



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 recommend that companies should be required to continue to maintain a record of the 'usual residential address' of directors and secretaries, for provision to third parties on foot of a court order or for other lawful purposes.

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 recommend that there should be a requirement for the 'usual residential address' of company officers to be filed with the Companies Registration Office (CRO), and that officers should be obliged to update the CRO of any changes to their residential address within a reasonable timeframe.

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 recommend that, in addition to the proposed list of entities that may be granted access to the ‘usual residential address’ of company officers (based upon the ‘Tier 1’ users of the Register of Beneficial Ownership), access should also be provided to journalists, civil society organisations and academics on the basis of (i) their proven contribution – enshrined in EU law and policy – to the Union’s fight against money laundering, its predicate offences and terrorist financing, and (ii) more broadly, their role – recognised by the European Court of Human Rights – as public watchdogs, acting in the public interest. Further details on the rationale for our recommendation is provided 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:

Whilst we recognise the validity of privacy and security concerns relating to the publication of company officers' residential addresses, it is equally important to highlight that residential address details have played a valuable role in assisting journalists, academics and civil society organisations to expose a range of wrongdoing, including bribery, corruption, fraud, money laundering and various other illicit activities.

The contribution of journalists, academics and civil society organisations to the fight against money laundering, its predicate offences and terrorist financing was explicitly acknowledged in [Directive \(EU\) 2024/1620 of the European Parliament and of the Council](#) (the Sixth Anti-Money Laundering Directive), which provided for access to beneficial ownership information by these categories of persons, whether natural or legal persons. The Directive also made provision for protection against retaliation or intimidation by preventing the personal details of such persons from being shared with the legal entity or beneficial owner concerned.

In addition, the [European Court of Human Rights](#) has recognised journalists and civil society organisations as 'public watchdogs' who play a vital role in reporting on matters of public interest, including 'when reporting on irregularities of public officials' (para. 320, p. 61). The Court clarified that this role creates an onus to act and report in a responsible and ethical manner.

We consider that providing access to the residential addresses of company officers for journalists, civil society organisations and academics achieves a reasonable and proportionate balance between protecting the privacy and security of company directors and secretaries and their families and co-residents, whilst also ensuring that the vital public interest functions of the media, civil society and academia are safeguarded and maintained. This role has been acknowledged in EU law and policy in relation to the fight against money laundering and its predicate offences, but also extends to tackling other forms of economic crime, as well as a wide range of other wrongdoing.

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:

[As per response to A1 but applied to co-operative societies]

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:

[As per response to A2 but applied to co-operative societies]

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:

[As per response to A3 but applied to co-operative societies]

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:

[As per response to A4 but applied to co-operative societies]

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:

[As per response to A1 but applied to Limited Partnerships]

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:

[As per response to A2 but applied to Limited Partnerships]

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:

[As per response to A2 but applied to Limited Partnerships]

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:

[As per response to A3 but applied to Limited Partnerships]

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:

[As per response to A4 but applied to Limited Partnerships]

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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