Arrested Insolvency Practitioner Caught Red-Handed

Officers of the Central Anticorruption Bureau arrested an insolvency practitioner who, in connection with performing a public function, demanded and accepted a financial benefit of PLN 100,000. In exchange for the bribe, during an ongoing tender as part of insolvency proceedings, the insolvency practitioner was allegedly to facilitate the purchase of real estate below its value. The investigation is supervised by the District Prosecutor’s Office in Poznań.

On 10 August this year, officers of the Regional Office of the CBA in Poznań arrested a public official – an insolvency practitioner – in the Wielkopolskie Voivodeship. During the activities, evidence was secured, including documentation concerning the insolvency proceedings in question, electronic data storage devices, as well as PLN 100,000 in cash.

PLN 100,000 Financial Benefit

Officers of the Regional Office of the CBA in Poznań are conducting an investigation into a demand for a financial benefit of PLN 100,000 in connection with performing the public function of an insolvency practitioner in insolvency proceedings. The man also accepted a promise of the benefit in exchange for taking action to the detriment of the bankruptcy estate, in violation of the provisions of the Bankruptcy and Reorganisation Law. The insolvency practitioner was caught red-handed while taking possession of the specified amount.

The investigation has established that the corrupt proposal was made during an ongoing tender concerning real estate forming part of the bankruptcy estate. The insolvency practitioner made the further course of the procedure conditional on receiving a financial benefit, seeking to select an offer with a price significantly lower than the amounts previously proposed.

Charges and Preventive Measures

The arrested man was brought before the District Prosecutor's Office in Poznań, where he was charged under Article 228 § 3 of the Criminal Code in conjunction with Article 228 § 4 and Article 12 § 1 of the Criminal Code.

Preventive measures were imposed on the suspect, including police supervision, a ban on contacting selected individuals, a financial guarantee, and suspension from practising as a restructuring advisor.

CBA Appeal

The CBA reminds the public of the possibility of applying the non-punishment clause. In order to avoid punishment, a person who has committed the offence of offering a financial benefit (Article 229 § 6 of the Criminal Code), money laundering (Article 299 § 8 of the Criminal Code), or active paid protection (Article 230a § 3 of the Criminal Code) should:

- report the matter to the Central Anticorruption Bureau or the Prosecutor's Office;
- disclose all relevant details of the offence;
- do so before the authorities learn of their involvement in the practice from another source.

Anyone who has information about the criminal activity may contact the Regional Office of the CBA in Poznań at 1 Serdeczna Street, 62-081 Wysogotowo.

CBA Press Team

CBA