

Consultation on audit exemptions and change of accounting framework

Response form

The Department may, in accordance with the Code of Practice on Access to Government Information, make available, on public request, individual responses. The closing date for this consultation is 29 December 2011.

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Please state YES in the box from the list of options that best describes you as a respondent. This allows views to be presented by group type.

Preparer: Large business (over 250 staff)	
Preparer: Medium business (50 to 250 staff)	
Preparer: Small business (10 to 49 staff)	
Preparer: Micro business (up to 9 staff)	
Preparer representative body	
Accountants: over 500 UK Partners	
Accountants: 200 – 500 UK Partners	
Accountants: 100 – 199 UK Partners	
Accountants: 50 - 99 UK Partners	
Accountants: under 50 UK Partners	YES
Accounting bodies	
Legal representative or professional legal bodies	
User representative bodies	
Academics	
Regulators and Government bodies	
Individuals	
Other (please describe)	

Question 1 (para 25)

What are your views on the overall principle of reducing audit requirements for unlisted companies?

Comments: Very much in favour. In my opinion, earlier reductions have reduced costs and time burdens on small companies with little or no adverse affect on the users of accounts.

Question 2 (para 29)

A Do you agree with the underlying assumptions in our Impact Assessment that at least 60% of small companies now eligible will take up the audit exemption?

B Do you agree that the whole of the audit fee will be saved?

C Do you agree that there is no saving of management time for small companies taking up the audit exemption?

A ☐ Yes

B ☐ Yes

C ☐ No

Comments: With the exception of those with a vested interest in fee generation any such initiative should be widely accepted by the small business community.

Question 3 (para 33)

Do you agree that the audit and accounting exemption for small companies should be aligned and a small company should be able to obtain the audit exemption if it meets two out of the three criteria?

☐ Yes

Comments: The current anomaly makes little sense and certain very small companies which may have few transactions are caught by the "gross asset" test. For example, a company with property on its balance sheet. This is not an appropriate indicator of size, structure or economic activity or risk.

Question 4 (para 36)

Do you agree with option B to exempt qualifying non-dormant subsidiaries from mandatory audit of their accounts?

☐ Yes

Comments: Subject to satisfactory parent company guarantees being given, honoured and enforced.

Question 5 (para 36)

Under Option C, what would be the effect of exempting qualifying non-dormant subsidiaries from mandatory preparation of accounts, mandatory filing of accounts and mandatory audit of accounts?

Comments: A loss of information on individual trading companies which may be deemed useful to its commercial stakeholders such as suppliers and customers.

Question 6 (para 38)

Do you agree that the Government should exempt qualifying dormant subsidiaries of whatever size from mandatory preparation, mandatory filing and mandatory audit of accounts? What difference would this make to your business and to the wider economy?

☐ Yes

Comments: None

Question 7 (para 40)

A Do you agree that in addition to the Article 57 exemptions, in order to qualify, a subsidiary company should be unquoted, not involved in financial services or insurance and not fall into the category of certain other companies under industrial relations legislation, in line with the existing exclusions from the audit exemption in UK company law?

B Why? What difference would this make to your business and to the wider economy?

A ☐ Yes

B Comments: No difference to my business as I concentrate on providing added value business and accounting services to the small business sector.

Question 8 (para 40)

What would be the consequences (e.g. to investors, depositors or lenders or to the wider economy) of allowing financial services subsidiaries to take advantage of this exemption?

Not sure.

Comments:

Question 9 (para 41)

Do you agree that the same rules on exemptions for qualifying subsidiaries should broadly apply to Limited Liability Partnerships and unregistered companies?

☐ Yes

Comments:

Question 10 (para 46)

Do you agree with our estimate of the savings of the cost of the audit as detailed in the impact assessment, and in particular the underlying assumptions:

A That the average cost of the audit is in the range of £8,000 to £83,000 per subsidiary?

B That 75% to 100% of qualifying subsidiaries will take up the exemption?

C That 10% to 25% of the audit cost of each qualifying subsidiary will be saved?

A ☐ Yes

B ☐ Yes

C ☐ Yes

Comments:

Question 11 (para 46)

Do you agree with our estimate of the saving of management time interacting with the auditor and in particular, with our underlying assumptions that for subsidiary companies the saving will be 5 hours of senior management time, which gives rise to £60 to £273 saving per company, depending on size of company?

☐ No

Comments: I think that your estimates of time and rates are substantially underestimated.

Question 12 (para 46)

Do you agree with our estimate of the saving of the cost of management time to prepare and file qualifying dormant subsidiary accounts and in particular the underlying assumption of the £280 per dormant subsidiary?

☐ Not sure

Comments:

Question 13 (para 47)

Do you agree with our estimate of the cost of taking legal advice of £110 per subsidiary in the first year only, but that if the Government provided guidance on an acceptable form of the guarantee, this cost of legal advice would be zero?

