



DISCIPLINARY CONSENT ORDER

04 October 2016

PURSUANT TO RULE 5 OF THE IPA INVESTIGATION COMMITTEE RULES

Gareth Neill, of **Belfast**, Northern Ireland, an IPA member and Licensed Insolvency Practitioner.

This Order is made in relation to a complaint a creditor that Mr Neill, in his role as Supervisor of an Individual Voluntary Arrangement (IVA), breached the fundamental principle of Professional Competence and Due Care when he failed to comply with Rule 5.18(1) of the Insolvency Rules 1986 when, despite having been advised in advance, convening an adjourned meeting at a location that was not convenient to the creditor.

Accordingly, Mr Neill was found liable to disciplinary action under the IPA's Articles of Association.

The Common Sanctions Guidance does not set out a recommended sanction for a breach of the Insolvency Rules. However, it provides for a Severe Reprimand and a fine between £500 and £7,500 for a material breach of a SIP, which can be viewed as equivalent misconduct.

The sanction reflects that the aggravating factors included similar conduct being found previously, and an opportunity to rectify the conduct had not been taken. In mitigation it was noted that the creditor's vote would not have affected the outcome of the creditors' meeting.

The Investigation Committee has decided to impose a disciplinary order that Mr Neill be severely reprimanded and pay a fine of £1,000.