

Joint Insolvency Examination Board

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Eligibility to sit the examination: transitional arrangements for 2017 and the position from 2018 onwards.

Introduction

A candidate who sits the Corporate Insolvency and Personal Insolvency papers to be set by the JIEB from November 2018 onwards will be free to attempt either or both papers at a sitting of their choosing. There will be no restrictions on the number of attempts that a candidate may make to pass either new paper.

The freedom that will be afforded candidates from 2018 onwards may be contrasted with the restrictions that are currently imposed by the rules about candidates' eligibility to sit the examination. The existing rules limit (normally to 5) the number of attempts that a candidate may make to pass their first paper. Thereafter, in the normal course the rules require a candidate who wishes to pass further papers, to pass their remaining paper or papers within a five year period. A third rule requires a candidate who, in the first instance, passes only one paper to sit and pass their remaining two papers at the same sitting ("the Two at One Sitting Rule").

In order to ease the transition from the three papers examination format that will apply for the November 2017 sitting to the two papers examination format that will be introduced in November 2018, a number of transitional provisions are being introduced and which will apply to the November 2017 sitting.

In this paper, references to "old" are to a paper or papers set in November 2017 or prior. References to "new" are to the paper or papers which will be set from November 2018 onwards.

Transitional provisions for the November 2017 sitting

The rules for sitting and passing the examination will be amended for November 2017 as follows:

- the existing rule that allows a candidate only five attempts to be made to pass the first paper is scrapped. Candidates who have previously run out of attempts will be permitted to sit the "old" papers(s) of their choice in November 2017;
- the existing rule that prescribes a five year period for a candidate to pass their second or second and third "old" papers is scrapped. Candidates who have previously run out of time will be permitted to sit their remaining "old" papers(s) in November 2017;

- the Two at One Sitting Rule which requires a candidate who has passed one “old” paper to pass the two remaining “old” papers at the same sitting is scrapped. Candidates holding a pass in one “old” paper may, at their option, attempt one or both of their remaining “old” papers at the November 2017 sitting.
- any pass achieved by a candidate at the November 2017 sitting in any “old” paper will be retained. All passes achieved in all “old” papers at the November 2017 sitting will, subject to the rules set out below as to the position after the November 2017 sitting, be eligible to form the basis of an application to an RPB for Full or Partial Authorisation.

Passes in “old” papers and applications for Full or Partial Authorisation

Any pass that was achieved at a sitting of the examination in November 2016 or earlier and which, by operation of the Two at One Sitting Rule, was classified as unretained will be reclassified as retained. All such passes will be eligible to form the basis of an application to an RPB for Full or Partial Authorisation.

A candidate who holds passes in all three “old” papers (whenever these were achieved) is entitled to apply for Full Authorisation.

A candidate who holds a pass in “old” Personal Insolvency (whenever this was achieved) is entitled to:

- apply for Partial Authorisation in Personal Insolvency; and/or
- sit and if they pass (at any future time) “new” Corporate Insolvency, apply for Full Authorisation.

A candidate who holds passes in both “old” Liquidations and “old” ACVAR (whenever these were achieved) is entitled to:

- apply for Partial Authorisation in Corporate Insolvency; and/or
- sit and if they pass (at any future time) “new” Personal Insolvency, apply for Full Authorisation.

A candidate who holds a pass in either, but not both, “old” Liquidations or “old” ACVAR (whenever this was achieved) will, if they intend seeking either Full or Partial Authorisation, have to:

- sit (at any future time) “new” Corporate Insolvency, and when successful, they will be entitled to apply for Partial Authorisation in Corporate Insolvency; and/or
- sit (at any future time) “new” Personal Insolvency, and when successful they will be entitled to apply for Partial Authorisation in Personal Insolvency; and/or
- sit (at any future time) “new” Corporate Insolvency and “new” Personal Insolvency, and when successful in passing both will be entitled to apply for Full Authorisation.

The position from the November 2018 sitting onwards

From November 2018:

- there will be no limit to the number of times that a candidate may sit “new” Corporate Insolvency or “new” Personal Insolvency;
- a candidate may sit “new” Corporate Insolvency, “new” Personal Insolvency or both at any sitting of the examination;
- all passes achieved will be retained and will be eligible to form the basis of an application to an RPB for Full or Partial Authorisation as appropriate.

Applications for Full or Partial Authorisation

The above explains the position as regards the paper or papers that a candidate will need to pass before he/she may apply for Full or Partial Authorisation. It does not explain any other requirements or conditions that the RPBs may impose in relation to an application made to them. Any application for either Full or Partial Authorisation will be subject to the review of the RPBs who will set out their criteria for such applications.