☐ Yes

Comments: I agree with zero. You may be underestimating the figure of £110.

Question 14 (para 49)

Have views of stakeholders expressed to the Company Law Review changed since 2000?

☐ No

Comments: My experience is that most of these views are well founded.

Question 15 (para 49)

Do you agree with the Government's conclusions on the likely impacts that would have been involved in exempting non-dormant qualifying subsidiaries from either preparation or filing of accounts and that the costs of such a proposal would likely exceed the benefits?

☐ Yes

Comments:

Question 16 (para 51)

Do you agree with the assumption that it is unlikely that the Government's proposals will have a significantly adverse impact on the number of small audit firms?

☐ Yes

Comments: The number of firms carrying out audits is likely to reduce but those ceasing to audit are, if suitably qualified, likely to be gainfully employed in more value added services

Question 17 (para 55)

Do you agree with the Government's assessment of the risks of the proposal?

☐ Yes

Comments: Accounts prepared by reputable and suitably qualified accountants should be adequate for most commercial users.

Question 18 (para 59)

Do you agree that the guarantee should be irrevocable and in respect of all debts in respect of that financial year? Until an audited set of accounts for the subsidiary is filed it will also be in respect of future debts incurred by the subsidiary

☐ Yes

Comments: From my review of many sets of group accounts in recent years it is my experience that many lack transparency. It is also the experience of many small clients that they have suffered bad debts from subsidiaries not supported by the parent company despite verbal assurances prior to extending credit.

Question 19 (para 60)

Do you agree that the guarantee should cover the "debts" of the subsidiary and not extend to its "liabilities"?

☐ Yes

Comments: practical difficulties in assessing liabilities and too onerous.

Question 20 (para 63)

A Do you agree with the proposals for the Guarantee?

B Do you think the form of the proposed guarantee will encourage its take-up in line with our assumptions above (75-90%)? If not, why not?

C Do you have alternative proposals that would not gold plate the Directive, provide adequate protection for those to whom the subsidiary owes a debt, but do not make it unlikely that the parent would issue such a guarantee?

A ☐ Yes

B ☐ Not sure

C ☐ No

Comments:

Question 21 (para 65)

Do you agree that no new penalties should be proposed in conjunction with the introduction of these proposals?

☐ Yes

Comments:

Question 22 (para 76)

Do you agree that the Government should impose restrictions on companies' ability to move from IFRS to UK GAAP?

☐ Yes

Comments:

Question 23 (para 76)

How frequently should a company be able to move from IFRS to UK GAAP, unless there is a relevant change in circumstances?

☐ Once every 5 years

Comments:

Question 24 (para 78)

A Do you agree with the Government's estimate that 90% of eligible subsidiary companies will take up the option?

B Do you agree that the saving for each company will be £569?

A ☐ Not sure

B ☐ Not sure

Comments:

Question 25 (para 82)

Do you agree that the one-off cost per company will be £390?

☐ Not sure

Comments:

Question 26 (para 86)

Do the proposed changes in any way increase the risk of financial irregularities? If so, what would you estimate the potential impact to be on investors?

☐ Yes

Comments: Lack of understanding by the reader possibly leading to poor decision making.

Question 27 (para 27)

What is the risk that investors will be misled or confused by a company switching between accounting frameworks?

☐ High risk

Comments: In my opinion, the accounting profession has a tendency to exploit such circumstances by adopting a "letter of the law" approach rather than adhering to the fundamental tenets of transparency and "true and fair" view.

Question 28 (para 86)

Do you agree with the Government's assessment of the risks of this proposal?

☐ Yes

Comments:

Question 29 (para 87)

Do you agree that the proposals should apply to entities for financial years ending on or after 1 October 2012?

☐ Yes

Comments: Earlier, if possible.

Do you have any other comments that might aid the consultation process as a whole?

Please use this space for any general comments that you may have, comments on the layout of this consultation would also be welcomed.

The continual reduction in the time and financial burden associated with small company audits is to be welcomed. Their abandonment is unlikely to result in any loss of meaningful information for commercial stakeholders seeking to offer loans or trade credit.

As a director of a manufacturing company as well as being an accountant in practice I am regularly required to review accounts with a view to assessing the creditworthiness of a company. During the past five years I have noticed a significant increase in the use of small group structures which do not assist transparency and in many cases could mislead the less knowledgeable user.

The accounting profession should concentrate on providing value added services appropriate to presented circumstances and customers.

Thank you for taking the time to let us have your views. We do not intend to acknowledge receipt of individual responses unless you tick the box below. Please acknowledge this reply ☐

At BIS we carry out our research on many different topics and consultations. As your views are valuable to us, could we contact you again from time to time either for research or to send through consultation documents?

☐ Yes

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