



SEANAD ÉIREANN

**AN BILLE UM DHÓCMHAINNEACHT PHEARSANTA
(LEASÚ), 2020**

PERSONAL INSOLVENCY (AMENDMENT) BILL 2020

**LEASUITHE TUARASCÁLA
REPORT AMENDMENTS**

SEANAD ÉIREANN

AN BILLE UM DHÓCMHAINNEACHT PHEARSANTA (LEASÚ), 2020 —AN TUARASCÁIL

PERSONAL INSOLVENCY (AMENDMENT) BILL 2020 —REPORT

*Leasú
Amendment*

**Government amendments are denoted by an asterisk*

1. In page 9, to delete lines 9 and 10 and substitute the following:

“11. Section 91 of the Principal Act is amended—

- (a) in subsection (1)(e) by the insertion of “or a confirmation of truth” after “statutory declaration”,
- (b) in subsection (1)(g) by the deletion of “has made a declaration in writing declaring that he or she”, and
- (c) by the substitution of the following for subsection (2):

“(2) The criterion referred to in subsection (1)(g) shall not apply where it has been established that, having regard to the financial circumstances of the debtor as disclosed in the Prescribed Financial Statement completed by the debtor, if the debtor were to have entered into an alternative repayment arrangement with the secured creditor concerned of a type provided for in any process relating to mortgage arrears operated by that secured creditor (being a process approved or required by the Central Bank of Ireland) the debtor would be unlikely to become solvent within the period of five years commencing on the date of completion of the Prescribed Financial Statement by the debtor.”.

—*Senators Michael McDowell, Victor Boyhan.*