



STATUTORY INSTRUMENTS.

S.I. No. 302 of 2009



COMPANIES ACT 1963 (ALTERATION OF EIGHTH SCHEDULE)
ORDER 2009

(Prn. A9/1076)

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COMPANIES ACT 1963 (ALTERATION OF EIGHTH SCHEDULE)
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I, MARY COUGHLAN, Minister for Enterprise, Trade and Employment, in exercise of the powers conferred on me by section 395 (amended by section 63(1) of the Company Law Enforcement Act 2001 (No. 28 of 2001)) of the Companies Act 1963 (No. 33 of 1963) (as adapted by the Enterprise and Employment (Alteration of Name of Department and Title of Minister) Order 1997 (S.I. No. 305 of 1997)), hereby order as follows:

1. (1) This Order may be cited as the Companies Act 1963 (Alteration of Eighth Schedule) Order 2009.

(2) This Order shall come into operation on 1st September, 2009.

2. The Eighth Schedule (inserted by the Companies (Fees) (No. 3) Order 2005 (S.I. No. 517 of 2005)) to the Companies Act 1963 (No. 33 of 1963) is altered by substituting the Part set out in the Schedule to this Order for Part 1.

3. The Companies (Fees) (No. 4) Order 2005 (S.I. No. 737 of 2005) and Companies (Fees) Order 2006 (S.I. No. 502 of 2006) are revoked.

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 4th August, 2009.*

SCHEDULE

“PART 1

‘electronic form’ means in relation to the doing of any act specified in the first column to the table set out in this Part the doing of that act by means of—

- (a) the electronic form filing system in use by the registrar of companies, or
- (b) the Companies Registration Office disk electronic filing system where the act is also effected in paper form;

‘paper form’ means, in relation a matter specified in the first column to the table set out in this Part—

- (a) the filing of documents or an application in paper form, or
- (b) the inspection of documents or an application submitted in paper form, or
- (c) the submission of documents in paper form;

‘Societas Europaea’ or European Public Limited Liability Company shall be construed in accordance with the European Communities (European Public Limited Liability Company) Regulations 2007 (S.I. No. 21 of 2007).

Table of Fees

| Matter in respect of which Fee is payable | Amount of Fee |
|--|--|
| Provision of an electronic certified copy certificate of incorporation for public sector use pursuant to section 370(1)(b) | Paper form — not applicable Electronic form — nil |
| Provision of a certified copy of any matter entered in the register kept by the registrar of companies for the registration of companies (including the register referred to in section 103) pursuant to section 370(1)(b) | Paper form — €12 Electronic form — not applicable |
| Each inspection of any register kept in the office for the registration of companies (including the register referred to in section 103) pursuant to section 370(1)(a) | Paper form — €3.50 Electronic form — €3.50 |
| Provision of an uncertified copy of any matter entered in the register aforesaid pursuant to section 370(1)(b) | Paper form — €2.50 Electronic form — €2.50 |
| Registration of any company (other than a Societas Europaea) under the Companies Acts | Paper form — €100 Electronic form- €50 |

| Matter in respect of which Fee is payable | Amount of Fee |
|--|---|
| Registration of a company to which section 328(1) applies | Paper form — €100 Electronic form — €50 |
| Application for a certificate pursuant to section 6 of the Companies (Amendment) Act 1983 (No. 13 of 1983) | Paper form — €300 Electronic form — not applicable |
| Delivery, pursuant to section 352, for registration of documents referred to in that section by a company incorporated outside the State | Paper form — €60 Electronic form — not applicable |
| Registration of a company to which Part II or III of the European Communities (Branch Disclosures) Regulations 1993 (S.I. No. 395 of 1993) applies | Paper form — €60 Electronic form — not applicable |
| Re-registration of a company in any of the ways provided for under the Companies Acts | Paper form — €60 Electronic form — not applicable |
| Registration of an annual return made up to a date prior to 1 March 2002 | Paper form — €1,240 Electronic form — €1,220 |
| Delivery of annual return within the period referred to in section 127(2) (amended by section 60 of the Company Law Enforcement Act 2001 (No. 28 of 2001)) | Paper form — €40 Electronic form — €20 |
| Delivery of an annual return later than the period referred to in section 127(2) (amended by section 60 of the Company Law Enforcement Act 2001 (No. 28 of 2001)) | Paper form — €140 plus €3.00 in respect of each day on which the failure to file the return continues after the statutory filing period, subject to a maximum fee of €1,240 for each return Electronic form — €120 plus €3.00 in respect of each day on which the failure to file the return continues after the statutory filing period, subject to a maximum fee of €1,220 for each return |
| Entry of new name in the register in place of the former name pursuant to section 23(3) | Paper form — €100 Electronic form — €50 |
| Registration of particulars of a series of debentures required to be registered pursuant to section 99(8) | Paper form — €40 Electronic form — not applicable |
| Giving of notice of a change in the situation of the registered office of the company pursuant to subsection (3) of section 113 (inserted by section 4 of the Companies (Amendment) Act 1982 (No. 10 of 1982)) | Paper form — €15 Electronic form — nil |
| Sending of notification of a change of director or secretary, or of any particulars contained in the register, pursuant to | Paper form — €15 Electronic form — nil |

