

**APPLICATION ON PAPERS  
CONSENT ORDERS CHAIR OF THE ASSOCIATION OF CHARTERED  
CERTIFIED ACCOUNTANTS**

**REASONS FOR DECISION**

<b>In the matter of:</b>	<b>Mr Alfonso Del Basso</b>
<b>Considered on:</b>	<b>Wednesday, 22 May 2024</b>
<b>Location:</b>	<b>Remotely via Microsoft Teams</b>
<b>Chair:</b>	<b>Mr Martin Winter</b>
<b>Legal Adviser:</b>	<b>Mr Ashraf Khan</b>
<b>Outcome:</b>	<b>Admonishment</b>
<b>Costs:</b>	<b>£1,800.00</b>

**INTRODUCTION**

1. The Chair has considered a draft Consent Order, signed by a signatory on behalf of the ACCA on 24 April 2024, together with supporting documents in a bundle numbering pages 1-36 and a detailed costs breakdown.
2. When reaching his decision, the Chair has referred to the requirements of Regulation 8 of the Complaints and Disciplinary Regulations 2014 (as amended) (“CDR8”) and considered the ACCA’s documents entitled “Consent Orders Guidance” and “Consent Orders Guidance FAQs”.

3. The Chair was satisfied that Mr Del Basso was aware of the terms of the draft Consent Order and that it was being considered today. He had signed the Order on 24 April 2024.
4. The Chair was also satisfied that Mr Del Basso was aware that he could withdraw his agreement to the signed draft Consent Order by confirming the withdrawal in writing. No such withdrawal has been received.
5. The Investigating Officer had concluded an investigation into the allegation against Mr Del Basso in accordance with CDR8(1)(a) and was satisfied that:
  - (a) They had conducted the appropriate level of investigation as evidenced by the enclosed evidence bundle and determined that there was a case to answer against Mr Del Basso, and that there was a real prospect of a reasonable tribunal finding the allegations proved; and
  - (b) The proposed allegation was unlikely to result in exclusion from membership.

## **ALLEGATIONS**

Alfonso Del Basso, an ACCA member admitted the following:

### **Allegation 1**

On 27 April 2022 he signed an audit report in respect of an Isle of Man registered company without being registered with the Isle of Man Financial Services Authority as a Recognised Auditor.

### **Allegation 2**

His conduct in respect of allegation 1 was;

- (a) Not in accordance with the Global Practising Regulation 13(1) (Annex 1, Appendix 1) (as applicable in 2022) and or

- (b) Contrary to Section 113.1(b) of ACCA's Code of Ethics and Conduct (as applicable in 2022) and or
- (c) Contrary to Section 115.1(a) of ACCA's Code of Ethics and Conduct (as applicable in 2022)

### **Allegation 3**

By reason of any or all of the conduct set out at allegations 1 and 2 above, Mr Del Basso is guilty of misconduct pursuant to bye-law 8(a)(i)

### **BRIEF FACTS**

6. The investigating officer has conducted their investigation into the allegations against Mr Del Basso in accordance with Regulation 8(1)(a) of the Complaints and Disciplinary Regulations (CDR) (2019) and it is satisfied that:
  - (a) They have conducted the appropriate level of investigation as evidenced by the enclosed evidence bundle and determined that there is a case to answer against Mr Del Basso and there is a real prospect of a reasonable tribunal finding the allegations proved; and
  - (b) The proposed allegations would be unlikely to result in exclusion from membership.
7. The relevant facts, failing and/or breaches have been agreed between the parties and are set out in the detailed allegations above together with the proposed sanction and costs.
8. A summary of the key facts is set out below:
  - (a) Mr Del Basso has been a member of ACCA since 31 March 2005.
  - (b) Mr Del Basso holds an ACCA practising certificate and audit qualification.

