



Type of Order: DISCIPLINARY CONSENT ORDER

Date of Order: 03 July 2018

Committee name: INVESTIGATION COMMITTEE

Details of IP: **Mr Peter O'Hara**, of **Batley**, an IPA member and Licensed Insolvency Practitioner.

Summary of complaint: This Order is made in relation to a complaint that Mr O'Hara, in his role as Administrator of a Company, breached the Ethical code for Insolvency Practitioners when he drew pre-appointment fees at a time when he did not have proper approval to do so.

Summary of sanctions: Accordingly, Mr O'Hara was found liable to disciplinary action under the IPA's Articles of Association.

The Common Sanctions Guidance provides for a Severe Reprimand and a fine related to the level of the unauthorised fee drawn where there has been drawing of unauthorised remuneration.

The Committee took into account that the matter was identified during the IPA inspection visit and not by Mr O'Hara during the self-certification review. A substantial amount, £18,000, had been drawn and although the matter was remedied, it was only done so one year after it was originally drawn. It was also noted that Mr O'Hara received a warning for a similar matter previously. In mitigation, the Committee noted that Mr O'Hara admitted the charge and addressed the matter promptly after it was identified.

The Investigation Committee decided to impose a disciplinary order that Mr O'Hara receive a Severe Reprimand, a fine of £5000 and costs.