by members at Professional Development Programmes as a means of ensuring constant updation of knowledge and skills of members. The ICSI, drawing strength from these recommendations, has now decided that the following guidelines are required to be followed for giving and recording credit as well as eligible programmes and the number of Program Credit Hours to be given for each program.

¹ As amended by the Council in its 223rd Meeting held at New Delhi on March 14, 2014.

2. KEY DEFINITIONS

- 2.1 “Approved Learning Program” means any Professional Development Program, Continuing Education Program, Participative Certificate Program of the ICSI, **Programmesorganised through electronic / distance mode*** or any other program, Seminar or study circle meeting organised by the Council, Regional Council, Chapter or Satellite Chapter of the Institute, and programmesorganised [*jointly with professional bodies or Chambers of Commerce*].
- 2.2 “Year” for the purposes of these guidelines shall mean the period commencing from 1st day of April and ending on 31st day of March following.
- 2.3 “Learning Program Centre” (LPC) means any wing of the ICSI which conducts programs and includes the Council, any Committee of the Council, Regional Councils, Chapters and shall include any other centre, wing or any other entity as may be recognized by the Council from time to time for this purpose.

3. AUTHORISATION AND METHOD OF REGULATION

- 3.1 Under Section 9 of the Company Secretaries Act, 1980, the responsibility for management of the affairs of the Institute and for discharging the functions assigned under the said Act vests with the Council.
- 3.2 The Council considers that in the context of the liberalised economy and the competitive environment, proper regulation and maintenance of the status and standards of the Members is necessary for ensuring competency of the members.
- 3.3 Pursuant to the above-mentioned authorizations, these guidelines are therefore being issued for implementation.
- 3.4 Compliance with these guidelines is mandatory for the members in practice and recommendatory for other members.
- 3.5 For the removal of doubts, it is clarified that all issues relating to the implementation and interpretation of terms used in these guidelines shall be the responsibility of the Professional Development Committee constituted by the Council. The Committee may discharge its duties in this regard (including issue of supplementary guidelines from time to time) for implementation within the limits of its authority as specified or prescribed by the Council.

4. POWER TO MODIFY GUIDELINES

To ensure that these guidelines are dynamic, the requirements, conditions or terms specified in these guidelines may be modified from time to time at the discretion of the Council on the recommendations of the Professional Development Committee of the Council.

5. APPLICABILITY OF THE GUIDELINES

- 5.1 It is mandatory for all members in practice of the Institute, except those specified in para5.2 to secure **15 Program Credit Hours (PCH) in a year or 50 Program Credit Hours in a block of 3 years by attendance of approved learning program**. However, no carry forward for excess Program Credit Hours from block of three years to another block of three years will be allowed.

5.1.1 It would be sufficient if a member obtains atleast **fifteen credit hours in a year or 50 credit hours in a block of three years**. If a member takes a Certificate of Practice during the block, the requirement for obtaining Credit Hours shall be as under :

<i>Certificate of Practice taken during</i>	<i>The requirement of Credit Hours</i>
1st April of the first year of the block to 31st March following.	No requirement of Credit Hours in the First Year of the block Fifteen Credit Hours each in the second and third year of the block or 30 Credit hours in the block of three years
1st April of thesecond year of the block to 31st March following	No requirement of Credit Hours in the second year of the block Fifteen Credit Hours in the third year of the block
1st April of the third year to 31st March following	No requirement of Credit Hours in that block

No credit hours will be given to a participant who attends the programme partially.

Members whose reply to prize queries is published in the Chartered Secretary will be entitled to four Programme Credit Hours].

Members above the age of 60 years shall be required to obtain 50% of the PCH required to be obtained by the members below 60 years w.e.f. April 01, 2011² .

5.1.2 Members in employment i.e. members in whose name Form 32 (in terms of the provisions of the Companies Act, 1956) / DIR -12 (in terms of the provisions of the Companies Act, 2013) has been filed by the Companies shall be required to obtain 10 Programme Credit Hours in each year or 35 Programme Credit Hours in a block of three years.

5.2 The requirement specified above shall not apply to :

- (a) A member who attains the age of 65 years during a particular calendar year.
- (b) A member, for the year during which he gets his Certificate of Practice for the first time.
- (c) A member or class of members to whom the Council may in its absolute discretion grant full/partial exemption either specific/general, on account of facts and circumstances in case of :
 - (i) Maternity / Paternity Leave
 - (ii) Accident/Medical Emergencies
 - (iii) Unemployment
 - (iv) Any other case, as may be deemed appropriate by the Council on a case to case basis.

² Amended by the Council in its 200th Meeting held on March 18, 2011.

6. FUNCTIONS OF THE LEARNING PROGRAM CENTRES

- 6.1 To conduct programs on current topics for the benefit of the members.
- 6.2 To maintain attendance record of the member attending the program in a manner which will be prescribed.
- 6.3 To furnish periodic Activity and Attendance Report to the Headquarters of the ICSI for updation in the master database.

