

NOTES TO CANDIDATES

1. Exam Eligibility

Candidates will be eligible to enter for the examination if:

- a. They are introduced by a professional body which is recognised under Section 391 and/or Section 389A of the Insolvency Act 1986 and meet the requirements of that body for entry to the examination; or
- b. They are seeking their insolvency authorisation direct from the Department for the Economy (DfE) and meet any criteria for authorisation specified by the Department of Enterprise Trade and Investment at the date on which they apply to sit the examination or can reasonably expect to do so within 2 years of that date.

2. Candidates who propose to sit one or two papers in 2018 should refer to the information on the transitional rules that will apply in 2018 published by the Board.

(Paragraphs 3 and 4 have been removed and have not been replaced)

5. Any candidate seeking concessionary treatment on their eligibility to sit the examination should write to the Secretary.
6. The pass mark in each paper is ratified by the Board.

7. Assessment

The examination will consist of two papers each of three and a half hours. The papers will be held in November each year (in 2018 the scheduled dates are 13 and the 14 November).

8. The subjects of the two papers will be
Corporate Insolvency
Personal Insolvency
9. The overall emphasis of the papers will be practical. There will be four compulsory questions on each paper, three questions attracting 20% of the available marks, and the fourth attracting 40%.
10. The overall standard required will be such as to assess whether candidates have sufficient knowledge of insolvency law and practice to enable them to carry out the functions of an authorised insolvency practitioner. The standard will be broadly consistent with that required in the final qualifying examinations of the participating bodies.

Candidates are not required to have experience in insolvency practice but the examination is essentially practical and relevant experience is an advantage. Candidates will be expected to have the basic knowledge of taxation, accountancy and

business law directly relevant to the performance of an office holder's duties in the practice of insolvency.

The ability to communicate is of particular importance for those practising insolvency; some marks will therefore be awarded for the demonstration of that ability. Candidates should have developed their communications skills so that, for example, they are proficient in drafting reports to banks and to the court and letters to the parties involved in insolvencies.

11. Applications

- a. All applications must be submitted to the relevant authorising body (i.e. the recognised professional body of which the candidate is a member or student or the Secretary of State for Business, Innovation and Skills or the Department for the Economy (DfE) in Northern Ireland). Any enquiries about eligibility should be addressed to the relevant authorising body. The closing date for applications for the November 2018 session is **Wednesday 6 September 2018**. Late entries will not be accepted for the examination.
- b. In their own interests, candidates are asked to submit application forms well in advance. No allowance will be made for any special circumstances nor for any error or omission by candidates, by any person acting on their behalf, or by the postal authorities.

12. Entry to a Hall

- a. Candidates may enter the examination halls up to half an hour after the start of a paper but must provide an explanation of their lateness, which together with their candidate number and time of arrival, will be reported to the Board. Such candidates will not be granted extra time but will have their performance and their reason for lateness considered by the Board when it comes to determine the results of the examination.
- b. Candidates who arrive more than half an hour after the start of a paper will not be admitted to the examination hall unless their lateness has been caused by exceptional circumstances beyond their control and only then when permission for entry has been given by the Chief Invigilator.

13. Examination Materials

- a. Candidates are provided with booklets, and tags for fastening extra paper if necessary.
- b. Candidates must bring their own pens.
- c. Candidates may only use the calculators provided by the JIEB in the examination hall (SHARP EL-240 Calculator).
- d. Candidates may only bring to the examination a clean copy of Butterworths *Insolvency Law Handbook*. Only bound copies of the text will be permitted – photocopies of parts or sections of the book are not allowed.

For the 2018 session candidates should note that, at the time of the examinations in November 2018 the most recently published edition of Butterworths is likely to be the 19th edition. Candidates are welcome to bring a clean copy of this edition to the examination but should note that examiners will be examining the law in force up to 30th April 2018 in accordance with the Board's usual practice.

Candidates may not share their books.

The text may be annotated with underlining, sidelining and highlighting only. Page tabs may be used but must not be written on. Invigilators are instructed to check each text to ensure these regulations are adhered to.

- e. Candidates may not take any other book, paper or manuscript into the examination room.

14. Departure from an Examination Hall

- a. After a paper has begun, candidates who leave an examination hall without permission or unescorted will not be allowed to return.
- b. Candidates who leave during a paper, not intending to return, must hand in their answers to the Chief Invigilator. Candidates may not leave a hall during the first or last half hour of any paper unless there are exceptional circumstances and only then when permission has been obtained from the Chief Invigilator.
- c. At the close of a paper, candidates must remain seated until they are advised by the Chief Invigilator that they may leave.

