



STATUTORY INSTRUMENTS.

S.I. No. 436 of 2010



COMPANIES (FORMS) (NO. 2) REGULATIONS 2010

(Prn. A10/1323)

COMPANIES (FORMS) (NO. 2) REGULATIONS 2010

I, BATT O'KEEFFE, Minister for Enterprise, Trade and Innovation, in exercise of the powers conferred on me by section 3(3) and 226 (amended by section 3(f) of the Companies (Miscellaneous Provisions) Act 2009 (No. 45 of 2009)) of the Companies Act 1990 (No. 33 of 1990) (as adapted by the Enterprise, Trade and Employment (Alteration of Name of Department and Title of Minister) Order 2010 (S.I. No. 185 of 2010)), hereby make the following regulations:

1. These Regulations may be cited as the Companies (Forms) (No. 2) Regulations 2010.

2. The form set out in the Schedule is prescribed for the purposes of section 226 (amended by section 3(f) of the Companies (Miscellaneous Provisions) Act 2009 (No. 45 of 2009)) of the Companies Act 1990 (No. 33 of 1990).

3. The Companies (Forms) Regulations 2010 (S.I. No. 101 of 2010) are revoked.

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 14th September, 2010.*

SCHEDULE

Return by a company purchasing its own shares and/or shares in a holding company

Section 226 Companies Act 1990
 Section 249A Companies Act 1990 (inserted by section 107 Company Law Enforcement Act 2001)
 Companies Act 1990 (Form and Content of Documents Delivered to Registrar) Regulations 2002

Company number

H5

Please complete using black typescript or BOLD CAPITALS, referring to explanatory notes

Name of company purchasing shares

Limited

Part A - Summary
note three

Particulars of shares purchased by the company under section 211 or 224 of the Companies Act 1990 other than where an overseas market purchase. This return to be made within 28 days of the delivery, to the company, of the shares purchased. Part A includes (but not limited to) shares purchased on the Irish Stock Exchange. Part B should only be completed where shares are purchased on a recognised overseas stock exchange.

Share class	Number	Nominal value per share	Date(s) of delivery <i>note one</i>	Public companies only	
				Maximum price per share	Minimum price per share
		€		€	

Please tick as appropriate:

Shares are held as Treasury Shares or Shares are cancelled after repurchase - Form B7 attached

If shares are cancelled on repurchase, this form must be accompanied by Form B7.
 Where shares are held as treasury shares, Form B7 is not required.
 Where treasury shares are re-issued, Form H5a is required for filing.

Aggregate amount paid by the company for shares which relate to this return:

Total Paid

Where shares are purchased in a holding company:

Company Name Limited Company number

Certification by a current officer of the company

I hereby certify that the particulars contained in this form are correct.

Signature Name *in bold capitals or typescript*
 Director Secretary Date

Presenter details

note two Name
 Address
 DX number DX exchange
 Telephone number Fax number
 Email Reference number

Part B - Overseas Market Purchase on a recognised stock exchange outside the State

within the meaning of section 212(1A) of the Companies Act 1990 (inserted by section 3(d)(ii) Companies (Miscellaneous Provisions) Act 2009). See www.cro.ie for current list of prescribed Exchanges. *note three*

Please state the name of the exchange where the shares were purchased :

Summary details

Particulars of shares purchased by the company on a recognised stock exchange outside the State under section 211 or section 224 of the Companies Acts 1990. This return to be made **within 3 working days** of the delivery, to the company, of the shares purchased.

Share class	Number	Nominal value per share	Date(s) of purchase <i>note one</i>	Maximum price per share	Minimum price per share
<input style="width: 100%; height: 15px;" type="text"/>	<input style="width: 100%; height: 15px;" type="text"/>	€	<input style="width: 100%; height: 15px;" type="text"/>	€	€
<input style="width: 100%; height: 15px;" type="text"/>	<input style="width: 100%; height: 15px;" type="text"/>				
<input style="width: 100%; height: 15px;" type="text"/>	<input style="width: 100%; height: 15px;" type="text"/>				
<input style="width: 100%; height: 15px;" type="text"/>	<input style="width: 100%; height: 15px;" type="text"/>				
<input style="width: 100%; height: 15px;" type="text"/>	<input style="width: 100%; height: 15px;" type="text"/>				
<input style="width: 100%; height: 15px;" type="text"/>	<input style="width: 100%; height: 15px;" type="text"/>				

Please tick as appropriate:

Shares are held as Treasury Shares **or** Shares are cancelled after repurchase - Form B7 attached

If shares are cancelled on repurchase, this form must be accompanied by Form B7. Where shares are held as treasury shares, Form B7 is not required. Where treasury shares are re-issued, Form H5a is required for filing.

