



ISI notes on the forms for bankruptcy

These notes have been produced by the Insolvency Service of Ireland (ISI) and are intended for interested insolvent debtors in relation to the form filling process involved in seeking to be adjudicated bankrupt.

If, after reading these notes, you require further information of a general nature, please consult the bankruptcy section on the ISI website, www.isi.gov.ie, or contact the ISI's Bankruptcy division at bankruptcy@isi.gov.ie

The ISI has no role in providing legal advice or interpreting the law and these notes are not an interpretation of, or advice on the law.

In addition, the ISI has no role in providing financial advice. If you are in doubt in relation to your legal or financial position, please take appropriate professional advice.

Introduction

The ISI has published a guide to bankruptcy and some bankruptcy scenarios in which the key stages in applying for bankruptcy are explained: www.isi.gov.ie/en/ISI/Pages/New_Bankruptcy

These notes are intended to assist people who wish to apply to the High Court to be adjudicated bankrupt to complete the required statutory forms which can be downloaded from the Courts Service at: [Bankruptcy Forms](#) and ISI websites at: [Bankruptcy Documents](#)

Applicants seeking to self adjudicate are reminded that bankruptcy is a legal remedy and that an application for bankruptcy is a formal legal process. The notes do not and are not intended to provide legal or financial advice. If you need legal or financial advice, you should consult a suitably qualified professional.

All applications for bankruptcy are made through the Examiners Office in the High Court. The Examiners Office is located on the Second Floor Phoenix House Phoenix Street North Smithfield Dublin 7. Full contact details can be obtained on courts.ie.

You should take time and care to complete your documents fully and honestly.

To begin the application process you must transfer €200 to the Official Assignee in the Bankruptcy Division of the ISI, either electronically or using an interbank transfer. You should email the Bankruptcy Division at bankruptcy@isi.gov.ie to confirm your lodgement and attach a scanned copy bank lodgement receipt confirming your payment. The Bankruptcy Division will then forward a receipt to you by email. You must produce this email receipt when issuing the completed petition and associated documentation at the Office of the Examiner of the High Court.

You must carefully and fully complete the following documents :
Petition which includes a grounding affidavit, a Statement of Affairs, an Order of Adjudication, a Warrant of Seizure and a Notice of Adjudication. These notes provide information on how you can do so. Remember you are swearing that the details you put in these documents are true.

If the Examiners Office are satisfied that the forms have been completed correctly and that the € 200 has been paid they will assign a court date.

The hearing is normally in the Four Courts and you can locate the particular courtroom on Courts Service website www.courts.ie using the “offices and maps” tab. You should be in Court at 11.00 on the day of your hearing, although your case might not be reached until later in the day.

If you wish to proceed with your application you should submit the following list of documents to the Examiner’s Office together with the receipt for the € 200 lodgement paid to the Bankruptcy Division of the ISI.

- The Petition (Form No.13, Appendix O, Rules of The Superior Courts) with accompanying Affidavit sworn by you, plus 2 copies.
- Your Statement of Affairs (Form No.23) plus 2 copies.
In addition to the above documents, you will also be required to attach the following (partially completed) forms (e.g. name inserted) which will be fully completed after you are formally declared bankrupt:
- Order of Adjudication (Form No.15 Appendix O, Rules of The Superior Courts) and 2 copies. There is no stamp duty due on this form.
- Warrant of Seizure (Form No.46 Appendix O, Rules of The Superior Courts) and 2 copies. There is no stamp duty due on this form.
- Notice of adjudication (Form No.19 Appendix O, Rules of the Superior Courts) and 2 copies. There is no stamp duty due on this form.

Debtor Petition, Affidavit &

Statement of Affairs

The petition is the form that must be completed by a debtor in order to apply to Court to be made bankrupt.

An affidavit must also be filed to verify the petition, which means swearing that everything said in the petition is true. An affidavit is a written, signed and sworn statement which allows a person to formally affirm something to be true before a person that is authorised to witness the statement (such as a practicing solicitor, Commissioner for Oaths or an officer of the Court).

Finally, the petition must be accompanied by a Statement of Affairs. This document (which is also sworn by the debtor and verified by affidavit) sets out the debtor’s assets/property, liabilities, income and expenditure at the date of adjudication.

Please note that there is a Statement of Affairs form no. 23 available on the Courts Service website which can be filled in electronically:
[Form No.23](#)

Remember to bring copies of all of your completed court documents with you to court on your hearing date. It is also helpful to bring any supporting documents you have used to prepare your statement of affairs, as the Judge may have questions for you to clarify points arising in your application.

At the Court

At the Court hearing you should request the following.

- That (in order to save you costs) the Notice of the Adjudication in your case be published on the ISI website as an alternative to publication in one daily newspaper.
- That since you have filed a Statement of Affairs in prescribed form No.23 at Adjudication stage, the requirement to file a Statement of Affairs under Section 19 (c) of the Bankruptcy act 1988 be dispensed with.

A Sample Debtor Petition and Affidavit with COMI in Ireland and sample Statement of Affairs.-see Appendix 1

“Centre of main interest” or COMI is a European law concept, which broadly means where you conduct the administration of your interests on a regular basis. If you work or run a business in Ireland, or have generally lived in Ireland for several years, and you do not have business or investment interests outside Ireland, then your centre of main interest is likely to be in Ireland and you can use this sample petition with appropriate changes.

The ISI has published some sample bankruptcy scenarios on its website: [Bankruptcy Scenarios](#)

Appendix 1 to these notes contains a sample Petition and Affidavit based on the first bankruptcy scenario. This sample assumes that the “centre of main interest” or COMI is in Ireland. This is set out for illustrative purposes only as to what such a Petition and Affidavit might look like. There is also a sample Statement of Affairs.

However, if you work or have recently worked or conducted business or investments in another EU Member State, or you are or have been in a process similar to bankruptcy in another EU Member State, then this sample may not be suitable for you. Under European law, any primary adjudication of insolvency will happen where the debtor has his or her centre of main interest. You can still be adjudicated bankrupt in Ireland, but only on a more limited basis, in what are called secondary or territorial bankruptcy proceedings, both of which assume that your main bankruptcy will be in another EU Member State. If you think this applies to you, you should take professional advice on the appropriate form to use.

