

HEARING

ADMISSIONS AND LICENSING COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of: **Mr Muhammad Nouman Khan**

Heard on: **Tuesday, 27 January 2026**

Location: **Held remotely via Microsoft Teams**

Committee: **Mr Steven Chandler (Chair)**
Ms Wanda Rossiter (Accountant)
Ms Deborah Fajoye (Lay)

Legal Adviser: **Mr Ashraf Khan (Legal Adviser)**

Persons present
and capacity: **Ms Joanna La Roche (ACCA Case Presenter)**
Miss Mary Okunowo (Hearings Officer)

Summary: **Application to re-admit to ACCA student register refused.**

INTRODUCTION

1. The Admissions and Licensing Committee (“the Committee”) met to consider an application by Mr Muhammad Nouman Khan for re-admission to ACCA’s student register pursuant to the Membership Regulations.
2. Mr Khan was not present and was unrepresented. ACCA was represented by Miss La Roche. Miss Mary Okunowo attended as Hearings Officer.

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3. The papers before the Committee comprised a Report and Bundle, a Service Bundle and a Tabled Additionals Bundle.

PRELIMINARY APPLICATIONS / SERVICE OF PAPERS

4. The Committee noted that on 16 December 2025 ACCA sent Mr Khan, by email to his registered address, formal notice of the hearing listed for 27 January 2026, together with a secure link to the Report and Bundle and accompanying documents.
5. The Committee was satisfied that the Notice contained the date, time and format of the hearing, information about attendance and representation, and details of how to access the hearing remotely.
6. The Committee further noted that on 05 January 2026 ACCA sent a follow-up email requesting confirmation of attendance.
7. The Committee also noted that on 26 January 2026 ACCA sent Mr Khan a further email providing the Microsoft Teams hearing link and confirming that he could still attend should he become available.
8. Having considered those communications, the Committee was satisfied that Notice of Hearing and the hearing bundles had been properly served on Mr Khan in accordance with Regulation 11 of the Authorisation Regulations.
9. No preliminary applications were made.

PROCEEDING IN ABSENCE

10. The Committee considered whether it was fair and appropriate to proceed in Mr Khan's absence.
11. The Committee had regard to Regulation 6(7) of the Authorisation Regulations, which permits the Committee to proceed where a relevant person does not attend, provided that it is satisfied that the person has been properly served.
12. The Committee also had regard to the guidance in *R v Jones [2002] UKHL 5, Tait v Royal College of Veterinary Surgeons [2003] UKPC 34, and GMC v Adeogba [2016] EWCA Civ 162*, including the need to balance the interests of

the absent party with the public interest in the expeditious disposal of regulatory proceedings.

13. The Committee noted that:

- a. Mr Khan had been served with Notice of Hearing and the hearing bundles;
- b. He had been reminded of the hearing by follow-up correspondence;
- c. On 07 January 2026 he had expressly confirmed by email that he would not be available to attend and that the Committee could proceed in his absence; and
- d. ACCA had acknowledged that email later the same day.

14. The Committee further noted that on 26 January 2026 Mr Khan had been sent the Microsoft Teams hearing link and reminded that he could still attend if he became available.
15. There was no application for an adjournment and no medical or other reason advanced for non-attendance.
16. The Committee also took into account that Mr Khan had not suggested that he wished to attend at a later date, nor identified any circumstances that would change were the hearing to be adjourned.
17. Having considered all those matters, the Committee concluded that Mr Khan had voluntarily absented himself, that it was fair to proceed in his absence, and that no useful purpose would be served by adjourning the hearing.

BRIEF BACKGROUND / APPLICATION HISTORY

18. Mr Muhammad Nouman Khan became an ACCA student on 02 November 2015.
19. On 07 March 2023, Mr Khan was alleged to have engaged in misconduct during ACCA's Strategic Business Leader remotely-invigilated examination.

20. The allegations considered by the Disciplinary Committee on 15 November 2023 were as follows:

Allegation 1

That on 07 March 2023, Mr Muhammad Nouman Khan, an ACCA student:

- a) Used, or caused or permitted a third party to use, an unauthorised item during ACCA's Strategic Business Leader remotely-invigilated examination, to take photographs of one or more of the examination questions, contrary to Exam Regulations 5a and/or 12; and
- b) Caused or permitted the photographs referred to at Allegation 1(a) to be shared with a person or persons unknown, contrary to Exam Regulations 10 and/or 14.

