

CENTRAL ANTI-CORRUPTION BUREAU

<https://www.cba.gov.pl/en/news/1083,Bankruptcy-of-a-well-known-company-from-the-household-appliances-industry-a-brib.html>
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Bankruptcy of a well-known company from the household appliances industry - a bribe in the amount of 2 million zlotys in the background. The receiver and his representative were detained

Officers of the Regional Office of the CBA in Białystok detained 6 people in connection with the case of receiving financial benefits and demanding the acceptance of financial benefits by persons related to the bankruptcy proceedings of a company from Wrocław operating in the household appliances industry. Among the detainees, is the trustee and the trustee's representative as well as 4 other people involved in criminal activities.

A bribe for winning the tender

As part of their investigation, CBA officers found that in 2014, the representative of the receiver in the closed down household appliances company received a financial benefit in the amount of 300,000 zlotys, in exchange for a guarantee of winning the tender for the purchase of damaged goods and parts intended for scrapping, organized by the detained receiver.

2 million zlotys for the detained receiver

The findings of the investigation show that the person appointed to act as the bankruptcy receiver demanded, through his representative, a financial benefit in the amount of 2 million zlotys. The amount was to be paid to the account of a company related to the receiver and his attorney. Persons to whom such a request was made, in exchange for the transferred financial benefit, would acquire shares and obtain managerial functions in a company related to the representative and the receiver, which was ultimately to take over all the assets of the bankrupt company.

In exchange for a financial benefit, the receiver and his attorney were to take action resulting in the elimination of the only business entity that had submitted a formal offer to purchase the assets of the bankrupt company. The receiver refused to sign the preliminary agreement four times, with the only foreign bidder at that time, recognising the offer submitted by him as extremely unfavorable. Ultimately, the contract with the bidder was signed after the resignation of the receiver. The criminal activity of the detained by the CBA officers receiver and his representative could have resulted in the complete liquidation of the business entity managed by these people.

Goods that circulated

As part of the investigation, the officers of the CBA detained 4 people related to a business entity that purchased goods from the receiver in connection with the financial benefit provided. The detainees will be held responsible for providing financial benefits and for fictitious trade in purchased goods. The officers of the CBA determined that the purchased goods were to be sent to one of the EU countries as part of an intra-Community delivery, but the goods left and immediately returned to Poland. False tax returns led to an undue VAT refund in the amount of almost 300 000 zlotys.

The investigation is supervised by the National Prosecutor's Office

The officers of the CBA carried out procedural activities in the Lower Silesian, Masovian, Greater Poland, Opole and Kuyavian-Pomeranian Voivodeships. The detainees were taken to the Podlasie Branch Department for Organized Crime and Corruption in Białystok. There they were charged with, among others, demands for financial benefits, managerial corruption and fraud.

On June 1 this year at the headquarters of the National Prosecutor's Office in Białystok, in the preparatory proceedings in question, charges were announced against 4 people who acted as intermediaries in the provision of financial benefits and also participated in fictitious trade in goods in the proceedings arranged by the receiver's representative.

On June 21-22, 2023, procedural activities were carried out with six detainees. The prosecutor applied preventive measures to the detainees in the form of property bail, police supervision and a ban on leaving the country. In addition, decisions were issued regarding financial security of their property. Two of the detainees pleaded guilty to some of the charges.

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