

DIPLOMA CENTRE

Diploma for Personal Insolvency Practitioners



MODULE 1: Introduction to Personal Insolvency Law

SESSION 01

TIME

DELIVERY

Thursday 05 November 2020

6:00pm – 8:30pm

Online Only

- 1 Introduction to the Diploma for Personal Insolvency Practitioners:** the course syllabus, outcomes and methodology, resources available.
Cian Monahan, Solicitor, Course Leader
- 2 An overview of the Personal Insolvency Act 2012:** The historical background to the Personal Insolvency Act 2012; the role, aim and obligations of the Personal Insolvency Practitioner, the Insolvency Service, proposals for Arrangements, debt relief notices, debt settlement arrangements, personal insolvency arrangements, assets, the family home, post Arrangement. Creditors meetings and enforcement options for Creditors.
- 3 An overview of the Personal Insolvency Act 2012 (continued).** The MARP Process, Pre-insolvency issues, Codes, Consumer Credit Acts applying for Legal Aid and dealing with the Legal Aid Board, explaining the Abhaile System and MTR.

2rs. Gen. CPD

MODULE 2: Financial Assessments

SESSION 02

TIME

DELIVERY

Thursday 12 November 2020

6:00pm-9:00pm

Online Only

- 1 Financial Assessment:** Analyse an individual's financial position to assess income and expenditure and calculate disposable income, value assets and liabilities and consider the implications of contingent liabilities such as third party guarantees for loans.
- 2 Financial Analysis and practical aspects:** case studies and determining reasonable living expenses.

3hrs. Gen. CPD

SESSION 03

TIME

DELIVERY

Thursday 19 November 2020

6:00pm – 8:00pm

Online Only

- 1 How to run a successful PIP Practice:** Dealing with Debtors and Creditors and their Expectations, Regulations, handling of monies, what is involved in running a PIP practice, applying for a PIP licence. The lecture should also deal with what to do and what documents to send to a Debtor when they first approach a PIP, what the first meeting should entail and the steps thereafter.

2hrs. Gen. CPD*

SESSION 04

TIME

DELIVERY

Thursday 26 November 2020

6:00pm – 7:30pm

Online Only

- 1 Commercial and banking considerations:** security reviews, facility offers and letters, guarantees, personal guarantees, secured and unsecured debts, creditors, creditors meetings, practical considerations for the Personal Insolvency Practitioner, the register.

1.5hrs. Gen. CPD*

SESSION 05

TIME

DELIVERY

Thursday 03 December 2020

6:00pm – 8:00pm

Online Only

- 1 Workshop 1:**
Topic 1 – Case studies in relation to the *examination of financial information*
1hrs Gen. CPD & 1hr M&PD

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MODULE 3: Negotiation and Mediation

SESSION 06	TIME	DELIVERY
Thursday 14 January 2021	6:00pm – 9:00pm	Online Only

- Distressed Clients:** The stress experienced by distressed borrowers, its origins and address difficulties experienced by solicitors and others advising distressed clients.
- Debt Mediation:** How mediation and multidisciplinary/ multi-agency collaboration can play an important part in the insolvency processes and recovery. Review of debt mediation processes in other jurisdictions, the proposed. Mediation legislation in relation to insolvency and the relevance of general mediation principles to practitioners.
- Negotiations between Creditors and Personal Insolvency Practitioners:** A review of the interaction between PIPs and the relevant parties involved in the personal insolvency process to include banking institutions, creditors, revenue commissioners, Official Assignee in Bankruptcy.

2.5hrs. Gen. CPD

MODULE 4: Bankruptcy Law

SESSION 07	TIME	DELIVERY
Thursday 21 January 2021	6:00pm – 8:00pm	Online Only

- Bankruptcy Acts 1988 – 2011:** Acts of bankruptcy, proceedings, adjudication, post bankruptcy, assets, pensions, buy to let properties, potential conflicts of interest, EU Insolvency Regulation, Council Regulation (EC) No 1346/2000, impact of the Personal Insolvency Act 2012 on other legislation including the National Asset Management Act 2009, the Land and Conveyancing Law Reform Act 2009, the Companies Acts 1963 to 2012, the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010, the Family Home Protection Act 1976, the Multi Unit Development Acts 2011. Bankruptcy tourism. Recent developments. Short case study and going through the documents required to file for Bankruptcy on behalf of a Debtor.

