



A long history in a new service

New legislation a 'one shot chance' for somebody to break free from a financial situation they are no longer able to manage, writes **Dave Boland**

Sometimes, what is a new beginning for some is merely business as usual for others. The new personal insolvency regime in Ireland may represent a welcome opportunity for individuals who have been struggling under the burden of debt since the beginning of the recession, but for the professionals at leading Cork-based Irish accountancy firm **Quintas** it represents a legal framework for the work that it has been carrying out for years.

"At **Quintas** we have for many years been dealing with debt resolution work on behalf

of clients," said Mark Ryan, a Director in **Quintas** and now a licensed Personal Insolvency Practitioner (PIP). "Our work has always been about negotiating with banks and major creditors, because the truth is that now, as much as at any time, you can only get so much money out of somebody."

However, despite the company's extensive track record, Ryan does recognise the new legislation as what he describes as a "one shot chance for somebody to break free from a financial situation they are no longer able to manage".

"People are not coming to



Tim McCarthy, managing partner, Quintas



Mark Ryan, a director at Quintas

me because they think they might have a problem," he said.

"They already know that they have a problem. They are coming to me because they have done the best that they can to manage the problem, trying things like interest only, over the last number of years and they have reached the point that they can't do it anymore.

"These people just want to be advised on how best they can deal with their debt issues," he said. "For the past five years they have been dealing with their problems, and they just want to know where they will be in another ten years."

This is not to say that there will be any easy solutions. The new regime itself is complex, and it requires a significant amount of expertise from the PIP simply to navigate through the 200-or-so sections of legislation.



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"It's all there in black and white, and it can work, but the creditors must agree to any proposals, which is why a lot of it comes down to negotiation," said Ryan. "And that's as it always has been."

Through the establishment of its new insolvency department which comprises of a team of expert and experienced financial and legal professionals, Quintas is in an ideal position to help with these negotiations. Its managing partner, Tim McCarthy, has dealt in debt resolution for 25 years and has a long track record in dealing with financial institutions and liquidators, and he very much welcomes the advent of the new insolvency regime.

While McCarthy has extensive experience in dealing with banks and financial institutions on corporate insolvency and personal debt resolution matters, PIP Mark Ryan's exclusive focus is on the new personal insolvency legislation; and he agrees the legislation will compel the various parties to come to a workable resolution.

"The new legislation is forcing both the people who owe and who are owed to sit down and discuss how they can use it for a final solution -- not short-term, kick the can down the road fixes," he said. "Some arrangements that have been put in place to date are not solving the problems, because there is too much debt and the arrangements are not sustainable."

"Recent statistics say that there are 100,000 people in arrears, and that doesn't even include the people who have come to an arrangement with the lender. So there are at least 100,000 people who have a problem. I think that problem can be solved."