As the person seeking to be made bankrupt, you are described as the “petitioner”

Delete as appropriate

For example:

“the petitioner has always lived and worked in Ireland at the above address, and all/the majority in number and value of his/her creditors are situated in Ireland.”

“the petitioner has always conducted the administration of his/her business interests from Ireland, at [address] and all of the petitioner’s debts relate to business conducted in Ireland. The petitioner does not have any place of establishment elsewhere in the European Union.”

Insert the date of your application

Sign the petition here in the presence of a witness

The witness should sign here

The name, address and description of the witness should be included here-

e.g. “John Smith, 14 New Road, Dublin 6, Postman”

This will be completed by the Court office

No.13

PETITION BY A DEBTOR TO BE ADJUDICATED A BANKRUPT

THE HIGH COURT

BANKRUPTCY

No.

The petition of [insert your name] of [insert your address], [insert your description] shows as follows:

1. Your petitioner is unable to meet *his *her engagements with *his *her creditors, as will appear from the statement of affairs and affidavit of your petitioner filed herewith.

2. Council Regulation (EC) No 1346/2000 applies to the proceedings. Your petitioner’s centre of main interests (determined in accordance with Council Regulation (EC) No 1346/2000) is situated in the State because (state the facts and grounds relied on).

Your petitioner therefore requests that your petitioner may be adjudged bankrupt in main proceedings, (in accordance with Article 3(1) of Council Regulation (EC) No 1346/2000).

YOUR PETITIONER HEREBY UNDERTAKES to this Honourable Court that, in the event of *his *her being so adjudged, your petitioner will advertise notice of the adjudication in the manner directed by this Honourable Court and bear the expenses of such advertisement. Your petitioner HEREBY INDEMNIFIES the Official Assignee as to the costs, fees and expenses incurred or to be incurred, in the event of such adjudication, by the Official Assignee and allowed by the Court. Your petitioner FURTHER UNDERTAKES to lodge such sums as this Honourable Court may direct to cover such costs, fees and expenses.

Dated

Signed

(Signed)

Witness

(name, address and description of witness)

Received thisday of20..., at the hour of.....o'clock in the.....noon.

(The petition must be accompanied by a statement of affairs in Form 23. The following affidavit must be filed to verify the petition, and may be endorsed on the petition).

Leave this section blank - it will be filled in by the Examiners office

Insert your trade or profession, regardless of whether you are currently employed, e.g. builder, farmer, hotel manager, etc

This means that you cannot pay your debts, as should be clear from your statement of affairs

If you have been the subject of either a Debt Settlement Arrangement or a Personal Insolvency Arrangement and one of the following statements applies to you, you should also include that statement here:

“Your petitioner has been subject as a debtor to a Debt Settlement Arrangement which has been terminated under section 83 of the Personal Insolvency Act 2012.”

“Your petitioner has been subject as a debtor to a Debt Settlement Arrangement which under section 84 of the Personal Insolvency Act 2012 is deemed to have failed.”

“ Your petitioner has been subject as a debtor to a Personal Insolvency Arrangement which has been terminated under section 122 of the Personal Insolvency Act 2012.”

“Your petitioner has been subject as a debtor to a Personal Insolvency Arrangement which under section 123 of the Personal Insolvency Act 2012 is deemed to have failed.”

This means that if the Court adjudicates you bankrupt, the main proceedings will be in Ireland. If you have interests in other EU Member States, it would be possible that secondary or territorial bankruptcy proceedings would be opened in respect of you in another EU Member State, but these would generally be confined to dealing with any assets you have in

that other Member State.

THE HIGH COURT

BANKRUPTCY

I, ofthe petitioner named in the within petition, make oath and say as follows:

1. The petition contains a full and fair description of me as to my name, trade or profession and last and usual place of abode.

2. I have, prior to presenting the petition, made reasonable efforts to reach an appropriate arrangement with my creditors relating to my debts by making a proposal for a *Debt Settlement Arrangement *Personal Insolvency Arrangement, to the extent that my circumstances would permit me to enter into such an arrangement. I beg to refer to the letter from the PIP confirming this advice which is marked Exhibit “A”, I have signed my name prior to the swearing hereof.

3. The remaining allegations of fact in the said petition are true.

SWORN by [insert your name] on [insert date] at

before me a Commissioner for Oaths/Practising Solicitor and

I personally know the Deponent

the Deponent has been identified to me by who is personally known to me and who certifies to me his/her personal knowledge of the Deponent

the identity of the Deponent has been established by me by reference to a relevant document containing a photograph of the Deponent, namely,

Commissioner for Oaths/Practising Solicitor

As the affidavit is a sworn statement, you must be able to swear that everything said in the affidavit and in the petition is true. If you are not satisfied that each statement is true and accurate, you should amend the petition and affidavit so that you are satisfied each statement is true and accurate.

If you do not know the practising solicitor or Commissioner for Oaths who is taking your affidavit, you should bring photo ID to allow your identity to be established. There is a fee of €10 on taking the affidavit and €2 for each exhibit.

To be completed as appropriate by a Commissioner for Oaths or practising Solicitor.

*Delete as appropriate

Details of proposal on next page

You will be asked by the practising solicitor or Commissioner for Oaths to swear the truth of your affidavit and sign your name to the left of this block.

Details of proposal where a Personal Insolvency Practitioner is involved

Before presenting a petition for bankruptcy, a debtor must make reasonable efforts to reach an arrangement with his or her creditors by making a proposal for a Debt Settlement Arrangement or Personal Insolvency Arrangement. You can show that you have made reasonable efforts in one of several ways – for example, if you have entered such an arrangement and it has terminated or failed, or if you have been advised by a Personal Insolvency Practitioner (PIP) that such an arrangement is not possible because you do not meet the statutory eligibility criteria or is not feasible in your circumstances. One of the following may apply to you, but you should tailor the text to your own exact circumstances:

1. PIP - ineligible

“On [insert date] I contacted a Personal Insolvency Practitioner [insert name, address and authorisation number of PIP] by [telephone/email/letter/face to face interview]. I provided details of my financial circumstances and other relevant information. I was informed by the Personal Insolvency Practitioner on [insert date] that I do not satisfy the eligibility criteria for a [Debt Settlement Arrangement] [and/or] [a Personal Insolvency Arrangement] because [state reason you do not satisfy the eligibility criteria]. I beg to refer to [the letter/email from the PIP/my note of the meeting/conversation confirming this advice] upon which marked “A” I have signed my name prior to the swearing hereof.”

