

Bankruptcy

M^cCAMBRIDGE DUFFY
ACCOUNTANCY & INSOLVENCY



Bankruptcy



What is Bankruptcy?

The main purpose of Bankruptcy is to help people who are unable to pay their debts and are unsuitable for other Insolvency solutions such as a PIA, DSA or DRN.

Bankruptcy is a formal High Court process for people with debts over €20,000, who are Insolvent (unable to repay their debts). It is usually considered as a last resort debt solution, because you must have explored all other Insolvency options (PIA, DSA, DRN) first, before taking the Bankruptcy route.

Going Bankrupt can help you regain control over your financial affairs, when you have no other options available.

How does Bankruptcy work?

Bankruptcy usually lasts for 1 year, but in some cases can remain in place for up to 3 years (maximum), where additional payments are required. On completion, your debts are written off in full, allowing you to start over.

The application for Bankruptcy is filed in the Office of the Examiner of the High Court, where all Bankruptcy proceedings are dealt with.

Any assets belonging to you will be transferred over to a Trustee or Official Assignee (usually an officer of The Courts Service). They will arrange for the assets to be sold. Any costs, expenses, Court fees and priority debts are then paid off with the money generated from the sale. After this, any monies left over are distributed to the remaining creditors.

If you have additional income left over each month, after paying your mortgage/rent and reasonable living expenses, you may be asked to contribute this towards your bankruptcy for a period of up to 3 years in an “Income Payment Order”.

In order to assess your eligibility for Bankruptcy, it is essential that a thorough assessment is carried out. This can be done by a qualified professional known as a Personal Insolvency Practitioner (PIP). They will be able to determine if any of the alternative debt solutions are suitable instead of Bankruptcy. If Bankruptcy turns out to be your only suitable option, your PIP will be able to advise you on the steps to take next.

Bankruptcy



Pros and Cons of Bankruptcy

- ✓ Your debts are written off on completion of Bankruptcy.
- ✓ Complete protection from your creditors/lenders.
- ✓ Your Bankruptcy will normally last for 1 year and will not exceed 3 years.
- ✓ Bankruptcy can be completed in less than 1 year if you can come to a settlement agreement with your creditors.
- ✓ All interest and charges are frozen on your unsecured debts.
- ✓ You will be guaranteed a reasonable standard of living during your Bankruptcy.
- ✓ You can keep essential items up to the value of €6,000 (this includes a vehicle of reasonable value).

- ✗ Your credit rating will be impacted during the Bankruptcy.
- ✗ Details of your Bankruptcy will be publicly published in the state gazette and a national daily newspaper.
- ✗ The Official assignee will take control over any assets you might have. This doesn't mean you will lose your family home. You may be able to come to an arrangement with your lender and the Official Assignee, where your mortgage could be factored into your Reasonable Living Expenses allowance.



Process of Bankruptcy

We've outlined a general guide to the steps involved in Bankruptcy set up, management and completion below.

STEP 1 - Application & Approval

You must first look into all other Insolvency options with a professional such as a PIP and determine if Bankruptcy is your only option.

If you are proceeding with Bankruptcy, you can either complete the Bankruptcy paperwork yourself, or engage with the services of a professional that will help with your Bankruptcy application. If you use a professional advisor, make sure to check that they are regulated and qualified.

The required paperwork can be obtained from the Insolvency Service of Ireland (ISI) website - https://www.isi.gov.ie/EN/ISI/PAGES/DOCUMENTS_REQUIRED along with detailed information on how to fill out the forms for your Bankruptcy application. You must lodge €200 to the Official Assignee and file the relevant paperwork with the Examiners Office in order to get a Court date for your Bankruptcy hearing.

You must attend the Court hearing on the specified date. If the judge is happy and satisfied that you meet the relevant criteria, your Bankruptcy will be granted.

STEP 2 - Financial review

After your Bankruptcy has been granted, you will have a meeting with your Official Assignee where they will interview you regarding your assets and debts, in order to determine what they need to do. You must be co-operative and disclose all relevant information requested.

STEP 3 - Public Notices

A notice of your Bankruptcy will be published in the Iris Oifigiúil which is the state gazette. A notice of your Bankruptcy must also be placed on the ISI website or in a national daily newspaper.