15. Illness and Special Circumstances

- a. If you believe your performance in an exam has been affected by illness or circumstances beyond your control during the exam, you can ask for, 'special consideration'. We take your circumstances into account during results processing. We will only consider circumstances which are serious and have had a clear impact on your final mark.
- b. The Board will only consider illness or extenuating circumstances that affect you on the exam day itself, not in the time leading up to the exam. We must receive your application, with suitable third party evidence, within 28 days after the exam. This should be sent to specialconsiderations@icaew.com.
- c. You must provide appropriate and verifiable independent evidence. It's your responsibility to make sure your application demonstrates that the circumstances have had a clear impact on your exam mark, that the circumstances were beyond your control and that you could not reasonably have taken mitigating action.
- d. The evidence must be from an appropriate source. Medical evidence must be issued within two days: ¹see footnote 1 below. – of the exam and must be sufficiently detailed to demonstrate the impact on your exam performance. We do not consider the statements of friends and relatives, nor do we contact third parties on your behalf.

The Board never accept late applications. If you send your application by post, we recommend you use a secure method such as Royal Mail 'signed for' which includes signature on delivery. We don't accept proof of postage as proof of delivery.

16. **Misconduct**

- a. The Board will investigate any candidate suspected of having been involved in any irregularity or misconduct in connection with the examinations.
- b. It is the duty of the Chief Invigilator to report to the Board all cases of irregularity or misconduct in the examination hall. Chief Invigilators are empowered to stop the examination of candidates who conduct themselves improperly. Expulsion from the examination hall would be resorted to only when it is considered that such action is essential.
- c. Candidates must follow the instructions of the invigilators at all times. Failure to do so may be deemed as misconduct.
- d. Any unauthorised material introduced by candidates into an examination hall will be confiscated by the Chief Invigilator and may be retained for transmission to the Board if so required.
- e. Candidates may not pass any information from one to another during an examination unless expressly authorised to do so.

The Board reserves the right to withhold publication of the results of an examination of candidates pending investigation of any irregularity or misconduct in connection with an examination.

17. **End of Work**

When a particular paper is declared to be over, candidates must stop writing immediately and put down their pens. They will be given a short time to assemble their answer folders and fasten their complete scripts using the tags provided.

Candidates are responsible for ensuring that all their answers are included.

If your condition falls under the Equalities Act 2010 and its nature limits access to specialist care necessary to meet JIEB's requirements, we may consider an extension of this period up to an additional 10 days. This will be granted only in exceptional circumstances and you will need to demonstrate that you took reasonable steps to obtain the evidence within the two-day time period. Any such extension must be requested within the original two-day period.

18. Marking

The objective of the Board in approving assessment methodology is to ensure that the exam is fair, consistently marked and as reliable as possible in determining the pass / fail decision on marginal candidates.

In recent years, the question paper format has moved to 4 compulsory questions so that all candidates are effectively taking the same examination, and to single-question marking, with additional overviews of scripts 'as a whole' to help consistency and fairness.

The focus in the latest review of methodology was to introduce a wider range of available marks as well as defined measures to assess whether each question, and the script as a whole, was pass-worthy. Accordingly, the quality of argument / structure and the holistic quality of the answers, always important in marking, will now receive a range of specific marks.

Previously, examiners could award up to 10% of the marks on a discretionary basis for presentation; now, a *holistic* mark is awarded according to the criteria given on the following page, worth up to 17% of the available marks.

This detailed methodology was developed in conjunction with the examinations office, including specialist advice, and has been field-tested successfully by the examining team to ensure consistency of the pass standard.

The rating scale is shown below for the reference of tutors and students in their preparation.

<i>Rating scale for candidates' responses</i>		
<i>Description</i>	<i>Summary</i>	<i>Rating</i>
An answer without value: it fails to address the question	Without value	0
A poor answer: although it contains relevant information, it is too brief or it also includes irrelevancies; it fails to address the question adequately.	Poor	1
An answer that has merit but is not quite sufficient: it does not include quite enough relevant information, and / or it does not demonstrate competence in dealing with the question.	Not quite sufficient	2
An acceptable answer: it includes just sufficient relevant information, any examples are mainly correct, and it demonstrates competence in dealing with the question.	Acceptable	3
A good answer: it has very substantial detail and examples, it deals with the question, and it is well presented.	Good	4
An excellent answer: it shows comprehensive knowledge, it deals with the question, and it is very well presented.	Excellent	5

19. **Results**

Results will be despatched by first class post on or before Friday 1 March 2019. Each candidate will receive a results letter showing an overall result of Pass, Pass One Paper, Referred, or Fail. Marks achieved will be provided for each individual paper.

Candidates may also opt to receive results by e-mail or SMS on the specified results day, by ticking the appropriate box on the application form and providing contact details as required.

The marking of papers and the results of such marking are final and binding for all candidates. Examination scripts will not be returned to candidates.

20. **Equal Opportunities**

The Joint Insolvency Examination Board aims to provide an assessment of excellent quality for students whatever their background. In pursuit of this aim, the JIEB is committed to using its best endeavours to ensure that all of its activities are governed by principles of equality of opportunity. It is intended that all students should receive equal treatment irrespective of political belief, gender, sexual orientation, age, disability, marital status, race, nationality, ethnic origin, religion or social background.