2. PIP - not feasible

“On [insert date] I contacted a Personal Insolvency Practitioner [insert name, address and authorisation number of PIP] by [telephone/email/letter/face to face interview]. I provided details of my financial circumstances and other relevant information. I was informed by the Personal Insolvency Practitioner on [insert date] that, in the Personal Insolvency Practitioner's opinion, it would not be appropriate for me to make a proposal for a Debt Settlement Arrangement or Personal Insolvency Arrangement because [state reason]. I beg to refer to [the letter/email from the PIP/my note of the meeting/conversation confirming this advice] upon which marked “A” I have signed my name prior to the swearing hereof.”

3. PIP - Creditors rejection of arrangement

“Following advice from a Personal Insolvency Practitioner [insert name, address and authorisation number of PIP], a proposal for a [Debt Settlement Arrangement / Personal Insolvency Arrangement] was put to my creditors at a meeting on [insert date]. However, the meeting rejected the proposal and accordingly the [Debt Settlement Arrangement / Personal Insolvency Arrangement] procedure came to an end. I was advised by the Personal Insolvency Practitioner that it would not be appropriate for a person in my circumstances to instead seek a [Debt Settlement Arrangement - where the PIA procedure came to an end following the creditors' meeting] / [Personal Insolvency Arrangement - where the DSA procedure came to an end following the creditors' meeting] because [state reason]. I beg to refer to [the letter/email from the PIP/my note of the meeting/conversation confirming this advice] upon which marked “A” I have signed my name prior to the swearing hereof.”

Details of proposal where an Approved Intermediary is involved

In circumstances where a debtor may have been in consultation with an Approved Intermediary (AI) in MABS to consider their eligibility for a Debt Relief Notice (DRN) and where it appears that the debtor is not eligible for a DRN, the AI will advise them in accordance with Section 27(2)(c) of the Personal Insolvency Act 2012 (as amended), “*of the other option or options (if any) available to them for addressing their financial difficulties including, in particular, becoming party to a Debt Settlement Arrangement (DSA), Personal Insolvency Arrangement (PIA) or bankruptcy, and the general effect of choosing one or more than one of these options.*”

The following may apply to you, but you should tailor the text to your own exact circumstances:

1. AI - ineligible, not feasible

“On [insert date] I visited the Money Advice and Budgeting Service at [insert location]. I provided details of my financial circumstances and other relevant information. I was informed by [name of person], an Approved Intermediary (AI) of MABS [insert name, address and authorisation number of AI] that while it would be desirable for me to avail of the Debt Relief Notice procedure, I was not eligible. The AI also stated that in their view a DSA or PIA was not feasible in my circumstances. I beg to refer to [the letter/email from the AI/my note of the meeting/conversation confirming this advice] upon which marked “A” I have signed my name prior to the swearing hereof.”

The Statement of Affairs

If you are applying to be adjudicated a Bankrupt, you must fill in a Statement of Affairs to accompany your petition for bankruptcy. These notes are intended to help you to fill in the form properly.

GENERAL POINTS

- You must fill in the form in CAPITAL LETTERS.
- You must fill in all pages of the form. If any parts of the form do not apply to you, write 'not applicable' or 'N/A' in the space.
- Give all amounts to the nearest €. You do not need to show cent.
- If there is not enough space in any part of the form, simply put the extra information on a sheet of paper and attach it to the form. Make sure you put the name of the question you are answering on any extra sheets, for example, 'Unsecured debts'.

N.B. All details should be entered to the best of your knowledge. You can be charged with an offence if you deliberately omit important details or give false information.

PART 1 – LIST OF ASSETS

In part 1 you should list all your assets.

Part 1A – moveable property (all assets other than land or buildings)

- i) Cash**
Write in the total amount of money in cash you have. Do not show the money you have in Bank or Building Society accounts here.
- ii) Bank and building society accounts**
Give details of all the money you have in banks and building societies. If any of the accounts are in joint names the full amount should be entered, but put a letter [J] in brackets at the end of the account number to show that it is a joint account. Details of overdrawn accounts should be entered in Part 2 of this form.
- iii) Investments and savings (other than bank accounts)**
You must give details of investments, savings certificates, savings bonds, premium bonds, etc. in the column headed 'type of investment'. You should also show the name of the firm the investment is with and any reference number in the correct columns. If you have an endowment policy, enter the details here.

iv) Debts due to you

If anyone owes you money, write about it here. Give details of all the money owing to you. It must include money loaned to other people or trade debts if you were in business. The name and address of the person or company who owes you the money must be written in the first column. The amount of the debt and the date it was or is due to be repaid should be entered in the correct columns.

Contingent debts should also be included in this section. These are debts where the payment of a debt is uncertain e.g. ongoing legal dispute over a debt where the outcome of the court case may not be predictable.

v) Other assets

Write the details of all goods and valuables which you own here. You must include goods you are still paying for on hire purchase or credit terms. Details of any motor vehicle owned by you should include the model and registration number.

Part 1B – immoveable property (land, houses, and buildings)

Give details of all properties which you own, part own, or have other financial interest in here. If you own a lease on a property, write down how long the lease is for. In 'type of property', show whether the property is a flat, semi-detached house, office unit. In 'nature of interest' say what your interest is in the property, for example, whether you own it by yourself or jointly with someone else.

PART 2 – LIST OF LIABILITIES

Part 2A – unsecured debts

List all your debts including any money you owe on hire purchase or credit agreements (but exclude your mortgage or other secured debt). Put down the name and address of each creditor and a description of the debt (that is, whether it is a loan, guarantee, hire purchase agreement, domestic bill, etc.). Details of overdrawn bank accounts should be entered here. Enter the amount you owe to each creditor. Once you have filled in the list of all your unsecured debts, add them up and enter the total in the space provided beneath the table marked 'total amount of unsecured debts'.

