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STATUTORY INSTRUMENTS

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**2007 No. 3494**

**The Statutory Auditors and Third  
Country Auditors Regulations 2007**

**PART 1**

**CITATION, COMMENCEMENT AND INTERPRETATION**

**Citation and commencement**

1.—(1) These Regulations may be cited as the Statutory Auditors and Third Country Auditors Regulations 2007.

(2) These Regulations, except for the provisions referred to in paragraph (3), come into force on 6th April 2008.

(3) Regulations 32, 33 and 38(2)(b) to (d) come into force on 29th June 2008.

**Minor definitions**

2.—(1) Section 1261 of the Companies Act 2006 (minor definitions) is amended as follows.

(2) At the appropriate places in subsection (1), insert the following definitions—

““the Audit Directive” means Directive [2006/43/EC](#) of the European Parliament and of the Council on statutory audits of annual accounts and consolidated accounts, amending Council Directives [78/660/EEC](#) and [83/349/EEC](#) and repealing Council Directive [84/253/EEC](#), as amended at any time before 1st January 2009;”;

““audit working papers” means any documents which—

(a) are or have been held by a statutory auditor or a third country auditor, and

(b) are related to the conduct of an audit conducted by that auditor;”;

““EEA auditor” means an individual who is approved in accordance with the Audit Directive by an EEA competent authority to carry out audits of annual accounts or consolidated accounts required by Community law;”;

““EEA competent authority” means a competent authority within the meaning of Article 2.10 of the Audit Directive of an EEA State other than the United Kingdom;”;

““third country” means a country or territory that is not an EEA State or part of an EEA State;”;

““third country auditor” means a person, other than a person eligible for appointment as a statutory auditor, who is eligible to conduct audits of the accounts of bodies corporate incorporated or formed under the law of a third country in accordance with the law of that country;”;

““third country competent authority” means a body established in a third country exercising functions related to the regulation or oversight of auditors;”.

(3) After subsection (2) insert—

“(2A) For the purposes of this Part, Gibraltar shall be treated as if it were an EEA State.”.

### **Index of defined expressions**

**3.**—(1) Section 1262 of the Companies Act 2006 (index of defined expressions) is amended as follows.

(2) At the appropriate places, insert the following entries in the Table—

“Audit Directive	section 1261(1)”;
“audit working papers	section 1261(1)”;
“EEA auditor	section 1261(1)”;
“EEA competent authority	section 1261(1)”;
“third country	section 1261(1)”;
“third country competent authority	section 1261(1)”;
“UK-traded non-EEA company	section 1241(2)”.

(3) In the entry for “third country auditor”—

- (a) in the left-hand column, omit “third country audit and third country audit work”;
- (b) in the right-hand column, for “section 1241(1)” substitute “section 1261(1)”.