STEP 4 - Review and Completion

The Official Assignee will carry out reviews of your financial circumstances during your Bankruptcy.

On completion of your Bankruptcy you are discharged from your debts and can start over again.

The Official assignee maintains ownership of any unsold assets. If payments to creditors have been agreed in addition to your Bankruptcy, you must continue these for up to 3 years.

Fees and costs

There is a fee of €200 that must be paid to the Official Assignee. For your public notices, there is a fee of €45-€75 for your notice to be posted in the Iris Oifigiúil (The state Gazette) and a fee for placement in a national daily newspaper (their own rates would apply).

You may also have to pay for any professional advice or Bankruptcy application assistance that you avail of. Fees will vary for each provider, so be careful in choosing the right one in regards to cost, reputation and regulation.

Do McCambridge Duffy offer Bankruptcy Assistance?

We do not offer Bankruptcy assistance. We can assess your situation to see if you are eligible for any of the other Insolvency solutions available, which is something you must do before seeking Bankruptcy as an option. All advice with is free, confidential and without obligation. If you are not eligible for any of the Insolvency solutions and Bankruptcy is your only option, we will advise you on what to do next.



What our clients think

Have a look at what some of our clients think of the services we provide. These reviews are collected on independent review site TrustPilot, from clients that are currently in plans or have completed plans with us and are now debt free.

“



Given us our lifes back

McCambridge duffy have given us our lifes back after years of debt from the recession. Very professional and understanding and non judgemental. I would recommend them without hesitation if your are struggling with debt . There is light at end of tunnel.

| Christopher

”

“



Expertise

McCambridge Duffy's expertise allowed us to breath again after years of financial strain. A fantastic team lead by Ronan Duffy, an expert in DRN.

| Anon Customer

”

“



Professional Understanding People

When we were under constant pressure from debtors, threatening letters, calls etc causing life to be hell I was advised to contact McCambridge Duffy. I never looked back, so helpful understanding and professional, from then on all nasty calls stopped, they dealt with everything. Now 5 years later all debts cleared. Was reluctant to tell anyone about my financial problems for ages, what a fool I was not to contact them sooner. Highly recommend contacting them if you have financial debt issues.

| J Lonergan

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Why choose McCambridge Duffy?



Free Confidential Advice / Consultation

Unlike some Insolvency companies, we offer free & confidential advice to people who are experiencing financial difficulty.



No upfront Fees

We never charge upfront fees to our clients for setting up a plan.

If your proposal is not approved, you will never receive a bill from us.



Highly Regulated

We have 5 full time highly regulated PIPs authorised by the Insolvency Service of Ireland.

We also have a dedicated team of staff who possess a wealth of knowledge and experience in insolvency.



High Acceptance Rate

We will only put forward a proposal if we believe it has a good chance of being accepted.

We also fight very hard for every client to make sure their proposal is carefully considered by the creditors with the best outcome for all.



Excellent Customer Service

We are a long-standing family run company that has been in the industry for well over 80 years.

We have a good reputation with both debtors and creditors and our advisors are knowledgeable, friendly and non-judgemental.



Insolvency Experts

Ronan Duffy, one of our PIPs has had input in the drafting of the legislation for the Insolvency Solutions in Ireland.

He has also been involved in recommending ways of streamlining the new processes to improve the current Insolvency Solutions.



Want to discuss your debts? We offer free, confidential, no obligation advice



Click here to fill in a form and speak to an advisor

Contact us



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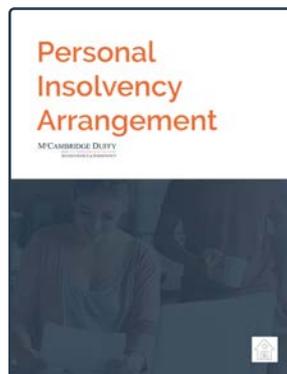
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Ronan Duffy, Daragh Duffy, Daniel Rule, James Green and Judy Mooney are authorised by the Insolvency Service of Ireland to carry on practice as personal insolvency practitioners.

Ronan Duffy, Daniel Rule, James Green and Judy Mooney are authorised to act as insolvency practitioners by Institute of Chartered Accountants Scotland.