



STATUTORY INSTRUMENTS.

S.I. No. 6 of 2007



COMPANIES (FORMS) ORDER 2007

(Prn. A7/0011)

COMPANIES (FORMS) ORDER 2007

I, MICHAEL AHERN, Minister of State at the Department of Enterprise, Trade and Employment, in exercise of the powers conferred on me by section 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 (Forms) Order 2007.
2. This Order shall come into operation on the 22 January 2007.
3. The Companies (Forms) Order 2000 (S.I. No. 62 of 2000) is amended—
 - (a) in Article 7, by substituting “unsworn declaration” for “statutory declaration”, and
 - (b) by substituting the following for Schedule 4:

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 19th January, 2007.

Current officers

I further declare that to the best of my knowledge information and belief the names and addresses of the current officers of the company are as follows: *note four*

Surname
Forename

Residential address

Director Secretary *note one*

Surname
Forename

Residential address

Director Secretary *note one*

Surname
Forename

Residential address

Director Secretary *note one*

Surname
Forename

Residential address

Director Secretary *note one*

And I make this declaration conscientiously believing the same to be true. *note five*

Signature of declarant *name of person completing form*

_____ This _____ day of _____ 20_____

NOTES ON COMPLETION OF FORM B69

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 B69 is considered inadequate, the information should be presented on a continuation sheet in the same format as the relevant section in the form. The use of a continuation sheet must be so indicated in the relevant section and noted on the continuation sheet.
- note one** Tick the relevant box(es).
- note two** Tick the box to state the letter marked "A" is attached. Letter "A" must be signed by the declarant and attached to the form.
- note three** Tick the box to state the letter marked "B" is attached. Letter "B" must be signed by the declarant and attached to the form. Letter "B" must specifically:
- i. request the company to send notification of the fact of the resignation ie Form B10, to the Registrar of Companies within **21 days**;
 - ii. inform the company that failure to do this will result in Form B69 being filed in the CRO and in the resigning officer sending a written request (enclosing a copy of his/her letter of resignation) to every person who, to his/her knowledge, is an officer of the company, that he/she will take such steps as will ensure that the failure of the company to comply with the notice continues no further.
- note four** Where the declarant does not know the names and addresses of the current officers, this should be stated on the form and entered as "Not Known".
- note five** The declaration is an unsworn declaration of compliance with all the legal requirements relating to notification to the registrar of companies by a director/secretary of his/her own resignation. It is a criminal offence pursuant to section 242 of the Companies Act 1990 for a person to knowingly or recklessly deliver a document to the CRO which is false in a material particular.

”.

4. The Form (Form B77) set out in the Schedule hereto is prescribed for use in connection with sections 57(4)(a) and 58(2) of the Investment Funds, Companies and Miscellaneous Provisions Act 2005 (No. 12 of 2005).

5. The Companies (Forms) Order 2005 (S.I. No. 694 of 2005) is revoked.

NOTES ON COMPLETION OF FORM B77

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 B77 is considered inadequate, the information should be presented on a continuation sheet in the same format as the relevant section in the form. The use of a continuation sheet must be so indicated in the relevant section.
- note one** Tick the relevant box. One box only ought to be ticked.
- note two** Where you wish to appoint a firm (partnership) as your company's electronic filing agent, the name and principal office of the firm may be stated instead of the names of all the partners in that firm. By appointing a firm by name, you indicate the appointment as your company's electronic filing agent of those persons who shall, from time to time during the currency of that appointment, be the partners in that firm as from time to time constituted.
- note three** Your agent will have been issued with a CRO ID when applying to CRO to act as an electronic filing agent.
- note four** This form must be certified by a current officer of the company.
- note five** Tick the relevant box(es).



GIVEN under my hand,
15 January 2007

MICHAEL AHERN

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

EXPLANATORY NOTE

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

The purpose of this Order is to revoke forms to be used for the purposes of certain provisions of the Companies Acts 1963 to 2006 and to prescribe replacement forms to be used for the purposes of those provisions.

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