

Guarantees Reportable to Central Credit Register

What You Need to Know

Under the Credit Reporting Act, from 1 February 2025, lenders of in-scope credit will be required to report data in relation to both the guarantee and the guarantor.

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As noted on the Central Credit Register (“CCR”) page¹, the next phase of reporting under the Credit Reporting Act is about to begin. Where a reportable credit agreement is entered on or after 1 February 2025, and a guarantee is entered into in respect of that credit agreement on or after 1 February 2025, the relevant Credit Information Provider (the “lender”) will be required to report data in relation to both the guarantee and the guarantor from that date onwards. This applies to ‘all sums due’ guarantees, as well as to more limited guarantees.

Assuming that the lender is in-scope, as before under the Credit Reporting Act, the credit agreement must either be: a) made to an Irish-resident borrower (“Credit Information Subject”); or b) governed by Irish law.

What It Means for Guarantors

A lender will now be required to report any new in-scope guarantees and create a CCR profile for guarantors (if there is not already one), with personal information similar to that for borrowers. A lender can also request a

guarantor's credit report. In effect, a guarantor in relation to an in-scope credit agreement becomes a Credit Information Subject for the purposes of the CCR.

What It Means for Lenders

If the lender makes a demand under an in-scope guarantee, it must report this to the CCR. However, there is no requirement for the lender to report the issuing of legal proceedings against the guarantor or any restructuring of the guarantee.

A lender may search the CCR in respect of an individual or corporate who offers to give a guarantee in respect of credit exceeding €500. The lender may also access the CCR where there's a proposal to change the nature or term of a guarantee or where a guarantor breaches their obligations under the guarantee.

Warning

In-scope guarantee documents should include a warning on the front page, similar to that for credit agreements.

For further information, please reach out to your usual Maples Group contact or any of the persons listed below.

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¹<https://www.centralcreditregister.ie/about/information-for-guarantors/>

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