- (c) On 27 April 2022 Mr Del Basso signed an audit report in respect of a client (Client A) listed on the Main Market of the London Stock Exchange and therefore a Public Interest Entity (PIE).
- (d) Client A is an Isle of Man registered company.
- (e) By virtue of Client A being an Isle of Man registered company, the auditor was required to be registered with the Isle of Man Financial Services Authority (IOM FSA) as a Recognised Auditor.
- (f) As of 27 April 2022, Mr Del Basso was not registered as a Recognised Auditor with the IOM FSA.
- (g) On 04 January 2023 the Financial Reporting Council (FRC) informed ACCA that Mr Del Basso was not registered as a Recognised Auditor with IOM FSA.
- (h) On 17 January 2023 ACCA contacted Mr Del Basso's firm to advise of the requirement to be registered with IOM FSA.
- (i) On 28 April 2023 Mr Del Basso was registered with the IOM FSA.
- (j) During an ACCA monitoring visit on 27 November 2023, Mr Del Basso informed the Monitoring Officer that it had been first time his firm had audited an Isle of Man registered company and had not realised that registration with IOM FSA was required. He explained that he had contacted IOM FSA following the email from ACCA Head of Compliance and applied immediately for registration as a Registered Auditor.

## **DECISION ON ALLEGATIONS AND REASONS**

9. In accordance with Regulation 8 of the CDR, the Chair has the power to approve or reject the draft Consent Order or to recommend amendments. The Chair can only reject a signed draft Consent Order if he is of the view that the admitted breaches would more likely than not result in exclusion from membership.

10. The Chair was satisfied that there was a case to answer and that it was appropriate to deal with the complaint by way of Consent Order. The Chair considered that the Investigating Officer had followed the correct procedure.
11. The Chair considered the bundle of evidence. Based on the documentary evidence, the findings of ACCA together with the admission of the allegation by Mr Del Basso the Chair found the allegation pursuant to bye-law 8(a)(vi) proved.

### **SANCTION AND REASONS**

12. In deciding whether to approve the proposed sanction of an Admonishment, the Chair considered the Guidance to Disciplinary Sanctions (“the Guidance”). This included the key principles relating to the public interest, namely: the protection of members of the public; the maintenance of public confidence in the profession and in ACCA, and the need to uphold proper standards of conduct and performance. The Chair also considered whether the proposed sanction was appropriate, proportionate, and sufficient.
13. In deciding that an Admonishment was the most suitable sanction, paragraphs C2.1 to C2.6 of ACCA’s Guidance have been considered. The Chair concluded no lesser sanction is appropriate and agreed with the following aggravating and mitigating factors identified by ACCA:

#### **Aggravating:**

- Client A was a PIE listed on the Main Market of the London Stock Exchange.

#### **Mitigating**

- Mr Del Basso has been a member of ACCA in good standing since 2005.
- Mr Del Basso has no previous complaint or disciplinary history.
- Mr Del Basso has fully co-operated with ACCA.

- The consequences of Mr Del Basso's conduct have not caused loss or an adverse effect on the client/members of the public.
  - The misconduct was an isolated incident which was unlikely to be repeated.
  - The investigation has not found evidence suggesting Mr Del Basso's misconduct was deliberate.
  - Mr Del Basso promptly took corrective steps which addressed the matters raised after being notified in writing by ACCA.
14. The Chair considered that both the aggravating and mitigating factors identified by ACCA were supported by documentary evidence and were relevant.
15. In the Chair's view, the public interest would not be served by making no order. However, the Chair was satisfied that the sanction of Admonishment, was proportionate, and sufficient. In the Chair's view, an order reprimanding, severely reprimanding or excluding Mr Del Basso from the Register of Members would be a disproportionate outcome and therefore a Disciplinary Committee would be unlikely to make such orders.

### **COSTS AND REASONS**

16. The Chair is satisfied Mr Del Basso is able to pay costs as agreed in the proposed Consent Order.
17. The ACCA is entitled to its costs in bringing these proceedings. The claim for costs in the sum of £1,800.00 which has been agreed by Mr Del Basso appears appropriate.

### **ORDER**

18. Accordingly, the Chair approved the terms of the attached Consent Order. In summary:
- (a) Mr Del Basso shall be Admonished.

(b) Mr Del Basso shall pay costs of £1,800.00 to ACCA.

**Mr Martin Winter**  
**Chair**  
**22 May 2024**