



eDEN

Accountant **in** Bankruptcy

eDEN External Release Note v2.0

Released 04/11/2019

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1. PD Selection on application

Any case which has not been submitted before 4th November will now have a dropdown section where the Money Adviser can pick from a list of Payment Distributors to act for that particular case. A payment distributor organisation will appear on this prescribed list if they have given AiB all the relevant documentation.

If a Money Adviser organisation has made AiB aware of a Preferred Payment Distributor then this organisation will prepopulate onto the case when it is created, however, the Money Adviser will have the ability to change this in the application form before it is submitted.

2. Document section on organisations

Users who have a Payment Distributor Manager Role, AiB Das Manager or AiB System Administrator role now have the ability to upload a Document onto any Organisation that they have access too.

When a Payment Distributor applies to AiB to appear on the prescribed list of Payment Distributors they have to provide evidence that they are Financial Conduct Authority authorised. This evidence can then be uploaded onto the organisation information. When viewing the organisation users will see a 'Upload Payment Distributor Evidence' on the left of the screen, once this is selected a document can be uploaded and saved to the organisation. User who have access to view the organisation will be able to download the document and view the content.

3. Remove Payment Distributor organisation from prescribed list

If there is an organisation who only wish to act as Payment Distributor for a certain Money Adviser company and do not want to be added to the prescribed list for any Money Adviser to pick from, then their details can be updated within the update organisation screen.

Any Payment Distributor who wishes to be excluded from the prescribed list must have the 'Remove from application PD select dropdown' box ticked. Once this box is ticked the Payment Distributor organisation will only appear on a case if a Money Adviser organisation has indicated that they are their Preferred Payment Distributor Organisation.

4. Ability to approve or reject a request to be Payment Distributor

Any Payment Distributor will get the ability to approve or reject a request for their organisation to become PD in a case. Once a case has been submitted by the Money Adviser and if the Payment Distributor organisation that has been selected on the case is a different organisation from the money adviser that is submitting the application the case will then appear in a 'Applications Requiring Confirmation' task list for the Payment Distributor to approve or reject. If the Money Adviser and Payment Distributor organisations are the same then the case will automatically approve the PD and this will not appear in the tasklist.

The case will appear in the tasklist once it has been submitted and will not be approved until the Payment Distributor has approved their request. If the Payment Distributor Rejects the request the case will return to the Money Adviser for them to pick another Payment Distributor.

5. Remove CMA fee from Application Form

On the MA Declaration Page on the Personal Application Form there are currently 3 fields where a Continuing Money Adviser is required to complete their 'setup fee', 'admin fee' and 'fee frequency'. Any case that is submitted on or after 4th November do not require these fields and these fields have now been removed from the application form for any Continuing Money Adviser case that is submitted on or after 4th November.

6. Automatic approval of variation to reduce duration of DPP

Any variation submitted after 4th November 2019 where the length of the Debt Payment Plan is reduced will not require a Creditor Vote. Debt Change variations will still be submitted and checked by AIB before being issued. Once any Variation that will reduce the length of the DPP is issued this will automatically be accepted and approved on the case. Notifications and Letters will then populate in the appropriate places.

7. Deemed consent to be introduced to variation applications

From 04 November Where a creditor does not respond to the variation proposal within 21 days of it being issued, this will be taken as deemed consent of the application.

Where all creditors have accepted the proposal, actively or deemed consent, the variation will be approved without going to a Fair and Reasonable Test. With any objections received from creditors, the variation will go for a Fair and Reasonable Test.

8. Amendment to Joint application wording within Application Form

Within the Debtor Details on the Further Detail section on the Personal Application Form if the user selects the 'Is this a joint application?' they are then shown a dropdown for 'Do the Debtors applying for a joint DPP meet the criteria in Regulation 22(1)?' the wording in the dropdown has been changed to include 'Living together as if spouses or civil partners of each other'. Any case which has not been submitted before 4th November 2019 will show this new wording and any case that has already been submitted before 4th November 2019 will show the original wording.

