



Type of Order:	DISCIPLINARY CONSENT ORDER
Date of Order:	28 March 2024
Committee name:	REGULATION AND CONDUCT COMMITTEE ( <b>the Committee</b> )
Details of IP:	<b>Dominik Thiel-Czerwinke</b> , an IPA member and Licensed Insolvency Practitioner.
Summary of complaint:	<p>This Order is made in relation to a complaint that <b>Mr Thiel-Czerwinke</b> in his role as liquidator of a company breached the <b>Fundamental Principles of Competence and Due Care</b> and <b>Professional Behaviour</b> when he:</p> <ul style="list-style-type: none"><li>• Failed to respond to the pension scheme administrator on nine separate occasions regarding submission of outstanding RP15 and RP15A forms.</li><li>• Closed the liquidation estate without submitting the forms in breach of s125(3) of the Pension Schemes Act.</li></ul> <p>Accordingly, Mr Thiel-Czerwinke was found liable to disciplinary action under the IPA's Articles of Association.</p>
Summary of sanctions:	<p>The Common Sanctions Guidance provides for a Severe Reprimand and a fine of £5,000, as a starting point, where there has been a serious failure to comply with the fundamental principle of competence and due care and a Severe Reprimand and a fine of £3,000 for a breach of the fundamental principle of professional behaviour.</p> <p>When deciding the appropriate sanction, the Committee noted that whilst Mr Thiel-Czerwinke had delegated conduct of the pensions claims to an experienced staff member (who failed to respond) he accepted full responsibility for the error and as soon as he became aware of it took remedial steps. There was no loss to any third party and Mr Thiel-Czerwinke changed internal processes to prevent any recurrence of this conduct.</p> <p>The Committee decided that a fair and proportionate sanction was to issue Mr Thiel-Czerwinke with a reprimand and a fine of £6,500.</p>