Part 2B – secured debts (mortgages or other loans secured)

Give the name of any building society, bank or financial institution who you have a mortgage or other secured loan with. If there is more than one, list all lenders. Under 'amount due', enter the current outstanding balance on the loan. Once you have filled in the table, add up all of what you owe and write the total in the space below the table marked 'total amount of secured debts'.

PART 3- GENERAL

- i) **Income**

Give details of what you earn on average each month after tax.
- ii) **Property in Expectancy**

Give details of property which may come into your ownership in the future e.g. if you anticipate receiving an inheritance.
- iii) **Books, Papers, Deeds, Writings and other documents relating to Estate.** Give details about books, papers and other documents which relate to your estate.

Provide information about the location of these documents and who has them.

PART 4

DECLARATION

The declaration must be sworn by you before a Commissioner for Oaths.

If you have any queries in this regard you should contact this office:

Bankruptcy Division
Insolvency Service of Ireland
Phoenix House
Conyngham Road
Dublin 8

Phone: 076 106 4200
Email: bankruptcy@isi.gov.ie

Ignore, this will be filled in the Court office

No. 23

THE HIGH COURT

BANKRUPTCY

Office Reference No: _____

Statement of Affairs of

[insert your name] (Name)

Address:[insert your address]

A) The **date of Adjudication** _____/_____/_____

Previous Bankruptcies/Arrangements (if any)

* I was a bankrupt in the year _____ ☐

*I presented a Petition for Arrangement in the year _____

And effected an arrangement of _____ in the Euro Debts ☐

amounting to € _____

** Delete if not applicable*

Signed: _____

(Please note that all pages must be signed by person swearing this affidavit.)1.

Sign each page at the foot, whether there is a signature line or not.

Complete this section ONLY if you have previously been adjudicated bankrupt or entered into an arrangement with your creditors under the supervision of the High Court pursuant to the Bankruptcy Act 1988. An arrangement for this purpose does not include a Debt Settlement Arrangement or a Personal Insolvency Arrangement.

If neither of these applies to you, strike out the section and initial it.

Summary of Statement of Affairs

(Please insert total sums in relation to each heading)

Part 1: Assets

A	Moveable Property	€	Page 3
	i) Cash	€	Page 3
	ii) Accounts with Financial Institutions which show a balance to credit	€	Page 3
	iii) Investments	€	Page 4
	iv) Debts due to you	€	Page 4
	v) Other Assets	€	Page 5
B	Immoveable Property	€	Page 6

Part 2: Liabilities

	i) Unsecured Creditors	€	Page 7
	ii) Secured Creditors	€	Page 8
	iii) Lease or Hire Purchase Creditors	€	Page 9

Part 3: General

	i) Income	€	Page 10
	ii) Property in Expectancy Yes/No		Page 10
	iii) Accounts, Papers, Deeds, Etc. Yes/No		Page 10

Part 4: Declaration

Signed: _____

Leave this summary blank until you have completed the rest of the form. The totals from the later sections of the form are then used by you to complete this summary.

PART 1 – LIST OF ASSETS

In Part 1 you should list all of your assets

A. MOVEABLE PROPERTY i.e. all assets other than land or buildings

i) Cash

Write in the total amount of money in cash you have. Do not show the money you have in accounts with financial institutions here.

State amount of cash in your possession

Total amount of cash in Hand €

ii) Accounts with Financial Institutions

Give details of all the money you have in financial institutions (banks, building societies, credit unions).

If any of the accounts are in joint names the full amount should be entered, but put a letter [J] in brackets at the end of the account number to show that it is a joint account.

Details of overdrawn accounts should be entered in Part 2 of this form.

Give details of any sums held by you in Financial Institution accounts, including account number and branch where account held (*overdrawn accounts should not be shown here but should be shown under unsecured creditors at page 7 below*):-

No.	Name of Financial Institution	Branch	A/C Number	Balance (€)
FI1				
FI2				
FI3				
FI4				
FI5				
FI6				
FI7				
FI8				
FI9				
FI10				
FI11				
FI12				
FI13				
	Total amount in Financial Institution			€

You can insert additional rows numbered in the same sequence if you need them, or delete rows you do not need.

Signed:

You must give details of investments, savings certificates, savings bonds, premium bonds, etc. in the column headed 'type of investment'. You should also show the name of the entity with which the investment is made and any reference number in the correct columns. If you have an endowment policy, enter the details here.

You can insert additional rows numbered in the same sequence if you need them, or delete rows you do not need.

You can insert additional rows numbered in the same sequence if you need them, or delete rows you do not need.

You can insert additional rows numbered in the same sequence if you need them, or delete rows you do not need.

iii)Investments

Give details of any investments you have, i.e. stocks, shares, bonds, savings certificates, endowment insurance, pension, life policies, etc.

No.	Type of Investment	Name and address of Company or Institution	Ref. No.	Current Estimated Value
INV1				
INV2				
INV3				
INV4				
INV5				

Give details of any company (registered with Companies Registration Office) in which you have had a management role in the last five years

No.	Name and address of Company	% Shareholding	CRO. No.	Current Estimated Value of your interest allowing for dividend distributions, Directors Loans to and from company etc.
SH1				
SH2				
SH3				
SH4				
SH5				

iv) Debts due to you

Give details of any debts owed to you, stating the name and address of the person or body by whom the debt is owed.

No.	Name and address of Debtor	Nature of Debt	Amount due (€)	Disputed Y/N
D1				
D2				
D3				
D4				
D5				
D6				
D7				
D8				

Signed: _____

If anyone owes you money, write about it here.

Give details of all the money owing to you. It must include money loaned to other people or trade debts if you were in business. The name and address of the person or company who owes you the money must be written in the first column. The amount of the debt and the date it was or is due to be repaid should be entered in the correct columns.

v) Other Assets (Other than land or Buildings)

List any other property owned by you or in the course of purchase under credit, e.g. motor vehicles, goodwill of a business, electrical goods, jewellery, antiques, livestock, machinery

Write the details of all goods and valuables which you own here. You must include goods you are still paying for on hire purchase or credit terms.