Allegation 2

That Mr Khan's conduct was:

- a) In respect of Allegation 1(a), dishonest in that the taking and retaining of the photographs of the examination questions could potentially assist him if he had to resit the same examination and thereby provide him with an unfair advantage; and/or
- b) In respect of Allegation 1(b), dishonest in that sharing the photographs with another or other examination candidates sitting the same examination could provide them with an unfair advantage; or, in the alternative,
- c) Demonstrated a failure to act with integrity; and/or
- d) In the further alternative to Allegations 2(a), 2(b) and/or 2(c), was reckless in that Mr Khan failed to have any or sufficient regard to the possibility that the sharing of photographs of examination questions with any other ACCA student (whether directly or indirectly) would provide them with an unfair advantage if they were intending to sit the same examination.

Allegation 3

That, in the alternative to Allegations 1(a) and/or Allegations 2(a)–(d), Mr Khan failed to report to ACCA that on 7 March 2023 a third party had taken photographs of ACCA examination questions, contrary to Exam Regulation 15.

Allegation 4

That Mr Khan's conduct at Allegation 3:

- a) was dishonest in that he knew he had a responsibility to report to ACCA any breaches of examination content once known to him and he did not; or, in the alternative,
- b) Demonstrated a lack of integrity.

Allegation 5

That, by reason of any or all of the facts at Allegations 1–4, Mr Khan was:

- a) Guilty of misconduct pursuant to ACCA Bye-law 8(a)(i); or, in the alternative
- b) Liable to disciplinary action pursuant to Bye-law 8(a)(iii) in respect of breaches of the Exam Regulations as set out in Allegations 1(a), 1(b) and/or 3.

21. On 03 July 2023, Mr Khan was removed from ACCA membership pending the outcome of disciplinary proceedings.
22. On 15 November 2023, the Disciplinary Committee found Allegations 1(a) and (b), 2(a) and (b) and 5(a) proved and excluded Mr Khan from ACCA student membership with immediate effect.
23. Mr Khan applied for permission to appeal that decision. On 11 January 2024, another Chair of the Disciplinary Committee refused the application for permission to appeal.

24. On 13 December 2024, Mr Khan applied for re-admission to ACCA's student register pursuant to the Membership Regulations.
25. In support of his application, Mr Khan provided written explanations regarding the circumstances which led to his removal from membership, his personal circumstances at the time of the examination, his attitude to the exclusion, and why he considered that he should be readmitted.
26. ACCA filed a written response opposing the application dated 15 December 2025.

SUBMISSIONS ON BEHALF OF ACCA

27. On behalf of ACCA, it was submitted that the application for re-admission should be refused.
28. ACCA submitted that the reputation of the accountancy profession depends upon members and prospective members acting with integrity, particularly in matters connected with examinations and admission to membership. ACCA relied upon its written submission that:

“the reputation of the accountancy profession is built upon the public being able to rely on a member and/or professional who has undertaken to abide by a code of ethics and do the right thing in difficult circumstances. It is a cornerstone of the public value which an accountant brings.”
29. ACCA further relied upon the authority of *Bolton v Law Society* [1994] 1 WLR 512, quoting Sir Thomas Bingham MR's observation that:

“the reputation of the profession is more important than the fortunes of the member. Membership of a profession brings many benefits, but that is a part of the price.”
30. ACCA submitted that public confidence in the profession was a powerful factor when assessing applications for re-admission following findings of dishonesty or lack of integrity and that, save in exceptional circumstances, members of the public should be entitled to assume that those seeking admission have not previously acted dishonestly.

31. ACCA summarised the reference from Person A, which described Mr Khan as having been under pressure at the time of the examination and asserted that the taking of photographs had been unintentional on his part, but also recorded that Mr Khan had failed to report the incident because he feared losing his student status. ACCA submitted that Person A had been a classmate [PRIVATE] and that their knowledge of Mr Khan's conduct was therefore not recent.
32. ACCA also summarised the reference from Person B, which similarly attributed the incident to the actions of a third party and recorded that Mr Khan had failed to report the matter because of fear of losing his ACCA status. ACCA again submitted that this reference came from a former classmate and did not provide recent insight into Mr Khan's character.
33. ACCA reminded the Committee that the Disciplinary Committee had excluded Mr Khan from student membership with immediate effect on 15 November 2023 following findings that Allegations 1(a) and (b), 2(a) and (b) and 5(a) had been proved, and that a subsequent Chair had refused permission to appeal. It was submitted that re-admission was not automatic following the expiry of the minimum twelve-month exclusion period and that it was for the Admissions and Licensing Committee to determine whether Mr Khan was a fit and proper person to be readmitted.
34. In relation to timing, ACCA submitted that Mr Khan had applied for re-admission on 13 December 2024, shortly after the expiry of the minimum exclusion period, and that the application could properly be regarded as premature.
35. ACCA submitted that Mr Khan had demonstrated limited responsibility for his actions and that his application continued to focus on the conduct of his friend and on the personal consequences of exclusion, rather than upon the seriousness of his own conduct or its wider impact upon the profession. ACCA submitted that he had shown limited contrition during the disciplinary proceedings, the appeal process and the present application.
36. Finally, ACCA submitted that pursuant to Regulation 9 of the Membership Regulations, the burden lay upon Mr Khan to satisfy the Committee as to his general character and suitability for membership, and that, taking all matters into account, he had not discharged that burden. ACCA therefore opposed the application for re-admission.