2hrs. Gen. CPD

MODULE 5: Alternatives to Bankruptcy

SESSION 08	TIME	DELIVERY
Thursday 28 January 2021	6:00pm – 8:30pm	Online Only

- Debt Relief Notice (DRN):** Types of debt, eligibility, procedure, the key parties involved, effects on the debtor and creditors, discharge from a DRN and case study/common mistakes/pitfalls.
- Deb Settlement Arrangement (DSA):** Types of debt, eligibility, procedure, the key parties involved, effects on the debtor and the creditors, discharge from a DSA and case study/common mistakes/pitfalls.
- Personal Insolvency Arrangement (PIA):** Types of debt, eligibility, procedure, the key parties involved, effects on the debtor and creditors, discharge from a PIA and case study/common mistakes/pitfalls.

2.5hrs. Gen. CPD

SESSION 09	TIME	DELIVERY
Thursday 04 February 2021	6:00pm – 7:30pm	Online Only

- Interaction between Creditors and Personal Insolvency Practitioners under the Personal Insolvency**

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Act 2012: review of debt settlement arrangements and personal insolvency arrangements from a creditor's perspective – both secured and unsecured debts; challenges, concerns and some uncertain aspects the new debt arrangements present to creditors; protections afforded to creditors and options open to creditors when challenging a debt settlement arrangements/personal insolvency arrangements; drafting and presenting proposals as part of a debt settlement arrangement/personal insolvency arrangement.

1.5hrs. Gen. CPD

SESSION 10	TIME	DELIVERY
Saturday 06 February 2021	10:00am-2:00pm	Online Only

- Workshop 2:**
Topic 1 – Case studies in relation to negotiation with creditors and debt mediation
- Workshop 3:** Topic 1 – *Advising clients in relation to alternatives to bankruptcy.*

2hrs Gen. CPD & 2hrs M&PD

MODULE 6: Drafting and Management of Arrangements

SESSION 11	TIME	DELIVERY
Thursday 11 February 2021	6:00pm – 8:00pm	Online Only

- Completion of Documentation:** Correctly interpret and complete the documentation and procedures to be used in the personal insolvency process and in particular to understand and be in a position to implement the standard DSA and PIA Debt Protocols in place. Correctly completing the Prescribed Financial Statements.
- Drafting Arrangements:** Draft equitable arrangements which are based on the debtor's means with absolute clarity on treatment (restructure) of the family home debt and reasons for such (where relevant).

2hrs. Gen. CPD

SESSION 12	TIME	DELIVERY
Thursday 25 February 2021	6:00pm – 7:30pm	Online Only

- Management of the Insolvency Arrangement:** manage the Insolvency arrangement (DSA or PIA) once approved with reference to Statutory Instrument No. 209 of 2013 (Authorisation and Supervision of Personal Insolvency Practitioners) Regulations 2013 and Statutory Instrument No 247 of 2013 Personal Insolvency Act 2012 (Accounts and related matters) Regulations 2013

1.5hrs. Gen. CPD

MODULE 7: The role the Insolvency Service of Ireland and the Courts

SESSION 13	TIME	DELIVERY
Thursday 04 March 2021	6:00pm – 8:00pm	Online Only

- The Insolvency Service of Ireland:** The structure and functions of the ISI, engaging with the ISI as a Personal Insolvency Practitioner and the process required to apply for a Protective Certificate and any subsequent extensions. Lodgement of court documents on the ISI system.
- The Courts:** The role of the Courts in Personal Insolvency law, Section 115A applications (how to draft/review the originating documents), review of relevant case law, how to prepare for a 115A hearing, and common pitfalls in relation to the drafting of PIA's/considerations taken into account by the Courts.

2hrs. Gen. CPD

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SESSION 14	TIME	DELIVERY
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Thursday 04 March 2021

6:00pm Release

Online Only

- 1 Data protection principles:** Definitions; core concepts; the fundamental principles of data protection.
- 2 Legitimate Processing of Data:** Definition; core principles – fair, accurate, specified, incompatible use, adequate, relevant, not excessive, no longer than necessary, personal data, sensitive personal data, valid consent and exemptions.
- 3 Principles of Retention of Data:** Requirement of necessity; practical steps; destruction of records; Communications Act 2011; data storage; third party data storage; subject access requests and exceptions.

2hrs. Gen. CPD

SESSION 15	TIME	DELIVERY
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Saturday 13 March 2021

10:00am-2:00pm

Online Only

- 1 Workshop 4:**
Topic 1 – Case study related to drafting an arrangement based on debtor’s means.
- 2 Workshop 5:**
Topic 1 – Exam Preparation

2hrs Gen. CPD & 2hrs M&PD

ASSIGNMENT/EXAM DATE: 17 April 2020

Please note that topics & dates may be subject to change. Draft timetable as of August 2020

* Gen = General, M&PD = Management and Professional Development, Reg = Regulatory and eLearning = eLearning CPD credits. **CPD Note:** The number of hours of CPD that you may claim in relation to your diploma/certificate course will depend on the way in which you access each of the individual sessions. For further information please visit the course homepage on our website: www.lawsociety.ie/diplomacentre