

# Jeweller has ban extended after breaching court orders

Daniel Simon Brodie (43), from Temple Fortune in North West London, will begin his 11-year directorship disqualification on 24 August.

After this date the jeweller is banned from acting as a director or directly or indirectly becoming involved, without the permission of the court, in the promotion, formation or management of a company.

Jewelmark UK Limited was incorporated in June 2010 and traded as a watches and jewellery wholesaler, trading from premises in Temple Fortune, North-West London.

Daniel Brodie was first appointed a director of the company in June 2010 and resigned in July 2013, before being reappointed in September 2014.

The jewellery wholesaler, however, began to struggle and in June 2017, the company entered into creditors voluntary liquidation. This brought Jewelmark UK to the attention of the Insolvency Service.

Investigators uncovered Daniel Brodie failed to ensure Jewelmark UK complied with its statutory tax obligations and he had also breached a 2012 court order, which granted Daniel Brodie permission to act as a company director in lieu of a previous disqualification.

In January 2012, Daniel Brodie was banned for 4 years after he failed to ensure a separate company he was a director of – Avya Gems Limited – complied with its statutory tax and filing obligations.

While the correct amount of tax hadn't been paid by Avya Gems, Daniel Brodie benefitted from dividends and operated a director's loan account, which was overdrawn.

Daniel Brodie secured from the courts in February 2012 an order that allowed him to continue acting as a director of limited companies, which would have covered his directorship of Jewelmark UK.

The court granted this on the basis that Daniel Brodie complied with 21 conditions, but the jeweller failed to honour his commitments.

Daniel Brodie breached restrictions that he could not receive payments that exceeded £8,000 gross per month from the companies. He also failed to publish in Jewelmark UK's accounts copies of the 2012 court order and the 4-year disqualification undertaking.

And similar to the misconduct displayed while he was director of Avya Gems, Daniel Brodie failed to ensure that Jewelmark UK complied with its statutory tax obligations, when he received more than £540,000 in director's loan payments between September 2015 and June 2017.

At the point of liquidation, Jewlmark had outstanding tax liabilities of more than £210,000.

Lawrence Zussman, Deputy Head of Insolvent Investigations for the Insolvency Service, said:

The courts granted Daniel Brodie the ability to act as a company director despite a four-year ban. The jeweller, however, showed total disregard and blatantly breached the court's conditions by committing similar instances of misconduct that led to his first ban.

Daniel Brodie thought he could continue with impunity but thanks to our investigations, the jeweller has been removed from the business environment for a substantial amount of time.

Daniel Simon Brodie is from Temple Fortune in North West London and his date of birth is September 1976.

Jewelmark UK Limited (Company Reg no. 07288967).

Avya Gems Limited (Company Reg no. 04484073).

### **Court action**

- Following Daniel Simon Brodie's first ban in January 2012, he subsequently applied to the Court for leave to continue to act as a director of Jewelmark UK Limited and 2 other companies under section 17 of the Company Directors Disqualification Act 1986. The Court granted his application to continue to act as a director of the companies on 22 February 2012 ("the Section 17 Order"), despite his previous disqualification.
- The Section 17 Order that granted Daniel Simon Brodie leave to act as a director of Jewelmark UK Limited set out 21 conditions that he had to adhere to in order to legally act as a director.

### **About disqualifications**

A disqualification order has the effect that without specific permission of a court, a person with a disqualification cannot:

- act as a director of a company
- take part, directly or indirectly, in the promotion, formation or management of a company or limited liability partnership
- be a receiver of a company's property

Disqualification undertakings are the administrative equivalent of a disqualification order but do not involve court proceedings. Persons subject to a disqualification order are bound by a [range of other restrictions](#).

Further information about the work of the Insolvency Service, and how to

complain about financial misconduct, is [available](#).

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