

BANKRUPTCY.

2016

Is this for me?

Bankruptcy is a process where people who cannot pay their debts give up their assets and control of their finances, either by agreement or court order, in exchange for protection from legal action by their creditors.

Q: How long will I be bankrupt?

A: Bankruptcy generally lasts for a period of three years but can be extended in certain circumstances.

Q: Will my credit report be affected and for how long?

A: Yes. Commercial credit reporting agencies can keep a record of your bankruptcy on your credit report for up to 5 years, or longer in some circumstances. It will remain on the PSII forever.

Q: Does It Cost Anything?

A: You can file for free on the AFSA website. You need to download 2 forms, one of which is 25 pages long. Alternatively Insolvency Guardian will assist you. with this process.

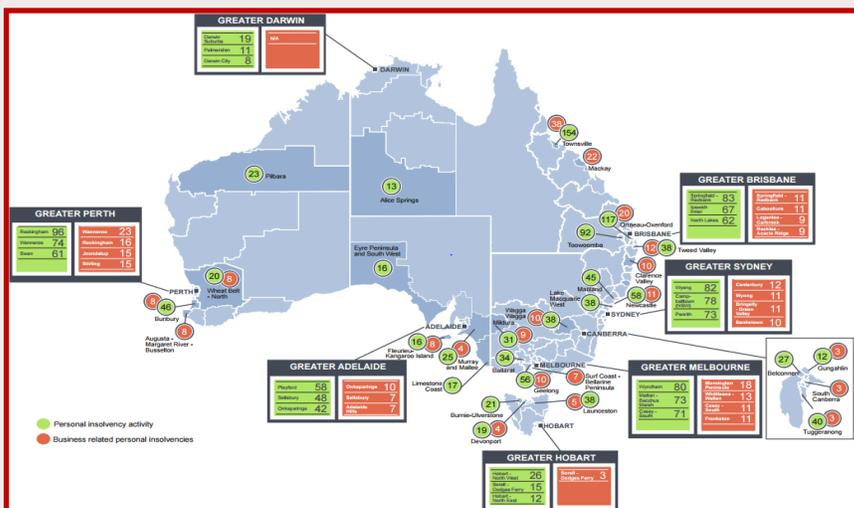
What do I supply?

- Remittance payment for the payment of Fee.
- Two of the most recent payslips
- Two forms of ID (example; Passport, driver license, medicare card, 18+ card)
- Superannuation details (Name, Account number and balance)
- Bank Details (Name, Branch name/ BSB, Account number and type, Balance)
- Creditors' details (Name, Address, Ref number, Balance)
- Details of Motor Vehicle and Assets if applicable. (description, account numbers, financier, payout and estimated value)

Why Insolvency Guardian?

Insolvency Guardian can assist you to prepare, process and be there to answer any questions that may arise until your application has been finalised.

Giving you a "no hassle" and "peace of mind" submission.



How common is Personal Insolvency?

- 6 out of 8 States have seen an increase in Personal Bankruptcy.
- 29,527 is the number of Personal Insolvencies 2015 to 2016 A rise of 4.4% from the previous period
- Contributing to the increase were: Queensland (9.3%), Western Australia (19.5%), Victoria (1.8%) Northern Territory (15.3%). [Information Sourced from AFSA](#)

Obligations?

During Bankruptcy you will need to ensure that you update the trustee appointed to your case to ensure that you do not have your bankruptcy extended.

For the term of Bankruptcy you may need to be contributions each year based on the Income you have received.

The figures are after-tax and vary to the number of dependants.

Dependants 0 - \$54518.10

1 - \$64331.36

2 - \$69237.99

3 - \$71963.89

4 - \$73054.25

Over 4 - \$74144.62

For each \$1 over these amounts you will need to contribute .50c.

You may keep **Tools of Trade** used to earn an income up to \$3750.

You may keep a **Vehicle** used for transport if the equity is less than \$7700.

You will need written permission to **Travel** Internationally before you make any arrangements

These are correct as at August 1st 2016. [Click here for a full list of indexed amounts.](#)

1	I must comply with all requests made by my trustee
2	If made bankrupt via sequestration order, I must file my statement of affairs within 14 days of being notified of the order
3	I must supply all books, bank statements and other documents that the trustee asks me to supply
4	If I move house, I must tell the trustee in writing immediately
5	I must tell the trustee if my income increases from that disclosed on my SOA
6	I must return a completed statement of income form each year if asked to do so by the trustee
7	I will be liable for certain debts after my bankruptcy ends (eg child support, court fines, non-court fines, HECS/HELP/SFSS debts, debts incurred by fraud)
8	I cannot go overseas without obtaining the trustee's permission in advance
9	My name and bankruptcy details will appear on the National Personal Insolvency Index (NPII) forever
10	I need to disclose my bankruptcy if I ask for any form of credit more than the \$5507
11	I must tell the trustee immediately if I win any money or other prizes
12	I must tell the trustee immediately if I get any new assets (eg a house or car)
13	I must tell the trustee immediately if I become the beneficiary of a deceased estate
14	If I realise I forgot to disclose any assets on my SOA, I must advise the trustee immediately
15	If I realise I forgot to disclose any creditors on my SOA, I must advise the trustee immediately
16	If any of my creditors hold valid security over any property and they take action to recover it, I must assist
17	I must surrender my passport to the trustee if I am asked to do so
18	I will remain liable for debts incurred after the date of my bankruptcy
19	I cannot act as a director/manager of a company, without the court's permission
20	If I am a self-managed super fund trustee/director of a corporate trustee: I must cease acting in this position and notify the Australian Taxation Office (ATO) within 28 days. See the ATO website for more information on Removing yourself as a trustee.
21	I cannot administer a trust account (eg as a solicitor or accountant)
22	If my net (after-tax) income is above the indexed amount. I will need to make payments from my income to my bankrupt estate
23	I must fully and truthfully disclose to the trustee all of my property and its value
24	I must not dispose of any property belonging to the trustee
25	If I have any questions, I should contact Insolvency Guardian or AFSA

What Now?

If you have decided this is your only option all we need is to supply information on page 1.

Once received we will organise a call to put together the appropriate paperwork. This will require around one hour. Once submitted it will be finalised in 3 to 10 working days.

Other than supplying the information and spending the time on the call we do all the work for you and are here to answer any questions during the approval process.