

11th May 2020

Ms Michele O'Boyle

President

The Law Society of Ireland

Blackhall Place

Dublin 7

Dear Ms O'Boyle,

I refer to your letter of 7th May last regarding the level of service currently being provided by the CRO.

As is the case throughout the country, CRO is currently operating in a lockdown situation where the only people allowed to attend work in person are those who are providing an essential service whose work cannot be done from home. Furthermore, strict social distancing protocols are in place for those attending the office meaning that staff numbers must be extremely limited to guard against transmission of COVID 19. This clearly impacts on the service provided by the CRO.

In the period since 27th of March when restrictions were introduced, CRO has expanded the range of services that it can provide to its users. It has done this by continually increasing the range of tasks that can be done by staff working from home. However, the nature of the work of the CRO is that most online forms need to be signed and physically sent in to the office. Limited numbers of staff are attending both the Carlow and Dublin offices every day to ensure that all post is being opened and date stamped.

Those documents must be scanned onto the CRO database by staff in the office before staff working from home can process them. With the reduced number of staff available in the office, it is not possible to scan and receive all documents onto the system and the office has had to prioritise. The services being prioritised are the incorporation of companies, registration of business names, change of name and SAPs. That does not mean that other submissions are not being dealt with but that the priority areas are being processed first.

Certain functions provided by the CRO, such as the registration of Mortgages, are completely automated and are being processed as normal.

It has always been the case that if there is an exceptional or urgent filing to be dealt with that the presenters have been able to contact the CRO in order to have the matter dealt with. I can confirm that this facility is continuing and indeed we only recently made arrangements with a law firm to accept delivery of a Court Order and other documents that were extremely time critical.

Late filing penalties

On 18th of March last the Minister for Business, Enterprise and Innovation announced that the Registrar of Companies had decided that companies who are due to file their annual returns would be deemed to have filed on time if all the elements of the return were received in the CRO by the 30th of June and therefore the question of late filing penalties for companies who are unable to file before 30th of June does not arise. This date will be reviewed and an announcement made by the end of May.

I should note at this point that CRO continues to receive high numbers of filings of Annual Returns online and high levels of post are being received in the office so it appears that some companies have been able to file as usual during this period.

CRO Search facility

The CRO online search facility continues to be available as normal. All liquidation, receivership and examinership filings are being received onto the system and are up to date as of 8th May 2020. When such documents are received onto the system they become visible on the company search facility and may be downloaded and viewed by users.

There is a backlog in the processing of Annual Return forms which are currently up to 30th of March 2020. However, this backlog is being addressed and I expect it to return to normal service levels (10 working days) in due course although it will take some time.

In relation to the specific issues raised in your letter

- B10s are being processed and registered in line with normal timeframes and there is no backlog.
- B46s continue to be processed as normal and there were only a small number remaining to be processed at close of business on 8th of May.
- There are no plans for an online filing system for Limited Partnerships at this time. However, Limited Partnership filings are being received and processed as usual and are up to date.
- Change of name applications are being processed as normal within the usual customer service timeframes.
- Both the voluntary and involuntary strike off processes have been paused since mid-March.
- CRO is not currently processing applications for cross border mergers. However, in the event that there is an urgent issue, presenters can contact the office as noted above.
- The receipt of post incorporation documents onto the system (other than those specifically referenced above) is up to 6th of April 2020.

I trust that this clarifies the services being provided by CRO at this time. Please do not hesitate to contact me if you have any further queries.

Regards

Maureen O'Sullivan
Registrar of Companies