

Ms Maureen O’Sullivan
The Registrar of Companies
Companies Registration Office
Gloucester Place Lower
D01 C8P4

6 April 2020

Dear Ms O’Sullivan

COVID19 Measures

Chambers Ireland represents a network of 40 affiliated Chambers of Commerce throughout the country, representing businesses of all sizes and across all sectors of the economy. Our members were very grateful for your speedy action at the start of the Covid 19 crisis in extending current deadlines until 30 June 2020. We would suggest that a link for “Covid 19” should feature on your website’s front page as it has been supplanted by a news release on 3 April.

However, and as anticipated in your initial extension, a further response is now required in light of the length of time which the crisis has already lasted and the likelihood of at least several weeks more remaining.

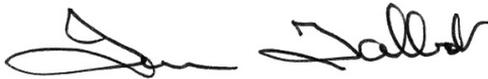
The existing concession you have granted does address issues such as the filing of returns and acknowledges matters such as companies struggling to get accounts formally signed. The passage of time and the more detailed restrictions introduced since your first actions were announced are now creating further issues:

1. While section 161 (6) of the Companies Act 2014 comprehensively allows board meetings to take place by electronic means, it is possible that some companies amended that clause through their own Constitution to limit that capability
2. Practical signature of documents, such as Directors’ Reports, Audit Reports and Accounts is more complex and time consuming.
3. Most significant of all companies are having difficulty holding AGMs (and EGMs). Section 176 (4) of the Act does not allow the same comprehensive ability to hold General Meetings by electronic means as Section 161 (6) does for board meetings. Indeed for most shareholders the integrity of the opportunity for physical attendance at an AGM is a very important feature.

We would now ask you to significantly extend the filing deadlines for all documents due to be filed the CRO to allow appropriate time after the end of restrictions to facilitate the holding of all necessary meetings and notice periods and subsequent filing of documents. It may well be that a legislative solution may be required and, if so, we urge that this be announced and progressed with due speed to ensure that Directors and Company Secretaries are not concerned about being unable to meet the current 30 June 2020 deadlines and those arising in the immediate weeks and months thereafter.

Please do not hesitate to contact me with any queries on 087 2344 829 or at ian.talbot@chambers.ie.

Yours sincerely,



Ian Talbot
Chief Executive

CC
Minister Heather Humphreys, DBEI
Dr Orlaigh Quinn, Secretary General

