



STATUTORY INSTRUMENTS

**S.I. No. 349 of 2008**



COMPANIES (FORMS) REGULATIONS 2008

**(Prn. A8/1402)**

COMPANIES (FORMS) REGULATIONS 2008

I, MARY COUGHLAN, Minister for Enterprise, Trade and Employment, in exercise of the powers conferred on me by sections 3(3) and 226 of the Companies Act 1990 (No. 33 of 1990) 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 make the following regulations:

1. These Regulations may be cited as the Companies (Forms) Regulations 2008.
2. These Regulations come into operation on 16 September 2008.
3. In these Regulations “Act of 1990” means the Companies Act 1990 (No. 33 of 1990).
4. The form (Form H5) set out in the Schedule is prescribed as the form to be used for the purposes of section 226 of the Act of 1990.
5. Regulation 3 of the Companies (Forms) Regulations 1991 (S.I. No. 162 of 1991) in so far as it relates to prescribing Form H5 as the form to be used for the purposes of the provisions of the Companies Act 1990 and the Schedule to the said Regulations in so far as it sets out the said Form H5 are revoked.

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 12 September, 2008.*

SCHEDULE

Regulation 4.

**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

Companies Acts 1983 to

**H5**

Company number

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

**Name of company purchasing shares**  
In full

Limited

**Summary details**

Particulars of shares purchased by the company under section 211 or 224 of the Companies Act 1990. This return to be made within 28 days of the delivery, to the company, of the shares purchased.

Share class	Number	Nominal value per share	Date(s) of delivery <small>note one</small>	Public companies only	
				Maximum price per share	Minimum price per share
<input type="text"/>	<input type="text"/>	€ <input type="text"/>	<input type="text"/>	€ <input type="text"/>	€ <input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input 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

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

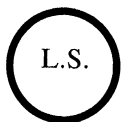
**Presenter details**

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

**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* Shares delivered to the company on different dates and under different contracts may be included.
- 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.



GIVEN under my Official Seal,  
27 August 2008

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.)*

The purpose of these Regulations is to amend and update Form H5 which is to be completed by a company that is purchasing its own shares and/or shares in a holding company.

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 - 6476834/37 nó 1890 213434; Fax: 01 - 6476843 nó 094 - 9378964)  
nó trí aon díoltóir leabhar.

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