No.	Full Description of Asset	State whether items subject to hire purchase, lease or other credit agreement – YES/NO	Estimated Current Value
OTH1			
OTH2			
OTH3			
OTH4			
OTH5			
OTH6			
OTH7			
OTH8			
OTH9			
OTH10			
OTH11			
OTH12			
OTH13			
OTH14			
OTH15			
OTH16			
OTH17			
OTH18			
OTH19			
OTH20			

You can insert additional rows numbered in the same sequence if you need them, or delete rows you do not need.

Signed: _____

B. IMMOVEABLE PROPERTY (Land, houses, buildings etc.)

List all the buildings/land in which you have an interest as owner or tenant.

No.	Type of Property and Folio Number	Address	Nature of Interest e.g. Tenant or Owner or Joint Owner	Estimated Current Value	Mortgage Amount owing	Estimated current value of your interest
LB1						
LB2						
LB3						
LB4						
LB5						
LB6						
LB7						
LB8						
LB9						
LB10						

Give details of all properties which you own, part own, or have other financial interest in here. If you own a lease on a property, write down how long the lease is for. In 'type of property', show whether the property is a flat, semidetached house, office unit. In 'nature of interest' say what your interest is in the property, for example, whether you own it by yourself or jointly with someone else.

You can insert additional rows numbered in the same sequence if you need them, or delete rows you do not need.

Signed: _____

PART 2 – LIST OF CREDITORS

UC – Unsecured Creditors (specify unsecured debts due by you)

Unsecured creditors (These do not include a mortgage (including judgment mortgage), charge or lien created in respect of liability e.g. personal bills, loans or overdrafts, creditor invoices and liabilities in respect of personal guarantees etc.)

No.	Name and address of Creditor	Email Address	Description of Debt	Account No. (if any)	Amount Due €	Accepted or Disputed
UC1						
UC2						
UC3						
UC4						
UC5						
UC6						
UC7						
UC8						
UC9						
UC10						
UC11						
UC12						
UC13						
UC14						
UC15						
UC16						
UC17						
	Total amount of unsecured creditors					

Signed: _____

You can insert additional rows numbered in the same sequence if you need them, or delete rows you do not need.

List all your debts including any money you owe on hire purchase or credit agreements (but exclude your mortgage or other secured debt). Put down the name and address of each creditor and a description of the debt (that is, whether it is a loan, personal guarantee, hire purchase agreement, domestic bill, etc.). Details of overdrawn bank accounts should be entered here. Enter the amount you owe to each creditor. Once you have filled in the list of all your unsecured debts, add them up and enter the total in the space provided beneath the table marked 'total amount of unsecured debts'.

SC- Secured Creditors (Specify debts due by you which have been secured against assets.)

Secured Creditors (a secured creditor is a creditor who can repossess and sell your assets if you fall behind with your payments. For example a mortgage or charge over your house, or a bill of sale over your non-company business assets)

No.	Name and address of Financial Institution	Specify whether a mortgage / mortgage charge or lien and provide the account number	Amount Due €	Details of relevant property including the folio number
SC1				
SC2				
SC3				
SC4				
SC5				
SC6				
SC7				
SC8				
SC9				
SC10				
SC13				
SC14				
SC15				
SC16				
SC17				
SC18				
SC19				
SC20				
SC21				
SC22				
	Total amount of secured creditors			€

Signed: _____

Give the name of any building society, bank or financial institution who you have a mortgage or other secured loan with. Do not include money you owe on hire purchase or credit agreements. If there is more than one, list all lenders. Under 'amount due', enter the current outstanding balance on the loan. Once you have filled in the table, add up all of what you owe and write the total in the space below the table marked 'total amount of secured debts'.

You can insert additional rows numbered in the same sequence if you need them, or delete rows you do not need.

LHP-Lease or Hire Purchase Creditors (Specify debts due by you on foot of a Lease or Hire Purchase Agreement against assets.)

Creditors of moveable assets (e.g. motor vehicles, plant and machinery etc) are like secured creditors in that they can repossess and sell your assets if you fall behind with your payments. In lease and hire purchase agreements ownership of assets is retained by lender until the asset is fully paid for, which entitles lender to repossess when borrower defaults on payment)

No.	Name and address of Financial Institution	Specify whether a mortgage / mortgage charge or lien and provide the account number	Amount Due €	Details of relevant property including the folio number
LHP1				
LHP2				
LHP3				
LHP4				
LHP5				
LHP6				
LHP7				
LHP8				
LHP9				
LHP10				
LHP13				
LHP14				
LHP15				
LHP16				
LHP17				
LHP18				
LHP19				
LHP20				
LHP21				
LHP22				
	Total amount of secured creditors			€

Signed: _____

Give the name of any building society, bank or financial institution who you have a mortgage or other secured loan with. Do not include money you owe on hire purchase or credit agreements. If there is more than one, list all lenders. Under 'amount due', enter the current outstanding balance on the loan. Once you have filled in the table, add up all of what you owe and write the total in the space below the table marked 'total amount of secured debts'.

Here also should be listed any assets that were listed above in section V as being on Hire Purchase.

You can insert additional rows numbered in the same sequence if you need them, or delete rows you do not need.

PART 3 – General

i) Income

Average monthly take home pay net of taxation (including overtime, commission, bonus etc.)	€
Other income e.g. pensions, income bonds, benefits etc. (please specify)	€
Total Income INC01	€
Total Set Costs	
(Reasonable Living Expenses based on household composition)	€
Other Costs (Mortgage/Rent, Childcare, Special Circumstances)	€ € €
Total	€

ii) Property in Expectancy

No.	Description of Property	Testator / Settlor Name and address	By Will / Intestate Succession or Trust
E1			
E2			
E3			
E4			
E5			

iii) Accounts, Papers, Deeds, Electronic Records and other documents relating to my estate

No.	Description	In whose possession and where to be found
1		
2		
3		
4		
5		

Signed: _____

Give details of what you earn on average each month after tax.

Give details of property which may come into your ownership in the future e.g. if you anticipate receiving an inheritance.

You can insert additional rows numbered in the same sequence if you need them, or delete rows you do not need.

