

Company Law Review Group - Work Programme 2014-2016

Priority Item

1. Provide ongoing advice to the Department of Jobs, Enterprise and Innovation on the provisions of the Companies Bill 2012, including responding to queries raised by the Parliamentary Counsel and assisting the Department in advising the Minister on matters arising in the course of the passage of the Bill through the Houses of the Oireachtas and, once enacted, its subsequent implementation.

Other Items for Consideration

2. Examine and make recommendations on whether it will be necessary or desirable to amend company law in line with recent caselaw and submissions received after the publication of the Companies Bill 2012 and which were not included in the Bill, in particular those proposals relating to –
 - Part 6 of the Companies Bill 2012 (Financial statements, annual return and audit)
 - Part 8 of the Companies Bill 2012 (Receivers)
 - Part 10 of the Companies Bill 2012 (Examinerships)
 - Part 11 of the Companies Bill 2012 (Winding Up)
 - Part 12 of the Companies Bill 2012 (Strike Off and Restoration)
3. Examine and make recommendations on whether it is necessary or desirable to provide for amendments to the law relating to the representation of a company before the Courts.
4. Examine and make recommendations on whether it is necessary or desirable to adopt, in Irish company law, the UNCITRAL Model Law on Cross-Border Insolvency.
5. Review the enforcement of company law and, if appropriate, make recommendations for change.
6. Provide ongoing advice to the Department of Jobs, Enterprise and Innovation on EU proposals, as requested by the Department, including proposals arising from –
 - The EU Action Plan on company law and corporate governance
 - The review of the EU's insolvency regime.
7. Review the Supreme Court judgement of 09.07.2015 (Appeal No. 2011/361) and its implications for the priority of payments to creditors in company liquidations.