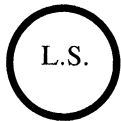
| Matter in respect of which Fee is payable | Amount of Fee |
|---|---|
| subsection (6) of section 195 (inserted by section 51 of the Companies Act 1990 (No. 33 of 1990)) | |
| Sending of a notice of the place where the register of members of a company is kept or of any change in that place, pursuant to section 116(7) | Paper form — €15 Electronic form — nil |
| Sending of a notice of the place where the register of debenture holders of a company is kept or of a change in that place, pursuant to section 91(3) | Paper form — €15 Electronic form — nil |
| Sending of a notice of the place where copies and memoranda required by section 50(1) of the Companies Act 1990 (No. 33 of 1990) are kept or of any change in that place, pursuant to section 50(4) of that Act | Paper form — €15 Electronic form — nil |
| Delivery of a notice referred to in Regulation 4(3)(c), 7(3)(c), 4(3)(d) or 7(3)(d), of the European Communities (Branch Disclosures) Regulations 1993 (S.I. No. 395 of 1993) | Paper form — €15 Electronic form — nil |
| Delivery pursuant to section 353 of a return containing prescribed particulars of an alteration made in respect of persons referred to in paragraph (c) of that section | Paper form — €15 Electronic form — nil |
| Forwarding of an ordinary resolution or agreement, or a special resolution or agreement (other than a special resolution or agreement relating to a change of name of a company pursuant to section 23) pursuant to section 143 (amended by section 5 of the Companies (Amendment) Act 1982 (No. 6 of 1982) and paragraph 15 of the First Schedule to the Companies (Amendment) Act 1983 (No. 13 of 1983)) and any document lodged in connection with such resolution | Paper form — €15 Electronic form — nil |
| Notification of a company becoming a single-member company and identity of its sole member pursuant to Regulation 5 of the European Communities (Single-Member Private Limited Companies) Regulations 1994 (S.I. No. 275 of 1994) | Paper form — €15 Electronic form — nil |
| Notification that a company has ceased to be a single-member company, pursuant to Regulation 6 of the European Communities (Single-Member Private Limited Companies) Regulations 1994 (S.I. No. 275 of 1994) | Paper form — €15 Electronic form — nil |
| Sending, pursuant to section 34(3)(a) of the Companies (Amendment) (No.2) Act 1999 (No. 30 of 1999), of a copy of a notice under subsection (1)(i) of that section | Paper form — nil Electronic form — not applicable |
| Filing a document to which section 80(1) of the Company Law Enforcement Act 2001 (No. 28 of 2001) applies, for the purposes of registration | Paper form — €100 Electronic form — not applicable |
| Application for a grant of a certificate pursuant to section 44(2) of the Companies (Amendment) (No. 2) Act 1999 (No. 30 of 1999) | Paper form — €40 Electronic form — not applicable |
| Delivering a notice and statutory declaration, pursuant to subsections (3)(b)(i) and (5) respectively, of section 45 of the Companies (Amendment) (No. 2) Act 1999 (No. 30 of 1999) | Paper form — €40 Electronic form — not applicable |