You should refer to the Reasonable Living Expenses(RLE) section of the ISI website and consult the tables in the guide: [RLE](#)

Based on the composition of your household , insert the costs appropriate to your circumstances.

Give details about books, papers and other documents which relate to your estate(e.g. Property deeds or accounts records). Provide information about the location of these documents and who has them.

Part 4 - Declaration

I, the said [insert your name] make oath and say: _____

I have carefully read the foregoing statement of my affairs, on each page of which I have signed my name.

* My debts exceed my assets by the sum of € * My assets exceed my debts by the sum of €

I say that the same contains a full and true account of all debts due by me; that the same are justly due by me, save as therein otherwise stated; and that I am not, to my knowledge, indebted to any person or persons except the creditors therein named.

I say that the said statement contains a full and true account of all debts due to me and that there are not to my knowledge or belief any debts due to me except the debts therein returned.

I say that the said statement contains a full and true account and description of all other property of any kind or description whatsoever of which I am possessed or to which I am entitled.

If you do not know the practising solicitor of commissioner for oaths who is taking your affidavit, you should bring photo ID to allow your identify to be established. There is a fee of €10

To be completed as appropriate by a Commissioner for Oaths or practising Solicitor.

SWORN by [insert your name] on [insert date] at _____
before me a Commissioner for Oaths/Practising Solicitor and _____
I personally know the Deponent _____
the Deponent has been identified to me by _____ who is personally known to me and who certifies to me his/her personal knowledge of the Deponent _____
the identity of the Deponent has been established by me by reference to a relevant document containing a photograph of the Deponent, namely, _____

Commissioner for Oaths/Practising Solicitor

Signed _____
Debtor

Note

It is the duty of the bankrupt to prepare his statement of affairs in this form and to be accurate in making the statements for which the several columns are intended. Particular attention is required as to dates and amounts.

** Insert as appropriate. Note that a debtor may not present a petition for adjudication unless the debts of the debtor exceed the assets of the debtor by an amount greater than €20,000. (section 11(5), Bankruptcy Act1988)*

The declaration must be sworn by you before a Commissioner for Oaths or Practicing Solicitor.

If you have any queries in regard to this form you should contact:

Bankruptcy Division
Insolvency Service of Ireland
Phoenix House
Conyngham Road
Dublin 8

Phone: 076 106 4200
Email: bankruptcy@isi.gov.ie

You will be asked to swear the truth of your affidavit and sign your name to the left of this block.

Order of Adjudication

At the Court hearing the Judge, if satisfied all qualifying requirements have been met will make an order adjudicating you bankrupt.

The judge signs the Order of Adjudication submitted by you to formalise the bankruptcy order.

Normally you will be served with a copy of the Order of Adjudication by the Bankruptcy Inspector on the same day.

Sample Order of Adjudication

Leave blank, the Court Registrar will fill in

No. 15

ORDER OF ADJUDICATION

THE HIGH COURT

BANKRUPTCY

Before Mr./Ms. Justice

In the matter of a petition of bankruptcy by [insert your name] of [insert your address]

Upon the hearing of the said petition this day, and proof satisfactory having been given that the petitioner is, unable to meet *his *her engagements with *his *her creditors

And the Court having considered in accordance with section *14(2) *15(2) of the Bankruptcy Act 1988 the nature and value of the assets available to the debtor, the extent of *his *her liabilities, and whether the debtor’s inability to meet *his *her engagements could, having regard to those matters and the contents of the statement of affairs of the debtor filed with the Court, be more appropriately dealt with by means of a *Debt Settlement Arrangement *Personal Insolvency Arrangement, *and the Court having adjourned the hearing of the petition to allow the debtor an opportunity to enter into such arrangement

And the Court being satisfied that the centre of main interests of the said [insert your name] is situated in Ireland, IT IS ORDERED that the said [insert your name] be and *he *she is hereby adjudged bankrupt in main proceedings, in accordance with Article 3(1) of Council Regulation (EC) No 1346/2000

Given under the seal of the Court this..... day of, 20....

Judge

The petitioner in person

[insert your address]

Delete as appropriate

To be completed as by the Court Office.

Notice of Adjudication

This notice is used to notify creditors of a bankruptcy and to provide them with an opportunity to make a claim in the bankruptcy.

On the day of adjudication the judge will direct you to advertise your bankruptcy. The judge may direct that the notice is published in both Iris Oifigiúil (State gazette) and either in a national daily newspaper or by the publication on the website of the Insolvency Service of Ireland.

Sample Notice of Adjudication

S.I NO. 232 of 2016

No. 19.

NOTICE OF ADJUDICATION

THE HIGH COURT

BANKRUPTCY

In the matter of [insert your name] a Bankrupt

No.

[insert your name] of [insert your address] was on theday of20..., adjudged Bankrupt in main proceedings, (in accordance with Article 3(1) of Council Regulation (EC) No 1346/2000), in secondary proceedings, (in accordance with Article 3(3) of Council Regulation (EC) No 1346/2000). In territorial proceedings, (in accordance with Article 3(4) of Council Regulation (EC) No 1346/2000). The court having determined that Council Regulation (EC) No 1346/2000 does not apply to the proceedings.

The Bankrupt is to make full disclosure of his property to the Court. Creditors may prove their debts and choose and appoint a creditors’ assignee. All persons having in their possession or under their control any money or other property of the Bankrupt should pay or deliver the same, and all debts due to the Bankrupt should be paid to the Official Assignee, Phoenix House, Conyngham Road, Dublin 8, to whom creditors may forward their proofs of debt.

Dated

(Signed).....

Examiner

Solicitor

[address]

Will be inserted by Court Office

To be completed as by the Court Office.

Warrant of Seizure

This is a standard document issued on an adjudication of bankruptcy. The document enables the Bankruptcy Inspector to seize the debtor’s property.

This may be important if property belonging to you is in the possession of another person who refuses to deliver it to the Bankruptcy Inspector.

This warrant is normally served on the day of adjudication by the Bankruptcy Inspector on a debtor together with the Order of Adjudication.

To be completed as by the Examiners Office.

No. 46.

