

Company Secretarial Services

Voluntary Strike Off Process



RESOURCE DOCUMENT - V1. 2014

Voluntary Strike Off Process (VSO)

A company that ceases to trade and has no outstanding creditors can request the Registrar to strike off the company.

Section 311 Companies Act 1963 (as amended) gives the Registrar power to strike companies off the register. However, it is a discretionary power which the Registrar will use only if a director of a company makes a formal request to her on the form H15 to strike the name of his/her company off the register. Form H15 has no filing fee.

The company can request voluntary strike-off provided:

- The company has ceased trading/has never traded and that it will not re-commence or commence trading, as applicable, in the period prior to its being struck off the register.
- As at the date of the application,
 - a) the amount of any assets of the company does not exceed €150
 - b) the amount of any liabilities of the company (including contingent and prospective liabilities) does not exceed €150.

Such request is conditional on the following being received:

- All outstanding annual returns and payment of relevant fees and penalties.
- A letter of no objection from the Revenue Commissioners (dated within six months of the Form H15)
- The entire page of the newspaper containing the advertisement paragraph (photocopies not accepted). (The advertisement is placed within the six weeks prior to receipt by the CRO of the Form H15)

Steps to be followed:

Step 1: All outstanding annual returns must be filed by the company at least two weeks before the request for strike-off is made and relevant fees and any applicable late filing penalties in respect of such filings must be paid.

Step 2: Ensure that all outstanding returns and payments of relevant fees and penalties have been filed with the revenue commissioners. A letter of no objection can be obtained from the Revenue Commissioners. This should be

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requested in writing from the Office of the Revenue Commissioners, Companies Unit, City Centre Revenue District, 9/15 Upper O'Connell Street, Dublin 1.

Step 3: When the Revenue Commissioners issue a letter of no objection you can proceed to the next stage.

Step 4: An advertisement needs to be published in a daily national or local newspaper in the locality of the registered office of the company. This advertisement should appear in a newspaper published not more than 6 weeks prior to the delivery of the strike off notification to the CRO. The entire page on which the advertisement appears should be submitted to

the CRO, as it's essential that both the name of the newspaper and the date of publication are displayed with the advertisement.

Step 5: A form H15, along with the entire newspaper page on which the advertisement was published, and a copy of the letter of no obligation from the Revenue Commissioners needs to be submitted to the CRO.

The company secretary should receive 2 letters from the CRO a month apart formally asking them if they still wish to strike the company off the register. The Registrar will then advertise her intention to strike the name of the company off the register and finally, a further month later, the company will be struck off and dissolved.

Squires Gilbride - Chartered Accountants & Advisors are located in Dublin, Ireland.

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