

S.I. No. 365 of 2005
Companies (Fees) (No.2) Order 2005

I, Michael Ahern, Minister of State at the Department of Enterprise, Trade and Employment, in exercise of the powers conferred on me by sections 395 (as amended by the Company Law Enforcement Act 2001 (No. 28 of 2001)), and 396 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)) and the Enterprise, Trade and Employment (Delegation of Ministerial Functions) (No.2) Order 2004 (S.I. No. 808 of 2004), hereby order as follows:

1. This Order may be cited as the Companies (Fees) (No.2) Order 2005.
2. This Order shall come into operation on 1 September 2005.
3. In this Order "Eighth Schedule" means the Eighth Schedule (substituted by the Companies (Fees) Order 2001 (S.I. No. 477 of 2001), and amended by the Companies (Fees) (No.2) Order 2001 (S.I. No. 569 of 2001), the Companies (Fees) Order 2002 (S.I. No. 557 of 2002), the Companies (Fees) Order 2003 (S.I. No. 187 of 2003) and the Companies (Fees) Order (S.I. No. 179 of 2005)) to the Companies Act 1963 (No. 33 of 1963).
4. The Eighth Schedule is altered by substituting the Schedule set out in the Schedule to this Order for that Schedule.

SCHEDULE

Article 4

“EIGHTH SCHEDULE
FEES TO BE PAID TO THE REGISTRAR OF COMPANIES

PART I

Table of Fees

Section 369.

Matter in respect of which Fee is payable	Amount of Fee (paper filing, paper inspection or provision of paper documents)	Amount of Fee (electronic filing, electronic inspection or provision of documents in electronic form)
For registration of a company	€100	€50

For registration of any existing or other company referred to in section 328 except such companies as are by this Act exempted from payment of fees in respect of registration under this Act	€100	€50
For dealing with an application made under section 6 of the Companies (Amendment) Act 1983 for the issue of a certificate under that section	€300	Not applicable (“N/A”)
For registration of documents referred to in section 352 delivered by a company incorporated outside the State	€60	N/A
For registration of documents referred to in Regulation 4(1) and (2), and Regulation 7(1) and (2) of European Communities (Branch Disclosures) Regulations 1993 (S.I. No. 395 of 1993)	€60	N/A
For re-registration of a company in any of the ways provided for under the Companies Acts 1963 to 2005	€60	N/A
For the registration of an application for the restoration of a company under section 12C(2) of the Companies (Amendment) Act 1982	€300	N/A
For registration of an annual return made up to a date prior to 1 March 2002 that is not received by the registrar within 77 days after the date to which it is made up (“the 77 day period”)	€140 plus €3.00 per day for each day on which the failure to file the return continues after the 77 day period, subject to a maximum fee of €1,240 for each return	€120 plus €3.00 per day for each day on which the failure to file the return continues after the 77 day period, subject to a maximum fee of €1,220 for each return

For registration of an annual return made up to a date after 28 February 2002 that is received by the registrar within the period specified in section 127(2) (substituted by section 60 of the Company Law Enforcement Act 2001)	€40	€20
For registration of an annual return made up to a date after 28 February 2002 that is not received by the registrar within the period specified in section 127(2) (substituted by section 60 of the Company Law Enforcement Act 2001) (“the statutory filing period”)	€140 plus €3.00 per day for 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	€120 plus €3.00 per day for 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
For registration of a change in the name of a company	€100	€50
For registration of a document in connection with any change in the situation of the registered office of the company pursuant to section 113	€15	Nil
For registration of a document in connection with any change in the particulars contained in the register of director and secretaries of the company pursuant to section 195	€15	Nil
For registration of a document in connection with any change in the address where the register of members is kept by the company pursuant to section 116(7)	€15	Nil
For registration of a document in connection with any change in the address where the register of debenture holders of a company is kept by the company pursuant to section 91(3)	€15	Nil

