



STATUTORY INSTRUMENTS.

S.I. No. 319 of 2014

PERSONAL INSOLVENCY ACT 2012 (REGULATORY DISCLOSURE
STATEMENT OF A PERSONAL INSOLVENCY PRACTITIONER)
REGULATIONS 2014

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The Insolvency Service of Ireland, in exercise of the powers conferred on it by section 3 and section 161 (as amended by section 94 of the Civil Law and Courts (Miscellaneous Provisions) Act (No. 32 of 2013)) of the Personal Insolvency Act 2012 (No. 44 of 2012), with the consent of the Minister for Justice and Equality and following consultation with the Minister for Finance, hereby makes the following regulations:

Citation and Purpose

1. (1) These Regulations may be cited as the Personal Insolvency Act 2012 (Regulatory Disclosure Statement of a Personal Insolvency Practitioner) Regulations 2014.

(2) These Regulations are made for the purposes of section 161 of the Act.

Interpretation

2. In these Regulations, the “Act” means the Personal Insolvency Act 2012 (No. 44 of 2012).

Scope

3. These Regulations apply to personal insolvency practitioners authorised under section 164 of the Act.

Regulatory Disclosure Statement

4. (1) A personal insolvency practitioner shall ensure that the following form of regulatory disclosure statement (the “regulatory disclosure statement”):

“[name of the personal insolvency practitioner as contained in the Register of Personal Insolvency Practitioners maintained under section 162 of the Act] is authorised by the Insolvency Service of Ireland to carry on practice as a personal insolvency practitioner.”

is used in each of the following:

- (a) the personal insolvency practitioner’s business stationery,
- (b) electronic communications (excluding text messages sent by means of a short message service (SMS) facility) made by or on behalf of the personal insolvency practitioner,
- (c) advertisements made by or on behalf of the personal insolvency practitioner,

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 11th July, 2014.*

- (d) marketing materials disseminated by or on behalf of the personal insolvency practitioner,
- (e) social media and social networking sites maintained by or on behalf of the personal insolvency practitioner, and
- (f) any website maintained by or on behalf of the personal insolvency practitioner,

in connection with his or her practice as a personal insolvency practitioner.

(2) A personal insolvency practitioner shall ensure that the regulatory disclosure statement is not presented in a manner that could appear to be an endorsement by the Insolvency Service of the personal insolvency practitioner or of his or her activities as a personal insolvency practitioner.

The Minister for Justice and Equality consents to the making of the foregoing Regulations.



GIVEN under the Official Seal of the Minister for Justice and Equality,
3 July 2014.

FRANCES FITZGERALD,
Minister for Justice and Equality.



GIVEN under the seal of the Insolvency Service of Ireland,
9 July 2014.

LORCAN O CONNOR,
Director of the Insolvency Service of Ireland.

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