



Type of Order:	DISCIPLINARY CONSENT ORDER
Date of Order:	12 March 2019
Committee name:	INVESTIGATION COMMITTEE
Details of IP:	Gareth Self , from Restart BTi, Derbyshire, an IPA member and Licensed Insolvency Practitioner (IP).
Summary of complaint:	<p>This Order is made in relation to a complaint that Mr Self, in his role as Administrator of a Company breached the fundamental principle of competence and due care and SIP 16 when he failed;</p> <ul style="list-style-type: none">• to explain deviation from the marketing essentials referred to in Appendix 1 of the SIP• to provide sufficient information in his SIP16 disclosure with regards to the deferred consideration for the purchase of the company's assets., and• to request a viability statement from the purchaser of the company's assets. <p>Accordingly, Mr Self 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 reprimand and a fine of £1,500 when there is a less serious failure to comply with the principles of a SIP, the Insolvency Act and rules and regulation thereunder.</p> <p>The Committee did not consider that the breach was either dishonest or reckless and should therefore be considered as less serious. the Committee noted that SIP 16 is prescriptive and easy to follow the points required. The Committee opined that it is not unreasonable to expect an insolvency professional to be fully aware of and to comply with what is required. The Committee noted that there were some mitigating circumstances due to timing factors, Mr Self's absence from the office and efforts to comply with the deadlines.</p> <p>The Investigation Committee imposed a disciplinary order that Mr Self be reprimanded, fined £2,000; and contribute towards the costs.</p>