Aggregate amount paid by the company for shares which relate to this return:

Total Paid

Part B - Overseas Market Purchase on a recognised stock exchange outside the State

within the meaning of section 212(1A) of the Companies Act 1990 (inserted by section 3(d)(ii) Companies (Miscellaneous Provisions) Act 2009). See www.cro.ie for current list of prescribed Exchanges. *note three*

Please state the name of the exchange where the shares were purchased :

Summary details

Particulars of shares purchased by the company on a recognised stock exchange outside the State under section 211 or section 224 of the Companies Acts 1990. This return to be made **within 3 working days** of the delivery, to the company, of the shares purchased.

Share class	Number	Nominal value per share	Date(s) of purchase <i>note one</i>	Maximum price per share	Minimum price per share
<input style="width: 100%; height: 15px;" type="text"/>	<input style="width: 100%; height: 15px;" type="text"/>	€	<input style="width: 100%; height: 15px;" type="text"/>	€	€
<input style="width: 100%; height: 15px;" type="text"/>	<input style="width: 100%; height: 15px;" type="text"/>				
<input style="width: 100%; height: 15px;" type="text"/>	<input style="width: 100%; height: 15px;" type="text"/>				
<input style="width: 100%; height: 15px;" type="text"/>	<input style="width: 100%; height: 15px;" type="text"/>				
<input style="width: 100%; height: 15px;" type="text"/>	<input style="width: 100%; height: 15px;" type="text"/>				
<input style="width: 100%; height: 15px;" type="text"/>	<input style="width: 100%; height: 15px;" type="text"/>				

Please tick as appropriate:

Shares are held as Treasury Shares **or** Shares are cancelled after repurchase - Form B7 attached

If shares are cancelled on repurchase, this form must be accompanied by Form B7. Where shares are held as treasury shares, Form B7 is not required. Where treasury shares are re-issued, Form H5a is required for filing.

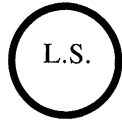
Aggregate amount paid by the company for shares which relate to this return:

Total Paid

NOTES ON COMPLETION OF FORM H5

These notes should be read in conjunction with the relevant legislation.

- General** This form must be completed correctly, in full and in accordance with the following notes. Every section of the form must be completed. Where "not applicable", "nil" or "none" is appropriate, please state. Where the space provided on Form H5 is considered inadequate, the information should be presented on a continuation in the same format as the relevant section in the form. The use of a continuation sheet must be so indicated on the form.
- note one** This is the date of delivery of the shares to the company. Shares delivered to the company on different dates and under different contracts may be included in the one return.
- note two** This section must be completed by the person who is presenting Form H5 to the CRO. This may be either the applicant or a person on his/her behalf.
- note three** Part A includes where shares are purchased by a private company, and also by a public limited company (plc.) and where shares were purchased on the Irish Stock Exchange. Part B should be completed if the shares were purchased on a recognised stock exchange outside the State.
- A recognised stock exchange for the purposes of Part XI of the Companies Act 1990 is an exchange or a market, whether inside or outside the State, prescribed by the Minister for Enterprise Trade and Employment. A purchase by a company that issues shares, or by a subsidiary of that company, of the first-mentioned company's shares is an "overseas market purchase" if the shares are purchased on a recognised stock exchange outside the State and are subject to a marketing arrangement. (Section 212(1A) Companies Acts 1990 (inserted by section 3(d)(ii) Companies (Miscellaneous Provisions) Act 2009).



GIVEN under my Official Seal,
7 September 2010.

BATT O' KEEFFE,
Minister for Enterprise, Trade and Innovation.

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,
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,
CONTAE MHAIGH EO,
(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 01 - 6476843)
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