

HEARING

DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of: Mr Muhammad Hamza

Heard on: Thursday 10 July 2025

Location: Remotely via Microsoft Teams

Committee: Ms Ilana Tessler (Chair)
Dr Beth Picton (Accountant)
Mr Damian Kearney (Lay)

Legal Adviser: Mr David Marshall

Persons

Present and capacity: Ms Hena Patel (ACCA Case Presenter)
Ms Anna Packowska (Hearings Officer)

Summary: Allegations proved. Removed from student register

Costs: £5,500

1. The Committee heard an allegation of misconduct against Mr Hamza. Ms Patel appeared for ACCA. Mr Hamza was not present and not represented.
2. The Committee had a main bundle of papers containing 101 pages and a service bundle containing 16 pages.

ACCA



+44 (0)20 7059 5000



info@accaglobal.com



www.accaglobal.com



The Adelphi 1/11 John Adam Street London WC2N 6AU United Kingdom

PROCEEDING IN ABSENCE

3. The Committee was satisfied that Mr Hamza had been served with the documents required by regulation 10(7) of The Chartered Certified Accountants' Complaints and Disciplinary Regulations 2014 in accordance with regulation 22. The required documents were contained in the papers before the Committee. There was evidence that they were sent by email on 12 June 2025 to an email address notified by Mr Hamza to ACCA as an address for all correspondence. That was 28 days ago.
4. There had been no communication with Mr Hamza since he was notified that his conduct was under investigation in September 2023. A number of emails sent to him by ACCA had apparently been received but were not answered. Telephone calls to him were not answered, most recently yesterday. The Committee concluded that Mr Hamza had decided not to engage with the investigation or the subsequent hearing. It concluded that Mr Hamza had deliberately chosen not to exercise his right to be present. There was no reason to think that an adjournment would secure his attendance and there was no other reason for adjourning.
5. These were serious allegations. It was in the public interest that this hearing should take place without undue delay. The Committee determined to proceed in Mr Hamza's absence.

ALLEGATION(S)/BRIEF BACKGROUND

6. Mr Hamza was first registered as an ACCA Student on 26 September 2015. On 13 June 2016 his registration was suspended for non-payment of subscription fees and remained suspended for some years. It seems that in 2023 Mr Hamza decided to resume his ACCA career. In January 2023 he made a fresh application for registration as a student. That was rejected by ACCA because he already had an account, although it was suspended. On 15 February 2023 his original registration was reinstated after paying the outstanding fees.
7. At the same time as seeking registration and then re-registration, Mr Hamza submitted what purported to be a transcript from the Institute of Chartered Accountants of Pakistan (ICAP). This showed exam passes which would have

entitled Mr Hamza to exemption from some ACCA exams. ACCA alleged that the document was not genuine. Mr Hamza faced the following allegations:

Schedule of Allegations

Allegation 1

On or around 01 February 2023, Mr Muhammad Hamza, an ACCA student submitted or caused to be submitted to ACCA, a false transcript purportedly from the Institute of Chartered Accountants of Pakistan.

Allegation 2

Mr Hamza's conduct at allegation 1 above:

- a. Was dishonest, in that he knew the transcript he submitted or caused to be submitted to ACCA was not genuine; and/or*
- b. Demonstrates a lack of integrity.*

Allegation 3

Mr Hamza failed to co-operate with the investigation of a complaint, contrary to Regulation 3(1) of the Complaints and Disciplinary Regulations 2014 (as amended), in that he did not respond to any or all of ACCA's correspondence dated:

- a) 07 November 2023;*
- b) 22 November 2023;*
- c) 08 December 2023*

Allegation 4

By reason of his conduct in respect of the matters set out at allegation 1 to 3 above, Mr Hamza, is:

- a) Guilty of misconduct pursuant to bye-law 8(a)(i) or, in the alternative,*
- b) Liable to disciplinary action pursuant to bye-law 8(a)(iii)*

DECISION ON FACTS/ALLEGATION(S) AND REASONS

8. There was no oral evidence at the hearing. Ms Patel relied on the documentary evidence including a witness statement from Mr Gavin McNeil, Finance and Exemptions Escalations Team Manager at ACCA.

Allegation 1

9. It is clear from ACCA's records that what appeared to be an ICAP transcript was uploaded to Mr Hamza's account in connection with the application on 1 February 2023 for registration. It was referenced again in connection with the application to reinstate Mr Hamza's previous registration. At the same time copies of Mr Hamza's identity card were uploaded to prove that it was he who was making the applications. The Committee was satisfied that it was Mr Hamza who uploaded the transcript. No other person could have had a reason to do so or should have had access to Mr Hamza's identity documents. The name, date of birth and national ID number given corresponded to the details on his original 2015 application, supported by his passport.
10. Mr McNeil confirmed that the transcript supplied by Mr Hamza (if genuine) would have entitled him to exemptions in the ACCA exams Business and Technology (BT), Management Accounting (MA) and Financial Accounting (FA).
11. The Committee was satisfied that the purported transcript was false. ACCA submitted a number of documents to ICAP for verification. In its letter dated 22 March 2023 ICAP informed ACCA that the documents relating to Mr Hamza were 'forged and not as per our records'. **The Committee found Allegation 1 proved.**

Allegation 2(a): dishonesty

12. Mr Hamza must have known what, if any, ICAP exams he had taken and whether he had passed them. He must therefore have known that the transcript he submitted was false. The Committee was satisfied that he knowingly submitted false evidence for the purpose of gaining exam exemptions to which he was not entitled. The Committee had no doubt that his conduct was dishonest by the standards of ordinary decent people. **The Committee found**

Allegation 2(a) proved. Allegation 2(b) was in the alternative so the Committee did not have to consider it.

