



STATUTORY INSTRUMENTS.

**S.I. No. 416 of 2015**



PERSONAL INSOLVENCY ACT 2012 (WRITTEN STATEMENT  
DISCLOSING ALL OF THE DEBTOR'S FINANCIAL AFFAIRS)  
REGULATIONS 2015

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DISCLOSING ALL OF THE DEBTOR'S FINANCIAL AFFAIRS)  
REGULATIONS 2015

The Insolvency Service of Ireland, in exercise of the powers conferred on it by section 3 of the Personal Insolvency Act 2012 (No. 44 of 2012), hereby makes the following regulations:

*Citation and Commencement*

1. These Regulations may be cited as the Personal Insolvency Act 2012 (Written Statement Disclosing All of the Debtor's Financial Affairs) Regulations 2015.

2. These Regulations come in to operation on 5 October 2015.

*Written Statement Disclosing all of the Debtor's Financial Affairs in Respect of a Debt Relief Notice*

3. The information prescribed for the purposes of section 27(1)(a)(i), 27(1)(a)(ii), and 27(1)(b), of the Act shall be the following in so far as the debtor can reasonably ascertain and the relevant information is applicable to the debtor:

- (a) the full name, address and telephone contact details of the debtor's creditors;
- (b) a full description of the debtor's debts and other liabilities;
- (c) whether each of these debts and other liabilities are secured debts or unsecured debts;
- (d) the amount of each debt or other liability (including principal, interest, costs and arrears) due to each of the debtor's creditors at the date of the written statement;
- (e) any contingent and prospective debts or other liabilities of the debtor (including any guarantee or similar commitment signed by the debtor in respect of any other person) and the times at which such debts or other liabilities will become due for payment.

4. The information prescribed for the purposes of section 27(1)(a)(iii) and 27(1)(b) of the Act shall be the following in as far as the debtor can reasonably ascertain and the relevant information is applicable to the debtor:

- (a) a full description and current market value of existing and prospective assets of the debtor;

*Notice of the making of this Statutory Instrument was published in  
"Iris Oifigiúil" of 2nd October, 2015.*

- (b) the address or location of these assets;
- (c) whether these assets are held jointly or collectively with any other person and if held collectively, the debtor's ownership percentage or other interest;
- (d) the financial institution where any of these assets are held.

5. The debtor shall provide full details, including any documentary evidence, of the efforts made by him or her to reach an alternative repayment arrangement with his or her creditors or any of them, for the purposes of section 27(1)(a)(iv) of the Act.

6. A debtor shall provide full details of his or her monthly income and monthly expenditure for the purposes of section 27(1)(b) of the Act and such details shall include:

- (a) where income or expenditure is received or made other than on an individual basis by the debtor, details of any joint or collective arrangements which apply in respect of such income or expenditure;
- (b) an averaging of the income and expenditure on a monthly basis where the income is not received or the expenditure made on a monthly basis.

*Written Statement Disclosing all of the Debtor's Financial Affairs in Respect of the appointment of a Personal Insolvency Practitioner*

7. The information prescribed for the purposes of section 49(1)(a)(i), 49(1)(a)(ii) and 49(1)(b) of the Act shall be the following in so far as the debtor can reasonably ascertain and the relevant information is applicable to the debtor:

- (a) the full name, address and email or telephone contact details of the debtor's creditors;
- (b) a full description of the debtor's debts and other liabilities;
- (c) whether each of these debts and other liabilities are secured debts or unsecured debts;
- (d) the amount of each debt or other liability (including principal, interest, costs and arrears) due to each of the debtor's creditors at the date of the written statement;
- (e) any contingent and prospective debts or other liabilities of the debtor (including any guarantee or similar commitment signed by the debtor in respect of any other person) and the times at which such debts or other liabilities will become due for payment.

8. The information prescribed for the purposes of section 49(1)(a)(iii), 49(1)(a)(iv) and 49(1)(b) of the Act shall be the following in as far as the debtor can reasonably ascertain and the relevant information is applicable to the debtor:

- (a) a full description of the current and prospective assets of the debtor;
- (b) the address or location of these assets;
- (c) where the assets comprise real property, whether the debtor's title is freehold, leasehold or other;
- (d) whether these assets are held jointly or collectively with any other person and if held collectively, the debtor's ownership percentage or other interest;
- (e) the financial institution and account details where any of these assets are held;
- (f) in the case of assets which may give rise to income to the debtor or are shares or other securities, the name and address of the obligor or issuer;
- (g) the purchase date, original cost and current market value of each asset.

9. A debtor shall provide full details of his or her monthly income and monthly expenditure for the purposes of section 49(1)(b) of the Act and such details shall include:

- (a) a breakdown as between the different items of income and expenditure;
- (b) an averaging of the income and expenditure on a monthly basis where the income is not received or the expenditure made on a monthly basis;
- (c) where income or expenditure is received or made, other than on an individual basis by the debtor, details of any joint or collective arrangements which apply in respect of such income or expenditure.

*Revocation*

10. The Personal Insolvency Act 2012 (Written Statement Disclosing All of the Debtor's Financial Affairs) Regulations 2013 are revoked.



GIVEN under the seal of the Insolvency Service of Ireland,  
1 October 2015.

LORCAN O'CONNOR,  
Director of the Insolvency Service of Ireland.

EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

These Regulations prescribe the information to be contained in the written statement of a debtor who wishes to become a specified debtor or, as applicable, a party, as a debtor, to a Debt Settlement Arrangement or a Personal Insolvency Arrangement, disclosing all of his or her financial affairs, including information in relation to his or her creditors, debts and assets.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ó  
FOILSEACHÁIN RIALTAIS,  
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2  
(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)  
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