THE APPLICANT'S SUBMISSIONS

37. Mr Khan did not attend the hearing and was not represented. The Committee noted that by email dated 07 January 2026 he confirmed that he would not be attending and that he was content for the hearing to proceed in his absence. He therefore made no oral submissions.
38. The Committee considered the written material submitted in support of the application for re-admission, including Mr Khan's completed application form, his written responses to ACCA's questions, and the two character references.
39. In those materials Mr Khan accepted that he had been removed from ACCA student membership following findings made by the Disciplinary Committee in November 2023. He asserted that the conduct which led to those findings had not been intentional on his part and attributed responsibility primarily to a third party. He stated, in particular:

"my only fault was that I couldn't stop [them] that time and didn't report that to ACCA as I was afraid of losing my ACCA student status."

40. He further asserted that:

"the picture [they] took of my exam sheet was in [their] mobile that went out somehow. I am not aware of the circumstances with led to this."

41. Mr Khan placed considerable emphasis upon the personal consequences of the exclusion. He referred to significant financial hardship, the fact that [PRIVATE], the length of time he had spent pursuing the qualification, and his age at the time of the application. He wrote:

"I am about 29 years now with nothing in my hand and i cannot face my family [REDACTED] just so that i can progress."

42. He also described the exclusion as having caused him "[REDACTED]" and expressed the view that "[REDACTED]".
43. In addressing the question of future conduct, Mr Khan expressed remorse and stated that the incident had taught him a lasting lesson. He wrote:

"I am really sorry about what happened and the lesson i learnt is for lifetime."
and: "after this lesson that i learnt i would never breach any rule in my life."

44. Mr Khan further submitted that he should be readmitted because he had previously maintained a good disciplinary record, had paid his subscriptions and the financial penalty imposed, and had been close to completing his qualification at the time of exclusion. He also emphasised that he had paid the financial penalty imposed following the disciplinary proceedings. He wrote:

"I remained a very good ACCA student for all the time with no instances of misconduct with all my fees paid on time... I should get a chance to be readmitted as i was so close to getting this qualification and have put almost 7 years of my life working hard for this."

45. Mr Khan also relied upon two character references in support of his application. One was provided by Person A, a former classmate, who described Mr Khan as having been under significant pressure at the time of the examination and characterised the incident as unintentional on his part. Person A stated that Mr Khan had not reported the matter to ACCA because he feared losing his student status and expressed the view that he had reflected upon what had occurred and was committed to ensuring that such conduct would not be repeated.

46. The second reference was provided by Person B, also a former classmate and now a [PRIVATE], who similarly attributed the incident to the actions of a third party, recorded that Mr Khan had not sought assistance during the examination, and stated that Mr Khan had failed to report the matter because of fear of losing his ACCA status. Person B also expressed the view that Mr Khan had learned from the experience and was committed to maintaining high ethical standards in the future.

THE LEGAL FRAMEWORK AND THE COMMITTEE'S APPROACH

47. The Committee received legal advice from the Legal Advisor which it accepted.

48. The Committee considered the application in accordance with the Membership Regulations, in particular Regulation 9, which requires an applicant to satisfy the Admissions and Licensing Committee as to his general character and suitability for membership.

