

## Annex 8

### **CREDIT INSTITUTIONS (ELIGIBLE LIABILITIES GUARANTEE) SCHEME 2009**

### **NOTICE OF DEMAND FOR CURRENT ACCOUNTS AND DEPOSIT ACCOUNTS**

**To:**

The National Treasury Management Agency  
ELG Claims  
PO Box 80800  
Dublin 2

As Scheme Operator of the Credit Institutions (Eligible Liabilities Guarantee) Scheme 2009 (the  
“ELG Scheme”)

**Please read the guidance notes on Page 5 and 6 before completing this Notice of Demand**

**Account Holder details (the “Depositor”):**

<b>Name(s) of account holder(s)</b>	
<b>Address</b>	
<b>Telephone Mobile/ Landline</b>	
<b>Email</b>	

**Deposit details (the “Deposit”)<sup>8</sup>:**

<b>A. Account number</b>	
<b>B. Account name</b>	
<b>C. Account type:</b>	
<b>D. Account balance and date of that balance</b>	
<b>E. Currency of deposit</b>	
<b>F. Maturity date of deposit (for term deposits only):</b>	
<b>G. Date deposit made (for term deposits only):</b>	
<b>H. Amount Claimed:</b>	

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<sup>8</sup> For the purposes of this document “deposits” should be read to include money held in a current account.

**Demand and Declarations:**

[I] [We] demand payment to [me] [us], in accordance with paragraph 26 of the schedule to the ELG Scheme and the Rules of the ELG Scheme, of the amount of the Deposit which is due and payable under the ELG Scheme.

In making this demand in relation to the Deposit, [I] [We] declare that:

4. [I am] [We are] are the legal and beneficial owner(s) of all rights, title, interest and benefit in the Deposit.
5. The Depositor and Deposit details provided above are correct.
6. [I] [We] have appended to this notice all available documentation relevant to the above-mentioned deposit.
7. The Deposit is not covered by the Deposit Guarantee Scheme in Ireland or any other jurisdiction for the following reason(s):

*[Insert reason(s). If necessary attach separate note.]*

*Or*

The amount claimed does not include any payment already received or expected to be received under the Deposit Guarantee Scheme in respect of the Deposit.

8. [I] [we] have no actual or contingent liabilities to IBRC or any other party that may be eligible to be set-off against the Deposit.

*Or*

[I][we] have one or more actual or contingent liabilities to IBRC or another third party that may be eligible to be set-off against the Deposit and the identity of those liabilities and the quantum of those liabilities is as follows:

*[Insert details(s). If necessary attach separate note on details to this Form]*

### **Acknowledgements:**

[I][We] acknowledge that:

9. If this Notice of Demand is inaccurate, misleading or incomplete in any material respect it may be returned and payment refused. The foregoing is without prejudice to [my] [our] right to re-submit a new demand for payment in such circumstances.
10. [I] [We] will indemnify and hold harmless the National Treasury Management Agency and the Minister for Finance against any loss or liability incurred by them (including for the repayment of the Deposit) if any of the details in this Notice of Demand are inaccurate or misleading in any material respect.
11. Information relating to [me] [us] can be shared between the National Treasury Management Agency, IBRC, the Special Liquidators appointed to IBRC their agents and advisors and any other relevant party to the degree it is necessary for the purposes of verifying the information provided in this Notice of Demand, for administering the ELG Scheme and for the processing of payments in respect of the ELG Scheme.
12. The National Treasury Management Agency will rely on the accuracy of data provided by the Special Liquidators appointed to IBRC in establishing the validity of the claim and making the appropriate compensation payment under the ELG Scheme.
13. Any payment made to [me][us] will constitute full and final settlement of any obligation owed to [me] [us] and constitute a complete discharge by the Minister for Finance of Ireland in respect of his liability under the ELG Scheme in respect of the Deposit, unless challenged within 30 days of receipt of payment.

Signed by:\_\_\_\_\_

Name:

Position (if relevant):

Signed by<sup>9</sup>:\_\_\_\_\_

Name:

Position (if relevant):

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<sup>9</sup> To be signed by all authorised signatories on the account.

## **GUIDANCE NOTES:**

**This Notice of Demand is to be used for a demand for payment of deposits in IBRC that are guaranteed under the ELG Scheme.**

Demands in relation to other guaranteed liabilities of IBRC should be in the form of Annex 6 of the Rules of the ELG Scheme.

