

## Members Newsletter – 27<sup>th</sup> October 2017

The Committee would like to update Members on the following;

### 1. **AGM & Annual Conference**

- The AGM and Annual Conference will take place on 1<sup>st</sup> December 2017 in the Red Cow Hotel in Dublin. As announced the Hon. Ms. Justice Marie Baker will be the guest of honour at the event. It is very important that we get a full attendance and we would encourage all members to be there.

### 2. **Recent Meetings with DOJ and ISI**

- Several meetings have been held with Department of Justice and ISI in recent weeks. The key agenda items were;
  - Locus Standi
  - SII5A Court Reviews
- We were very clear that both items needed to be changed in law, and that we had on numerous occasions requested that changes be made to legislation to make the process better. Areas for improvement would include
  - Gateway clauses,
  - 3m Cap etc.

### 3. **Mortgage Arrears Resolution (Family Home) Bill 2017**

- Committee members have been lobbying various politicians (in particular FF's Michael McGrath) in relation to the content and possible amendments. We also discussed the bill with DOJ and ISI at the meeting mentioned above.
- Some of the points brought forward by Lorcan O'Connor at the Committee Stage of the Bill had been discussed at length with our Committee Members. We had been lobbying on these points for some considerable time.
  - a. Mandatory S.98(1) creditor submissions, and
  - b. In a S.115A application, a creditor would only be able to raise grounds for objection if previously raised with the PIP during the PC period.

### 4. **Court Judgements** – attached are links to recent judgements relating to PI cases;

Reilly & Personal Insolvency Acts 2012-2015

<http://courts.ie/Judgments.nsf/0/86F93B1803A16309802581B500292DF1>

#### Chairperson

Eugene McDarby, MBA, ACII, QFA, Dip PFS, PIP

#### Secretary

Tara Cheevers, FCPA, AITI, Dip, PIP, MA

Committee Eric Hendy, BComm FCA AITI CTA Dip in Insolvency QFA Cert PIP | Mitchell O'Brien, B.A.F.S., Dip. L.B.C., PIP, PC | Paul Carr, B Comm, FCA, PIP  
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## 5. Recent Media Articles

- The Journal.ie – What are Reasonable Living Expenses in practice  
<http://www.thejournal.ie/river/in-debt-how-to-calculate-the-reasonable-living-expenses-your-household-needs-2472266-Oct2017/>
- Families struggling with mortgages could stay in homes as renters  
<http://www.irishexaminer.com/breakingnews/business/families-struggling-with-mortgages-could-stay-in-homes-as-renters-807496.html>

All relevant articles that we become aware of will be posted on our Twitter Account @APIPIreland. Please follow to keep up to date.

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