| Matter in respect of which Fee is payable | Amount of Fee |
|---|---|
| Delivery of nomination of a new annual return date, pursuant to subsection (9) of section 127 (inserted by section 60 of the Company Law Enforcement Act 2001 (No. 28 of 2001)) | Paper form — €15 Electronic form — nil |
| Application for the formation by merger of a Societas Europaea pursuant to Regulation 4(1)(a) of the European Communities (European Public Limited Liability Company) Regulations 2007 (S.I. No. 21 of 2007) | Paper form — €100 Electronic form — not applicable |
| Application for the formation of a holding Societas Europaea pursuant to Regulation 4(1)(b) of the European Communities (European Public Limited Liability Company) Regulations 2007 (S.I. No. 21 of 2007) | Paper form — €100 Electronic form — not applicable |
| Application for the formation of a subsidiary Societas Europaea pursuant to Regulation 4(1)(c) of the European Communities (European Public Liability Company) Regulations 2007 (S.I. No. 21 of 2007) | Paper form — €100 Electronic form — not applicable |
| Application for the conversion of a public limited company to a Societas Europaea pursuant to Regulation 4(1)(d) of the European Communities (European Public Limited Liability) Regulations 2007 (S.I. No. 21 of 2007) | Paper form — €100 Electronic form — not applicable |
| Application for the formation of a subsidiary Societas Europaea of a Societas Europaea pursuant to Regulation 4(1)(e) of the European Communities (European Public Limited Liability) Regulations 2007 (S.I. No. 21 of 2007) | Paper form — €60 Electronic form — not applicable |
| Application to transfer a Societas Europaea's registered office to the State pursuant to Regulation 5 of the European Communities (European Communities (European Public Limited Liability Company) Regulations 2007 (S.I. No. 21 of 2007) | Paper form — €100 Electronic form — not applicable |
| Application to register the transfer of an Societas Europaea's registered office from the State pursuant to Regulation 7 of the European Communities (European Public Limited Liability Company) Regulations 2007 (S.I. No. 21 of 2007) | Paper form — €100 Electronic form — not applicable |
| Registration of any notice and accompanying copy common draft terms of merger delivered to the registrar of companies by an Irish merging company pursuant to Regulation 8(1) of the European Communities (Cross-Border Merger) Regulations 2008 (S.I. No. 157 of 2008) | Paper form — €100 Electronic form — not applicable |
| Delivery to the registrar of companies of draft terms of conversion of a Societas Europaea into a public limited company for publication by the registrar of companies pursuant to Article 66(4) of Council Regulation No. 2157/2001/EC of 8 October 2001 ¹ | Paper form — €100 Electronic form — not applicable |

¹ O.J. L.294 of 10.11.2001

| Matter in respect of which Fee is payable | Amount of Fee |
|---|--|
| Re-registration of a Societas Europaea as a public limited company following approval by the general meeting of the Societas Europaea of the draft terms of conversion pursuant to Article 66(6) of Council Regulation No. 2157/2001/EC of 8 October 2001 | Paper form — €100 Electronic form — not applicable |
| Delivery for registration, pursuant to Regulation 11(1)(a) of the European Communities (Mergers and Division of Companies) Regulations 1987 (S.I. No. 137 of 1987), to the registrar of companies of a copy of the draft terms of merger, signed and dated, required by Regulation 6 of those Regulations and delivery to the registrar of companies, pursuant to Regulation 4(1) of the European Communities (European Public Limited-Liability Company) Regulations 2007 (S.I. No. 21 of 2007), of particulars for publication set out in Article 21 of Council Regulation No. 2157/2001 of 8 October 2001, in respect of the formation of an Societas Europaea by means of a merger where the Societas Europaea will be registered outside the state | Paper form — €100 Electronic form — not applicable |
| Subject to this Schedule, registration or application for registration of, or delivery or giving of, any document to the registrar of companies, pursuant to the Companies Acts | Paper form — €15 Electronic form (where applicable) — nil |

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GIVEN under my Official Seal,
30 July 2009

MARY COUGHLAN
Minister for Enterprise, Trade and Employment

EXPLANATORY NOTE

(This Note is not part of the instrument and does not purport to be a legal interpretation)

This Order alters the Eight Schedule to the Companies Act 1963 by substituting Part 1 of the Schedule.

The Order revokes the Companies (Fees) (No 4) Order 2005 (S.I. No. 737 of 2005 and the Companies (Fees) Order 2006 (S. I. No. 502 of 2006).

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,
nó tríd an bpost ó
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,
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