BIS | Department for Business Innovation & Skills

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)	YES
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	

Accounting bodies	
Legal representative or professional legal bodies	
User representative bodies	
Academics	
Regulators and Government bodies	
Individuals	
Other (please describe)	

Please note:

Graydon would look to support any government scheme that aims to reduce burdens on businesses in order to facilitate growth. We welcome the government review and hope that it may provide opportunities for stimulating growth for business as well as the wider UK economy. Graydon has not responded to specific questions where we feel that we are not in the best position to answer.

Question 1 (para 25)

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

Comments:
This may weaken the confidence in users of financial information when making critical decisions regarding trade credit and risk. There is also the possibility this may lead to an increase in potential fraudulent disclosure at Companies House.

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	☐ No	☐ Not sure
B	☐ Yes	☐ No	☐ Not sure
C	☐ Yes	☐ No	☐ Not sure

Comments:

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 ☐ No ☐ Not sure

Comments:

Question 4 (para 36)

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

☐ Yes ☒ No ☐ Not sure

Comments:

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:
This would reduce the financial transparency for credit and risk decision makers on these companies.

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 ☐ No ☒ Not sure

Comments:
Not sure, as it would depend on the definition of dormant.

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 ☐ No ☐ Not sure
B Comments:

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?

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 ☐ No ☐ Not sure

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	☐ No	☐ Not sure
B	☐ Yes	☐ No	☐ Not sure
C	☐ Yes	☐ No	☐ Not sure

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?

☐ Yes ☐ No ☐ Not sure

Comments:

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?

☐ Yes ☐ No ☐ 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 ☐ No ☐ Not sure

Comments:

Question 14 (para 49)

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

☐ Yes ☒ No ☐ Not sure

Comments:
As a stakeholder ourselves, we would concur with this view.

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 ☐ No ☐ Not sure

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 ☐ No ☐ Not sure

Comments:

Question 17 (para 55)

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

☐ Yes ☒ No ☐ Not sure

Comments:

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 ☐ No ☒ Not sure

Comments:
Not sure as this would depend on the definition of "financial year" and "debts"

Question 19 (para 60)

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

☐ Yes ☐ No ☒ Not sure

Comments:
Not sure as this would depend on the definition of "debts"

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	☐ No	☒ Not sure
B	☐ Yes	☐ No	☒ Not sure
C	☐ Yes	☐ No	☐ Not sure

Comments:

Question 21 (para 65)

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

☐ Yes ☐ No ☐ Not sure

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 ☐ No ☐ Not sure

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?

☐ Every year ☐ Once every 3 years ☒ Once every 5 years ☐ Never ☐ Not sure

Comments:
We would support the Government proposal to allow companies that prepare their accounts under IFRS to move to UK GAAP for any other reason than a relevant change in circumstances, no more frequently than once every 5 years. This will maintain a level of consistent financial reporting enabling our users to make decisions

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	☐ Yes	☐ No	☐ Not sure
B	☐ Yes	☐ No	☐ Not sure

Comments:

Question 25 (para 82)

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

☐ Yes ☐ No ☐ 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 ☐ No ☐ Not sure

Comments:

Question 27 (para 27)

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

☐ High risk ☐ Low risk ☒ Not sure

Comments:

Question 28 (para 86)

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

☐ Yes ☐ No ☒ Not sure

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 ☐ No ☐ Not sure

Comments:

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 questionnaire highlights the complexities of the issue. Going forward, Graydon along with many of our counterparts within BIPA would welcome earlier consultation in matters relating to changes in statutory business information provision. As an important user and provider of financial information, Graydon would like to ensure that there is a balance between the needs of businesses seeking trading partners and the needs of our users to make informed business decisions regarding trade credit and risk. In times of economic difficulty, the importance of trade credit provision should not be underestimated. Transparency, depth and timeliness of information is key in this process. We feel that these proposals will obviously reduce the amount of information available to decision makers and thus could hamper the facilitation of business activities. We also believe that an audit process provides disciplines that are important in running a business and will be taken into account when assessing creditworthiness by ourselves and our users. In addition, an audit also provides another level of comfort in fraud prevention. We would also like BIS to consider the extra cost of changes in statutory data provision to stakeholders such as ourselves. As primary users of statutory data, our industry has had many changes thrust upon it over the last couple of years, e.g. Companies Act. Changes to statutory data provision naturally incur time and redevelopment costs on our business and changes in service to our users which cannot be ignored. There is a concern that any benefits provided to business by such proposals being implemented maybe offset by the cost incurred by lenders due to the reduction in information. This may lead to reduced acceptance rates or increase in the cost of credit provision. These issues do not appear to be considered within the proposals. Graydon and BIPA would welcome the opportunity to consult and educate BIS further on these matters.

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 ☐ No

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URN 11/1196