Allegation 3: failure to cooperate

13. ACCA notified Mr Hamza of the complaint about his conduct on 7 November 2023. ACCA provided copies of the evidence against him and asked a number of questions for the purposes of the investigation. ACCA required a reply by 21 November. There was no reply. ACCA sent reminders on 22 November and 8 December 2023. The final letter stated that an allegation of failing to cooperate would be made if he did not reply by 15 December 2023. Mr Hamza did not reply to any of these letters. Indeed, so far as the Committee is aware Mr Hamza did not reply to any letter or email sent to him by ACCA in connection with the investigation and preparation of this case and did not volunteer any information.
14. The Committee considered that the questions asked by ACCA were relevant and appropriate ones to ask in connection with the matters to be investigated. It considered that by making no reply at all, Mr Hamza had impeded ACCA's performance of its regulatory function. He failed to cooperate with the investigation in breach of his duty to do so. **The Committee found Allegation 3 proved.**

Allegation 4(a): misconduct

15. The Committee considered that Mr Hamza's dishonesty was a very serious matter. It was an attempt to gain an exemption from ACCA exams to which he was not entitled. It was therefore a preliminary step in a process that could lead to him becoming a Member without having demonstrated his competence. His conduct fell far below the standards expected and would be regarded as deplorable by members and students of ACCA and others. **The Committee was satisfied that his actions in this respect amounted to misconduct.**
16. The Committee also regarded Mr Hamza's failure to cooperate in any way with the investigation as a very serious matter. **The Committee was satisfied that Mr Hamza's conduct in this respect also amounted to misconduct.**

17. Allegation 4(b) was in the alternative so the Committee did not have to consider it.

SANCTION(S) AND REASONS

18. The Committee considered what sanction, if any, to impose in light of its findings, having regard to ACCA's Guidance for Disciplinary Sanctions. It first sought to identify any mitigating and aggravating factors.
19. Both types of misconduct found were very serious.
20. Ms Patel informed the Committee that there were no previous regulatory findings against Mr Hamza. That was a mitigating factor, although not 'remarkable or exceptional'.
21. Aggravating features included that his misconduct was for personal gain, it involved another accountancy regulator, and that it was repeated. It was designed to undermine the integrity of the accreditation process.
22. Mr Hamza's lack of cooperation was aggravated by the fact that it took place over a long period of time despite explicit warnings as to the consequences if he persisted.
23. The Committee was quite satisfied that a sanction was required in this case. It considered the available sanctions in order of seriousness.
24. The Committee first considered the sanctions of admonishment and then reprimand but the guidance made it clear that these were not sufficient. For reprimand, the guidance states 'This sanction would usually be applied in situations where the conduct is of a minor nature and there appears to be no continuing risk to the public'. Dishonestly submitting a false qualification document and failing to cooperate with an investigation cannot be described as minor matters.
25. The Committee next considered the sanction of severe reprimand. The guidance states that this sanction would usually be applied in situations where the conduct is of a serious nature but there are particular circumstances of the case or mitigation advanced which satisfy the Committee that there is no

continuing risk to the public, and there is evidence of the individual's understanding and appreciation of the conduct found proved. None of those elements was present in this case. The Committee went through the list of suggested factors but few, if any, of the factors supporting a severe reprimand were present. In any event, a severe reprimand would not be sufficient to mark the seriousness of the misconduct in this case.

26. The Committee considered that Mr Hamza's dishonest conduct and failure to cooperate were fundamentally incompatible with remaining as an ACCA student and that the minimum sanction it could impose was removal from the student register.
27. A student who has been removed can normally apply to be re-admitted after one year. The Committee considered whether to extend this period but decided that it was not necessary. His status as an unqualified student gave him little opportunity to harm the public. If Mr Hamza were to apply for readmission his application would be scrutinised by the Admissions and Licensing Committee.

COSTS AND REASONS

28. Ms Patel applied for costs totalling £6,065.50.
29. The Committee was satisfied that the proceedings had been properly brought and that ACCA was entitled in principle to its costs. It considered that the time spent and the sums claimed were reasonable, subject to a reduction for the fact that this hearing would not take as long as had been estimated. Allowing for the reduced hearing time the Committee assessed the costs at £5,500.
30. Mr Hamza had not submitted a statement of financial position. The Committee had no information about his means. It could not speculate. The Committee was therefore not able to consider a reduction to the costs award based on inability to pay or hardship.

EFFECTIVE DATE OF ORDER

31. Ms Patel invited the committee to consider whether any order made should have immediate effect. She did not identify any particular circumstance in Mr Hamza's case which meant that the Committee should depart from the normal

position where a person is found guilty of misconduct and removed from the register. Mr Hamza was currently an ACCA student with few qualifications. The Committee did not consider that he could present a significant risk to the public during the period before this order came into effect, or an appeal was decided and lost. The Committee did not consider that it was necessary to order immediate removal. This order will take effect at the normal time.

ORDER

32. The Committee ordered as follows:

- (a) Mr Muhammad Hamza shall be removed from the student register of ACCA.
- (b) Muhammad Hamza shall pay a contribution to ACCA's costs assessed at £5,500.

Ms Ilana Tessler
Chair
10 July 2025