WARRANT OF SEIZURE—SECTION 27 BANKRUPTCY ACT 1988

THE HIGH COURT

BANKRUPTCY

No.

In the matter of [insert your name] of [insert your address] a Bankrupt

Whereas on the ... day of ... 20 ... , an Order of adjudication of bankruptcy was made against the said bankrupt.

These are therefore to require, authorise, and empower you, and every one of you to whom this warrant is directed, forthwith to enter into and upon any house, building, room or other place belonging to the said Bankrupt where any of *his *her property is believed to be; and there seize all property whatsoever belonging to the said bankrupt except such articles of clothing, household, furniture, bedding, tools or equipment of the Bankrupt's trade or other like necessities for the Bankrupt, the Bankrupt’s spouse or civil partner within the meaning of the [Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010](#) and the Bankrupt’s children and dependent relatives residing with the Bankrupt as the Bankrupt may select, not exceeding in value €6,000 and all such property you shall cause to be inventoried, and such inventory you shall return to the Court with all convenient speed, and what you shall so seize you shall safely detain and keep in your possession until the Court shall give you Order for the disposal thereof; and in case of resistance, or of not having the key or keys of any door or lock belonging to any place or places as aforesaid, of the said Bankrupt where any of *his *her property is believed to be, you shall break open, or cause to be broken open the same for the better execution of this warrant.

Given under the seal of the Court this ... day of20....

[Seal]

Examiner.

To.

Bankruptcy Inspector or his Assistant.

Delete as appropriate

Delete as appropriate

Appendix 1 - Sample Affidavit based on ISI Bankruptcy Scenario 1

THE HIGH COURT
BANKRUPTCY

I, Gerry Scenario of 23 Church St. Dundrum, Dublin 14, IT Consultant as stated above on the petition, aged 18 years and upwards, make oath and say as follows:

1. The petition contains a full and fair description of me as to my name, trade or profession and last and usual place of abode.
2. I have, prior to presenting the petition, made reasonable efforts to reach an appropriate arrangement with my creditors relating to my debts by making a proposal for a Personal Insolvency Arrangement, to the extent that my circumstances would permit me to enter into such an arrangement. Following advice from a Personal Insolvency Practitioner [insert name, address and authorisation number of PIP], a proposal for a Personal Insolvency Arrangement was put to my creditors at a meeting on [insert date]. However, the meeting rejected the proposal and accordingly the Personal Insolvency Arrangement procedure came to an end. I was advised by the Personal Insolvency Practitioner that it would not be appropriate for a person in my circumstances to instead seek a Debt Settlement Arrangement because [state reason]. I beg to refer to [the letter/email from the PIP/my note of the meeting/conversation confirming this advice] upon which marked "A" I have signed my name prior to the swearing hereof.
3. The remaining allegations of fact in the said petition are true.

SWORN by Gerry Scenario on 01/02/2014 at Dundrum Chambers

Signed *Gerry Scenario*

before me a Commissioner for Oaths/ Practising Solicitor and

I personally know the Deponent

the Deponent has been identified to me bywho is personally known to me and who certifies to me his/her personal knowledge of the Deponent

the identity of the Deponent has been established by me by reference to a relevant document containing a photograph of the Deponent.

John Smith

Commissioner for Oaths Dundrum

Chambers, Dublin 14

Please attach a copy of the communication record with the Personal Insolvency Practitioner as Appendix A to this page and sign it.

**Appendix 1 - Sample Statement of Affairs incorporating Affidavit
based on ISI Bankruptcy Scenario 1**

No.23

Summary of Statement of Affairs

(Please insert total sums in relation to each heading)

Part 1: Assets

A	Moveable Property	€5,114.23	Page ...2
	i) Cash	€ NIL	Page ...2
	ii) Accounts with Financial Institutions which show a balance to credit	€ NIL	Page ...2
	iii) Investments	€ NIL	Page ...3
	iv) Debts due to you	€ NIL	Page ...3
	v) Other Assets	€5,000	Page ...4
B	Immoveable Property	€180,000	Page ...5

Part 2: Liabilities

	i) Unsecured Creditors	€120,000	Page ...6
	ii) Secured Creditors	€160,000	Page ...7
	iii) Lease or Hire Purchase Creditors	€ 0	Page ...8

Part 3: General

	i) Income	€3,052	Page ...9
	ii) Property in Expectancy Yes/No	NO	Page ...9
	iii) Accounts, Papers, Deeds, Etc. Yes/No	NO	Page ...9

Part 4: Declaration

Signed: *Gerry Scenario*

PART 1 – LIST OF ASSETS

A. MOVEABLE PROPERTY i.e. all assets other than land or buildings

i) Cash

State amount of cash in your possession

Total amount of cash in Hand € Nil

ii) Accounts with Financial Institutions

Give details of any sums held by you in Financial Institution accounts, including account number and branch where account held (overdrawn accounts should not be shown here but should be shown under unsecured creditors at page below):-

No.	Name of Financial Institution	Branch	A/C Number Balance (€)
FI1	Bank of Ireland	Camden Street	99xxxx 12345678 € 0.00
FI2			
FI3			
FI4			
FI5			
FI6			
FI7			
FI8			
FI9			
FI10			
FI11			
FI12			
	Total amount in Financial Institution		€ 0.00

Signed: Gerry Scenario

iii)Investments

Give details of any investments you have, i.e. stocks, shares, bonds, savings certificates, endowment insurance, pension, life policies, etc.

No.	Type of Investment	Name and address of Company or Institution	Ref. No.	Current Estimated Value
INV1		N/A		
INV2				
INV3				
INV4				
INV5				
INV6				

Give details of any company (registered with Company’s Registration Office) in which you have had a management role in the last five years

No.	Name and address of Company	%Shareholding	CRO. No.	Current Estimated Value of your interest allowing for dividend distributions, Directors Loans to and from company etc.
SH1		N/A		
SH2				
SH3				

iv)Debts due to you

No.	Name and address of Debtor	Nature of Debt	Amount due (€)	Disputed Y/N
D1		N/A		
D2				
D3				
D4				
D5				

Give details of any debts owed to you, stating the name and address of the person or body by whom the debt is owed.