49. The Committee noted that where an applicant has previously been excluded following disciplinary findings, re-admission is not automatic upon the expiry of any minimum exclusion period. The burden rests upon the applicant to demonstrate that he now meets the requirements for admission.
50. In assessing whether that burden had been discharged, the Committee reminded itself that it was required to consider not only the interests of the applicant but also the need to maintain public confidence in the accountancy profession and in ACCA's regulatory processes.
51. The Committee further noted that conduct involving dishonesty or a lack of integrity in the context of examinations or admission to the profession is particularly serious, as it strikes at the heart of trust in the profession.
52. The Committee had regard to the guidance applicable to Admissions and Licensing Committee hearings, including ACCA's Admissions and Licensing Committee Guidance and Guidance for Regulatory Orders, insofar as relevant to the assessment of suitability and proportionality.
53. The Committee reminded itself that its task was not to re-determine the findings made by the Disciplinary Committee in November 2023. Those findings were final. The present application concerned whether, taking account of the passage of time, any evidence of remediation, insight or rehabilitation, and all relevant personal circumstances, Mr Khan had demonstrated that he was now a fit and proper person to be readmitted to ACCA student membership.
54. The Committee further reminded itself that relevant considerations included:
 - The seriousness of the original misconduct;
 - The extent to which the applicant had accepted responsibility for that misconduct;
 - The degree of insight demonstrated;
 - Any evidence of remediation or changed behaviour;
 - The passage of time since exclusion;
 - The need to uphold public confidence in the profession.

55. The Committee also reminded itself that its decision had to be proportionate, balancing the impact upon the applicant against the overarching public-interest considerations and ACCA's regulatory objectives.

COMMITTEE'S DECISION AND REASONS

56. The Committee carefully considered all the evidence before it, including ACCA's written submissions, Mr Khan's written application for re-admission and supporting documentation, the character references, and the findings previously made by the Disciplinary Committee in November 2023.
57. The Committee noted that the original findings concerned the taking and sharing of photographs of examination questions during a remotely invigilated examination and findings of dishonesty. The Committee regarded such conduct as very serious, going directly to integrity in an examination context and therefore to eligibility for membership of the profession.
58. The Committee considered the timing of the application. Mr Khan applied for re-admission on 13 December 2024, shortly after the expiry of the minimum twelve-month exclusion period. While the expiry of that period entitled him to apply, the Committee accepted ACCA's submission that re-admission is not automatic and that the relatively short period since exclusion was a relevant factor when assessing whether sufficient rehabilitation and insight had been demonstrated.
59. The Committee then considered the extent to which Mr Khan had accepted responsibility for his misconduct and demonstrated insight. In his written application he continued to place substantial emphasis upon the actions of a third party and the personal consequences of the exclusion for him and his family. While the Committee accepted that the impact upon him had been significant, it was concerned that his explanations focused more on the hardship he had suffered than upon the seriousness of the misconduct itself and its implications for the profession.
60. The Committee noted that Mr Khan had stated that he was "really sorry" and that he had learned a "lesson for lifetime". However, the Committee concluded that these expressions of regret were not accompanied by a clear acknowledgment of personal responsibility for permitting the breach of examination conditions and failing to report it promptly to ACCA, particularly in

circumstances where dishonesty had been found proved by the Disciplinary Committee.

61. The Committee carefully considered the two character references relied upon by Mr Khan. It noted that both referees were former classmates whose knowledge of him was not recent and that each repeated Mr Khan's account that the incident was unintentional on his part and recorded that he had failed to report the matter because he feared losing his ACCA status. The Committee considered that these references provided limited independent evidence of current insight or rehabilitation.
62. The Committee acknowledged that Mr Khan had no prior disciplinary history, had paid the financial penalty imposed, and had been close to completing his qualification at the time of exclusion. It also took into account the personal difficulties described in his application, including [PRIVATE].
63. However, the Committee concluded that these matters did not outweigh the seriousness of the original misconduct, the findings of dishonesty, and the continuing concerns about insight and acceptance of responsibility.
64. The Committee reminded itself of the importance of maintaining public confidence in the accountancy profession and in ACCA's regulatory regime. It considered that permitting re-admission at this stage would risk undermining that confidence, given the nature of the misconduct and the limited evidence of rehabilitation.
65. Having balanced all relevant factors, including proportionality and the impact of refusal upon Mr Khan, the Committee concluded that he had not satisfied it, pursuant to Regulation 9 of the Membership Regulations, that he was of suitable character to be readmitted to ACCA student membership at this time.
66. Accordingly, the Committee determined that the application for re-admission should be refused at this time.

ORDER

67. Pursuant to the Membership Regulations, the Admissions and Licensing Committee refuses Mr Muhammad Nouman Khan's application for re-admission to ACCA student membership.

**Mr Steven Chandler
Chair
27 January 2026**