



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:

We fully support the intended approach, subject to our comments at A4 below.

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:

We fully support the intended approach, subject to our comments at A4 below.

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:

We fully support the intended approach, subject to our comments at A4 below.

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:

We are concerned that the positive impact of these changes will be undermined by the proposal that they “...*not have retrospective effect so that the “usual residential address” of relevant officers will continue to be available on previous filings with the CRO*”.

Increasing scrutiny regarding the public disclosure of corporate officers’ personal details has largely related to both fraud prevention and the personal security of those officers. Without a mechanism for officers to apply to have their usual residential address retrospectively removed from publicly accessible records, both current and retired corporate officers, as well as the companies they act for, remain exposed to these risks.

On that basis, we respectfully propose that an “opt out” process, similar to the process recently introduced in the UK in January 2025 (pursuant to amendments made to the Companies (Disclosure of Address) Regulations 2009 by regulation 5(6) of the Protection and Disclosure of Personal Information (Amendment) Regulations 2025), is implemented in Ireland by way of amendment to section 150 subsections (11) and (12) of the Companies Act 2014. Such amendments should allow a relevant officer to apply to remove their residential address from publicly available historic filings in limited circumstances; for example, if they or their dependents remain resident at the relevant usual residential address, or if personal safety risks arise through continued public availability of the usual residential address.

To this end, we respectfully suggest that consideration is also given:

- (a) to investment in redaction software to support the CRO in amending previous filings that contain the “*usual residential address*” of a relevant officer; and
- (b) to expressly authorise the CRO to issue a notice of directors whose residential address must be removed from records held by private providers that remain accessible to the public through a paywall, to be published weekly in the CRO Gazette.

We would propose that similar changes are made to the corresponding provisions of the Co-operative Societies Bill and Registration of Limited Partnerships and Business Names Bill, when finalised (see B4 and C5 below).

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:

We fully support the intended approach, subject to our comments at B4 below.

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:

We fully support the intended approach, subject to our comments at B4 below.

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:

We fully support the intended approach, subject to our comments at B4 below.

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:

Please see our response to A4 above.

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:

We fully support the intended approach.

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:

We fully support the intended approach, subject to our comments at C4 below.

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:

We fully support the intended approach, subject to our comments at C4 below.

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:

We fully support the intended approach, subject to our comments at C4 below.

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:

Please see our response to A4 above.

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.

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