9. Modernise terminology relating to payment break

From 04 November if applying for a payment break the criteria has been updated to include the separation of cohabitants. When applying for a payment break you will see that the criteria has been updated to include 'Divorce, dissolution of civil partnership or separation from a person to whom the debtor is married or the civil partner, or with whom the debtor is living together as if civil partners or spouses of each other'.

10. 120 day limit for creditor to change debt levels in DPP

Unless there are exceptional circumstances a creditor cannot apply for a variation to amend their debt balance more than 120 days from the date the DPP was approved. Any debt change variation, submitted after 4th November, that increases the Debt Payment Programme, including adding a debt to the Debt Payment Programme, that is submitted over 120 days from the approval date includes a mandatory explanatory note.

Variation ground E has also now been changed to reflect this change and reads: 'A debt has been omitted from, or was wrongly assessed for the programme due to a mistake, oversight, or other reasonable cause. (Note: If this application is being made more than 120 days after the approval of the programme please provide information as required by Regulation 36(3A))'

11. Short term financial payment break

At any point after approval of a Debt Payment Programme (DPP), a debtor can make a request to their money adviser for a short term financial crisis payment break (crisis break). The crisis break, if approved by the money adviser, will defer payments to the DPP for a period of one month, with the programme being extended for the equivalent term. A maximum of 2 crisis break applications can be approved within a 12 month rolling period.

The Money Adviser may approve the application in the following circumstances:

- The money adviser is satisfied that the debtor has experienced, or is experiencing a short term financial crisis;
- The money adviser is satisfied that the debtor has resumed, or will resume payments following the proposed period of deferment;

If a longer payment break is required, a variation application for a Payment Break must be submitted, the payment break application can defer payments for a period of up to 6 months.

12. Add Case Regulation Property to DPP

All Cases now have an indicator to show which Regulations they fall under. On the view screen of the application form there is now an indicator on bottom right hand corner, there is also a field on the main Debt Payment Programme screen named 'Case Regulations' which specifies the regulations.

Regulations are:

Pre July 2011 -	Cases where Applications were created before 01 July 2011
Post July 2011 -	Cases where Applications were created on or after 01 July 2011 but before 01 April 2015
Post April 2015 -	Cases where Applications were created on or after 01 April 2015 but submitted before 4 th November 2019
Post November 2019 -	Applications Submitted on or after 4 th November 2019

13. New fee structure for PD

For applications submitted on or after 04 November 2019 the PD fee is set in every case at 20% irrespective of who is PD. The AIB fee of 2% remains in place (this includes cases where AiB is PD). On the application form you will no longer see the PD fee that was shown previously during the application process, just who the Payments Distributor is.

14. Distribution of the 75% of 20% fee

If AiB is the Payment Distributor in a case, AiB will ingather a 5% fee and pay 15% back to the Money Adviser community. If the Money Adviser organisations have requested that the money be paid back directly to them then the distribution of each payment made through the Debt Payment Programme will include a payment straight to the Money Adviser organisation.

15. Additional option on MA organisation details

A tick box is now available on a Money Adviser organisation within the maintenance section for 'Any funds allocated by AiB as PD should be distributed to this organisation'. If this tick box is selected when a distribution is made on a case where AiB is Payment Distributor the funds will go directly to the financial details provided by the Money Adviser. If the tick box is not selected the money from each distribution will be allocated to a central pot.

16. Automatic approval where objecting creditors is less than 10% of debt

Any Debt Payment Programme Application where 90% in value of creditors have consented to the DPP proposal will be automatically approved, this includes deemed consent responses. The 90% in value of creditors applies for both joint DPPs and for individual cases.

If the value of creditors that reject the Debt Payment Programme Application Proposal exceeds 10% of the total debt figure the case will then be decided through the Fair & Reasonable process. Any Debt Payment Programme Application proposals issued prior to 04 November will follow the existing rules.