7. OBLIGATIONS OF THE MEMBER

- 7.1 A personal record of compliance with the requirements of Program Credit Hours is required to be maintained by each member on an annual basis. This record shall be open to verification by the Institute.
- 7.2 At the time of payment of annual membership fees, every member is required to confirm that they have secured the minimum annual Program Credit Hours (PCH) and that the record can be produced to the Institute for verification on request.

8. MANNER OF CALCULATION OF PROGRAM CREDIT HOURS (PCH)

- 8.1 No Program Credit Hours will be awarded for any learning program whose duration is less than 1 hour.
- 8.2 The basis of calculation of Program Credit Hours will be as under:

<i>No. of hours of Learning Program Program Credit attended by the member</i>	<i>Hours (PCH)</i>
Beyond 1 hour and upto 2 hours	1
Beyond 2 hours and upto 4 hours in a single day	2
Beyond 4 hours in a single day	4
Program spanning 1 ½ days	6
Program spanning 2 days	8
Program spanning 2 ½ days and above/National Conventio	10

- 8.2.1 Members attending programmes in emerging areas such as Service Tax, Indirect Taxes, Accounting Standards, Labour Laws, Intellectual Property Rights, Competition Law and NCLT etc. shall be entitled for grant of 50% extra PCH than eligible for other programmes of the same duration.
- 8.3 A member whose article is published in the “Chartered Secretary” will be entitled to 4 Program Credit Hours.

In respect of joint authorship of the article, the two credit hours be awarded to each author. However, the joint authorship should be limited to two authors only.

The article published in the Souvenir of National Convention be treated at par with the article published in the Chartered Secretary for the purposes of grant of credit hours.

- 8.4 If the Course Coordinator attends the full program, full credit of the Program Credit Hours allotted for the program will be given.

- 8.5 No Program Credit Hours shall be given to a member for acting as a faculty in Oral Tuition Classes.
- 8.6 There may be cases of members contributing articles in newspapers, working on research projects, preparation of or vetting of background or technical material, participating in interactive media programs, etc. All such cases will be decided by the Committee on case to case basis until fresh guidelines covering such instances are drawn up.
- 8.7 A member who acts as a Chairman or Speaker in any technical session at a Workshop, Seminar or Conference organised by the Program Learning Centre will be entitled to equivalent number of Program Credit Hours as is available for the said technical session.
- 8.8 For Members who reside in places beyond 100 km from the nearest Regional Council/Chapter and attend a program at any Program Learning Centre, they shall be awarded double the Program Credit Hours for which the concerned Program is entitled. However this will not apply to attendance at the National Convention/National Conference of Practising Company Secretaries/Regional Conferences organised by the Regional Councils. *Such members have also the option to prepare a research paper on a topic recommended by the Secretariat.*

Where the members in practice residing in remote places are not able to attend the professional development programmes, they may write to the Institute for approving a topic on which they can prepare research paper to get the exemption from securing programme credit hours.

The Research paper includes :

- (i) A concept paper on emerging areas of practice for Company Secretaries
- (ii) A Referencer/backgrounder on contemporary topics relevant to Company Secretaries
- (iii) A booklet on any topic relating to the areas of practice for Company Secretaries
- (iv) A monograph on any contemporary topic relevant to the Practising Company Secretaries
- (v) An empirical study of practical relevance to the Practising Company Secretaries

Members whose research paper is approved by the Professional Development Committee of the Council, will be exempted from the requirement of securing programme credit hours for a block of three years.

Members who reside in places beyond 100 Kms. from the nearest Regional Council/Chapter will be entitled for Eight Programme Credit Hours if their article/reply to prize query is published in the Chartered Secretary.

8A. Programme Credit Hours for Unstructured Learning Activities

The members shall be granted Programme Credit Hours (PCH) under these Guidelines for undertaking any of the following unstructured learning activities subject to a maximum of ten PCH in each year of the block:

	<i>Learning Activity</i>	<i>PCH</i>
1	Web based learning including elearning, subject to the production of Certificate, per year.	4
2	Publication of article in a journal of repute other than the Chartered Secretary Journal.	4
3	Publication of book(s).	4
4	Revision of Published Book	8
5	Acting as Guide / Supervisor for M.Phil. / LL.M. / Ph.D.	4
6	Suggestions on Questionnaires / Consultative Papers / Exposure Draft, etc. sought by the Institute.	6
7	Reviewing of Articles / Guideline Answers / Study Material and other publications of the Institute	2
8	Publication of Research findings / Studies on the areas relevant to Corporate Sector, Capital Markets and Professional interest.	4
9	Publication of articles of professional interest in national dailies.	4
10	Visit to foreign countries as part of government delegation.	4
11	Acting as visiting faculty or guest faculty at the various Universities / Management Institutions / Institutions of National importance.	4

9. MONITORING REQUIREMENTS

- 9.1 The Professional Development Committee will monitor and review the programs conducted by the various Program Learning Centres from time to time and appraise the Council of the progress.
- 9.2 The said Committee shall set up an appropriate monitoring mechanism and provide clarifications (as it considers necessary) to all concerned for effective implementation of these guidelines *as per Annexure*.

10. These Guidelines are effective from 1st January, 2008.