For registration of a document in connection with any change in the address where the directors' service contracts or memoranda are kept by the company pursuant to section 50(4) of the Companies Act 1990	€15	Nil
For registration of a document in connection with any change in the address of the persons resident in the State authorised to accept service of proceedings on behalf of the company or the address of the persons resident in the State responsible for ensuring compliance or the address of the branch in the State, pursuant to Regulation 4(3) or 7(3) of the European Communities (Branch Disclosures) Regulations 1993	€15	Nil
For registration of a document in connection with any change in the address of the persons authorised to accept service on behalf of the company or the address of its principal place of business in the State, pursuant to section 353	€15	Nil
For registration of any document that, by the Companies Acts 1963 to 2005, is required or authorised to be registered or required to be delivered, sent or forwarded to the registrar, other than an annual return or any other document specified elsewhere in this Schedule or in connection with a change in the name of a company	€15	N/A
For registration of an ordinary resolution pursuant to section 143 and any document lodged in connection with said ordinary resolution	€15	Nil
For registration of a special resolution pursuant to section 143 and any document lodged in connection with said special resolution, other than a resolution in connection with a change in the name of a company	€15	Nil

For registration of any document in connection with a company becoming a single-member company pursuant to Regulation 5(1) of the European Communities (Single-Member Private Limited Companies) Regulations 1994 (S.I. No. 275 of 1994)	€15	Nil
For registration of any document in connection with a single-member company becoming a multi-member company pursuant to Regulation 6(1) of the European Communities (Single-Member Private Limited Companies) Regulations 1994	€15	Nil
For registration of any notification by an auditor of termination of his appointment by a company pursuant to section 34(3)(a) of the Companies (Amendment) (No. 2) Act 1999	Nil	N/A
For registration of any document containing standard forms of text from the objects clause of a memorandum of association or from articles of association pursuant to section 80(1) of the Company Law Enforcement Act 2001	€100	N/A
For the provision of an electronic certified copy certificate of incorporation for public sector use	N/A	Nil
For the provision of a certified copy of any matter entered in any register kept by the registrar for the registration of companies (including the register referred to in section 103)	€12	N/A
For the making of a record of any fact that, by the Companies Acts 1963 to 2005, is required or authorised to be recorded by the registrar, other than in connection with a change in the name of a company	€15	N/A

For each inspection of any register kept in the office for the registration of companies (including the register referred to in section 103)	€3.50	€3.50
For the provision of an uncertified copy of any matter entered in a register aforesaid	€2.50	€2.50
For application for a certificate pursuant to section 44 of the Companies (Amendment) (No. 2) Act 1999, that a company has a real and continuous link with one or more economic activities that are being carried on in the State	€40	N/A
For application for a certificate pursuant to section 45 of the Companies (Amendment) (No. 2) Act 1999, that a company should not be reckoned for the purpose of determining the number of companies of which a person is a director	€40	N/A
For registration of Notice that a person has ceased to be an officer where the company has failed to file a notice in accordance with section 195(6)	€40	Nil

In this Part “electronic filing” means the submission of data to the Companies Registration Office by means of –

- (a) the electronic form filing system in use by the registrar, or
- (b) the CROdisk electronic filing system together with a corresponding paper filing.

PART II

Limitations on operation of Part I

Where the registrar directs, pursuant to section 23(2), that a company shall change its name, any fee that would, but for this Part, be required to be paid under Part I of this Schedule in respect of the registration of that change shall not be charged, levied or paid."

Given under my hand,
11 July 2005

Michael Ahern
Minister of State at the Department of
Enterprise, Trade and Employment.

EXPLANATORY NOTE

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

This Order amends the Companies (Fees) Order 2001 (S.I. No. 477 of 2001), as amended.

This Order provides for a reduction in or dis-application of filing fees where certain specified documents are filed electronically with the Registrar of Companies and for an increase in filing fees where those documents are delivered in paper format to the Registrar of Companies.

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