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**An Bille um Dhócmhainneacht Phearsanta (Leasú), 2015**  
**Personal Insolvency (Amendment) Bill 2015**

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*Mar a tionscnaíodh*

*As initiated*

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**AN BILLE UM DHÓCMHAINNEACHT PHEARSANTA (LEASÚ), 2015**  
**PERSONAL INSOLVENCY (AMENDMENT) BILL 2015**

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*Mar a tionscnaíodh*

*As initiated*

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ACTS REFERRED TO

Bankruptcy Act 1988 (No. 27)

Personal Insolvency Act 2012 (No. 44)



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AN BILLE UM DHÓCMHAINNEACHT PHEARSANTA (LEASÚ), 2015  
PERSONAL INSOLVENCY (AMENDMENT) BILL 2015

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# Bill

*entitled*

An Act to amend the Bankruptcy Act 1988; and to provide for related matters. 5

Be it enacted by the Oireachtas as follows:

## Amendment of Bankruptcy Act 1988

1. The Bankruptcy Act 1988 is amended—

- (a) in section 85 (“Automatic discharge from bankruptcy”), as substituted by section 157 of the Personal Insolvency Act 2012, by the substitution for subsections (1) and (2) of the following: 10

“(1) Subject to subsection (2) and section 85A every bankruptcy shall, on the 1st anniversary of the date of the making of the adjudication order in respect of that bankruptcy, unless prior to that date the bankruptcy has been discharged or annulled, stand discharged. 15

(2) Subject to section 85A a bankruptcy subsisting on the coming into operation of the *Personal Insolvency (Amendment) Act 2015*, where the order of adjudication was made more than 1 year prior to that day, shall stand discharged 3 months after that day unless the bankruptcy has otherwise been discharged or annulled.”, 20

and

- (b) in section 85D (“Bankruptcy payment orders”), as inserted by section 157 of the Personal Insolvency Act 2012, by the substitution for subsection (3) of the following:

“(3) An order made under subsection (1) shall have effect for no longer than 3 years from the date of the order coming into operation, and where, during the order’s validity, the court has varied the order under subsection (5) such variation shall not cause the order to have effect for a period of more than 3 years, and in any event, any order made under subsection (1) or varied under subsection (5) shall cease to have effect on the 4th anniversary of the date on which the bankrupt was adjudicated bankrupt.”, 25 30

and

(c) in section 85 (“Automatic discharge from bankruptcy”), as substituted by section 157 of the Personal Insolvency Act 2012, by the insertion of section 85(3)(a) as follows:

“(a) the Principal Private Residence of the Bankrupt, or such part of the property that has vested in the Official Assignee, if not realised by the Official Assignee within a period of 3 years of the date of the adjudication, shall be re-vested in the Bankrupt,”. 5

**Short title**

2. This Act may be cited as the Personal Insolvency (Amendment) Act 2015.



An Bille um Dhócmhainneacht Phearsanta  
(Leasú), 2015

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# BILLE

*(mar a tionscnaíodh)*

*dá ngairtear*

Acht do leasú an Achta Féimheachta, 1988; agus do  
dhéanamh socrú i dtaobh nithe gaolmhara.

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*An Teachta Liam Peanrós a thug isteach,*  
11 Márta, 2015

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Personal Insolvency (Amendment) Bill 2015

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# BILL

*(as initiated)*

*entitled*

An Act to amend the Bankruptcy Act 1988; and to  
provide for related matters.

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*Introduced by Deputy Willie Penrose,*  
11th March, 2015

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BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
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