Signed: Gerry Scenario

v)Other Assets (Other than land or Buildings)

List any other property owned by you or in the course of purchase under credit, e.g. motor vehicles, goodwill of a business, electrical goods, jewellery, antiques, livestock, machinery.

No.	Full Description of Asset	State whether items subject to hire purchase or other credit agreement – YES/NO Estimated Current Value
OTH1	Motor Vehicle	No - €3,500
OTH2	Household Furniture	No - €1,500
OTH3		
OTH4		
OTH5		
OTH6		
OTH7		
OTH8		
OTH9		
OTH10		
OTH11		
OTH12		
OTH13		
OTH14		
OTH15		
OTH16		
OTH17		
OTH18		

Signed: Gerry Scenario

B. IMMOVEABLE PROPERTY (Land, houses, buildings etc.)

List all the buildings/land in which you have an interest as owner or tenant.

No.	Type of Property and Folio Number	Address	Nature of Interest e.g. Tenant or Owner or Joint Owner	Estimated Current Value	Mortgage Amount owing Estimated current value of your interest
LB1	Dxxxx	XXXXXXXXXXXX	Joint Owner	180,000	160,000 - 50%
LB2					
LB3					
LB4					
LB5					
LB6					
LB7					
LB8					
LB9					
LB10					
LB11					
LB12					

Signed: Gerry Scenario

PART 2 – LIST OF CREDITORS

UC – Unsecured Creditors (specify unsecured debts due by you)

Unsecured creditors (These do not include a mortgage (including judgment mortgage), charge or lien created in respect of liability e.g. personal bills, loans or overdrafts, creditor invoices and liabilities in respect of personal guarantees etc.)

No.	Name and address of Creditor	Email Address	Description of Debt	Account No. (if any)	Amount Due €	Accepted or Disputed
UC1	Bank Of Ireland		Personal Loan	Xxxxxxx	85,000	Accepted
UC2	Credit Card Company		Credit Card	xxxxxxx	35,000	Accepted
UC3						
UC4						
UC5						
UC6						
UC7						
UC8						
UC9						
UC10						
UC11						
UC12						
UC13						
UC14						
UC15						
UC16						
UC17						
UC18						
	Total amount of unsecured creditors				€120,000	

Signed: Gerry Scenario

SC- Secured Creditors (Specify debts due by you which have been secured against assets.)

Secured Creditors (a secured creditor is a creditor who can repossess and sell your assets if you fall behind with your payments. For example a mortgage or charge over your house, a hire purchase or lease agreement over your vehicle or a bill of sale over your non-company business assets)

No.	Name and address of Financial Institution	Specify whether a mortgage / hire purchase / lease agreement and provide the account number	Amount Due €Details of relevant property including the folio number
SC1	Bank of Ireland	Mortgage	€160,000
SC2			
SC3			
SC4			
SC5			
SC6			
SC7			
SC8			
SC9			
SC10			
SC11			
SC12			
SC13			
SC14			
SC15			
SC16			
SC17			
SC18			
	Total amount of secured creditors		€160,000

Signed:

Gerry Scenario

LHP-Lease or Hire Purchase Creditors (Specify debts due by you on foot of a Lease or Hire Purchase Agreement against assets.)

Creditors of moveable assets (e.g. motor vehicles, plant and machinery etc) are like secured creditors in that they can repossess and sell your assets if you fall behind with your payments. In lease and hire purchase agreements ownership of assets is retained by lender until the asset is fully paid for, which entitles lender to repossess when borrower defaults on payment)

No.	Name and address of Financial Institution	Specify whether a mortgage / mortgage charge or lien and provide the account number	Amount Due €	Details of relevant property including the folio number
LHP1				
LHP2				
LHP3				
LHP4				
LHP5				
LHP6				
LHP7				
LHP8				
LHP9				
LHP10				
LHP13				
LHP14				
LHP15				
LHP16				
LHP17				
LHP18				
LHP19				
LHP20				
LHP21				
LHP22				
	Total amount of secured creditors			€

Signed:

Gerry Scenario

PART 3 – GENERAL

i) Income

Average monthly take home pay net of taxation (including overtime, commission, bonus etc.)	€3,052
Other income e.g. pensions, income bonds, benefits etc. (please specify)	€0
Total Income INC01	€3,052
Total Set Costs (Reasonable Living Expenses based on household composition)	€1,822
Other Costs (Mortgage/Rent,	€1,030
Childcare,	€
Special Circumstances)	€
Total	€2,852

ii) Property in Expectancy

No.	Description of Property	Testator / Settlor Name and address	By Will / Intestate Succession or Trust
E1	<i>N/A</i>		
E2			
E3			
E4			
E5			

iii) Accounts, Papers, Deeds, Electronic Records and other documents relating to my estate

No.	Description	In whose possession and where to be found
1	Deeds of house	With Bank
2		
3		
4		
5		

Signed: Gerry Scenario

PART 4 - DECLARATION

I, the said Gerry Scenario make oath and say:

I have carefully read the foregoing statement of my affairs, on each page of which I have signed my name.

* My debts exceed my assets by the sum of € 95,000*

I say that the same contains a full and true account of all debts due by me; that the same are justly due by me, save as therein otherwise stated; and that I am not, to my knowledge, indebted to any person or persons except the creditors therein named.

I say that the said statement contains a full and true account of all debts due to me and that there are not to my knowledge or belief any debts due to me except the debts therein returned.

I say that the said statement contains a full and true account and description of all other property of any kind or description whatsoever of which I am possessed or to which I am entitled.

Sworn at Dundrum Chambers,

In the County of Dublin

This 1st day of February Two Thousand and Fourteen before me a
Commissioner for Oaths [*or as the case may be*] and I know the Deponent

Signed:

John Smith

Commissioner for Oaths

Signed:

Gerry Scenario

Debtor

Note

It is the duty of the bankrupt to prepare his statement of affairs in this form and to be accurate in making the statements for which the several columns are intended. Particular attention is required as to dates and amounts.

**Insert as appropriate. Note that a debtor may not present a petition for adjudication unless the debts of the debtor exceed the assets of the debtor by an amount greater than €20,000. (section 11(5), Bankruptcy Act 1988)*