



An Roinn Fiontar,
Turasóireachta agus Fostaíochta
Department of Enterprise,
Tourism and Employment

Public Consultation on proposed changes to the Companies Act 2014 and related legislation

Response Template

Section A: Proposed amendments to the Companies Act 2014

Implications of the proposed changes for information maintained by companies:

Question A1:

Do you have any views on the intended approach relating to the maintenance by companies of address details of relevant officers?

Response: Based on my lifetime experience as a chartered surveyor, and Managing Valuer [REDACTED] until my retirement, I believe the proposed change is a retrograde step, and leaving aside the widespread concerns of the investigative media, I believe that civil society is entitled to maximum transparency and accountability in accessing records. In my time in professional property portfolio management, I was constantly troubled by an apparent unconcern by the State of links between public bodies and commercial development entities engaged in major developments. It is a matter of public record that during the time that NAMA was in operation, [REDACTED]

Similarly I dealt with dozens of major property dealings involving many of the largest property developers and where there was great difficulty in looking behind the corporate veil to identify possible and actual connections between commercial interests, none of which from my perspective served the best interests of the State.

I note the Law Society has sided with the proposed change, a position I would regard as emblematic of the comment made by Mandy Rice Davies, in the Christine Keeler/Profumo Affair, several decade ago when she remarked in court to the judges “they would say that wouldn’t they?”

Implications of the proposed changes for filing with the Companies Registration Office:

Question A2:

Do you have any views on the intended approach relating to the filing with, and maintenance by, the Companies Registration Office of address details of relevant officers?

Response: For reasons set out in my answer to Q A1 above, I would strongly disagree with any attempt to strengthen the “corporate veil” by redacting addresses of relevant officers. I note it is not intended that any change to the existing legislation will apply retrospectively, but this in itself is not in my view satisfactory.

Restricted access to the “usual residential address”:

Question A3:

Do you have any views on the proposed list of entities that may be granted access to the “usual residential address” of relevant officers?

Response: I have no issue, per se, with the proposed list of entities that may be granted access to the “usual residential addresses” of relevant officers, other than in my experience meaningful information that it is in the public interest to be released, is usually only extracted by the investigative media using the FOI process if necessary, and that much of this research is often frustrated by claims, often seemingly spurious and denied to the public by reason of commercial sensitivity, as not being in the public interest. GDPR has in my view been relied upon as a convenient pretext, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Question A4:

Are there any other comments you wish to make on the proposed approach to dealing with the “usual residential address” of relevant officers?

Response:

In a separate context, relating to governance of the Multi-Unit Developments sector, I would also be concerned about changes to access the names and addresses of officers and directors of Owners Management Companies.

[REDACTED]

[REDACTED]

[REDACTED] The statutory role of “company secretary”, required under the Companies Act is frequently outsourced to the external managing agent. In consequence much of the day to day control, including maintenance of the Company Register, and the financial control of an OMC effectively passes to the managing agent, [REDACTED]

[REDACTED]

[REDACTED] This is being addressed separately as part of a review of the current MUDs legislation (the Multi-Unit Development Act 2011, where the Law Reform Commission pressed for separation of these powers.

Section B: Proposed changes to the Co-operative Societies Bill:

Implications for information retained by a Co-operative Society:

Question B1:

Do you have any views on the intended approach relating to the maintenance by co-operative societies of address details of relevant officers?

Response:

Not relevant to my submission.

Implications of the proposed changes for information maintained by the Registrar of Co-operative Societies:

Question B2:

Do you have any views on the intended approach relating to the filing with, and maintenance by, the Registrar of Co-operative Societies of address details of relevant officers of co-operative societies?

Response:

Not relevant to my submission.

Restricted access to the “usual residential address”:

Question B3:

Do you have any views on the proposed list of entities that may be granted access to the “usual residential address” of relevant officers of co-operative societies?

Response:

Not relevant to my submission.

Question B4:

Are there any other comments you wish to make on the proposed approach to dealing with the “usual residential address” of relevant officers of co-operative societies?

Response:

Not relevant to my submission.

Section C: Changes to the Registration of Limited Partnerships and Business Names Bill:

Implications for information retained by the LP:

Question C1:

In relation to the implications for Limited Partnerships, do you have any comments on the proposals?

Response:

Not relevant to my submission.

Implications of the proposed changes for information on LPs maintained by the Registrar of Companies:

Question C2:

Do you have any views on the intended approach relating to the filing with, and maintenance by, the Registrar of Companies of address details of a partner in a Limited Partnership?

Response:

Not relevant to my submission.

Implications of the proposed changes for information on Register of Business names maintained by the Registrar of Companies:

Question C3:

Do you have any views on the intended approach relating to the filing with, and maintenance by, the Registrar of Companies of address details of a person registering a business name?

Response:

Not relevant to my submission.

Restricted access to the “usual residential address” for an LP and a registered business name:

Question C4:

Do you have any views on the proposed list of entities that may be granted access to the “usual residential address” of a partner of a Limited Partnership or a registered business name applicant?

Response:

Not relevant to my submission.

Question C5:

Are there any other comments you wish to make on the proposed approach to dealing with the “usual residential address” of a partner of a Limited Partnership or a registered business name applicant?

Response:

Not relevant to my submission.

Freedom of Information Act 2014 and Publication of Submissions

Your attention is drawn to the fact that information provided by you in submissions is subject to release by the Department under the Freedom of Information Act 2014. In responding to this public consultation, all individuals and organisations should clearly indicate where their submission contains personal information, commercially sensitive information, or confidential information which they would not wish to be made publicly available by being published on the Department's website or released by the Department pursuant to the receipt of an FOI Request under the Freedom of Information Act 2014.

General Data Protection Regulation (GDPR) and Data Protection Acts 1988 to 2018

The Department of Enterprise, Tourism and Employment is subject to the provisions of the GDPR and Data Protection Acts 1988 to 2018. In this context, the Department will treat all personal information which you provide in submissions as part of this public consultation process with the highest standards of security in line with our data protection compliance requirements. We would like to draw your attention to the Department's Data Protection Privacy Notice which is available on our website and explains how and when we collect personal data, why we do so and how we treat this information. It also explains your rights in relation to the collection of your personal information and how you can exercise your rights under data protection laws.

November 2025