For the purposes of the ELG Scheme, a deposit includes current accounts and term deposits (meaning a deposit with a fixed maturity).

**In order to be eligible for repayment under the ELG Scheme, a deposit must: (a) have an original maturity of 5 years or less; and (b) if a term deposit, have been placed with Anglo Irish Bank after 28 January 2010 or with the Irish Nationwide Building Society after 3 February 2010. In addition, the ELG Scheme does not apply to a deposit to the extent to which it is covered by a deposit guarantee scheme constituted under the laws of Ireland (the “DGS”) or of another country.**

### **Depositor Details**

The names of all deposit holders and their contact details must be included on the form and should be the same as they appear in the records of IBRC. If there have been any changes in the details, these must also be recorded (on a separate page if need be) by the depositors together with the date that they occurred.

### **Deposit Details**

- C. Please describe the type of deposit held (term deposit, current account, etc.).
- D/E. Please insert the amount of the balance in the account as of the most recent date for which you have information, as well as the currency of the deposit.
- F. Please insert the maturity date of the deposit, if any. For demand deposits, state N/A.
- G. If a term deposit please insert the date the deposit was made. Term deposits (i.e. a deposit with a fixed maturity) placed with Anglo Irish Bank prior to 28 January 2010 or with the Irish Nationwide Building Society prior to 3 February 2010 are not eligible under the ELG Scheme.
- H. The amount claimed should be the amount of the deposit less any amount that is not eligible under the ELG Scheme. Amounts that are not eligible include those that are payable under the DGS or are subject to be set-off against any actual or contingent liability owed to IBRC or to a third party. Please explain how you calculated the amount claimed.

### **Demand and Declarations**

- 1. Claimants must certify that they are the legal and beneficial owners of the deposit. If there is more than one person who is an owner of the deposit, such person must demand payment on the same form as the other deposit holders.
- 3. Claimants are required to submit the most recent deposit account statement available to them and should submit any other relevant documentation available to them in support of the claim. Relevant documentation includes, but is not limited to, deposit confirmations, terms and

conditions of the deposit (where available), and any relevant documents relating to any loans or other liabilities owed to IBRC or to a third party against which your deposit may be eligible for set-off. If you believe that your loans/other liabilities owed to IBRC or to a third party are not eligible to be set-off against your deposit, you must state that in Declaration 5. The National Treasury Management Agency reserves the right to request any additional information and supporting documentation for the purpose of processing a claim.

4. Strike a line through the declaration that does not apply to you. You can only claim under the ELG Scheme to the extent that your deposit is not covered under the DGS or any other guarantee scheme in another country. If you believe your deposit is not covered by the DGS, please state the reason for this or attach a separate page if necessary. Please see (<http://www.centralbank.ie/paycurr/paysys/pages/guarantee.aspx>) for information on the DGS.
- 5 Strike a line through the declaration that does not apply to you. The ELG Scheme makes payment in respect of deposits that are due and payable by IBRC. To the extent that a deposit is subject to a legal and enforceable set-off by IBRC or any third party in respect of an actual or contingent liability owed by the depositor, the amount payable under the ELG Scheme will be reduced accordingly. Depositors are required to provide information about any such actual or contingent liability and set-off rights, if applicable. Information regarding such rights may be appended to the form on a separate page.

#### **Acknowledgements**

- 8 All information submitted along with the Notice of Demand will be subject to verification by the National Treasury Management Agency. Claimants may be required to supplement or amend the claim if the amount claimed by the Claimant is uncertain at the date of application.
- 9 A determination will be made as to the amount due and payable under the ELG Scheme based on the information submitted by the Claimant in the Notice of Demand and the data provided by the Special Liquidators appointed to IBRC.
- 10 If you do not agree with the amount paid to you, you can challenge the determination within 30 days of the date of payment by writing to the National Treasury Management Agency stating the reasons for your challenge and providing documentary evidence, if relevant, supporting your challenge. If you do not challenge the determination within 30 days, the payment will constitute full and final settlement of any obligation owed to you and constitute a complete discharge by the Minister for Finance of Ireland in respect of his liability under the ELG Scheme in respect of the deposit which is the subject of this claim.

**Claimants should refer to [www.ntma.ie](http://www.ntma.ie) for further information.**