# ADMINISTRATIVE (H1) RESTORATION – OWNERS' MANAGEMENT COMPANIES

Where an Owners Management Company has been struck off voluntarily under section 733 Companies Act 2014, section 311 Companies Act 1963 or was struck off under section 12 Companies Amendment Act 1982, it may apply for restoration by filing within **six years** of the date of dissolution.

***What steps need to be undertaken to apply to have a company restored***

1. A form H1-OMC will need to be completed and signed with the following attached:
    - Certificate from a solicitor or accountant certifying that the company is an Owners' Management Company and is operating as such
    - Certified copy of the deed of transfer of the common areas or part thereof, of the multi-unit development in respect of which the company was incorporated. The deed should be dated no later than the day prior to the date of the company's dissolution.
2. All outstanding Annual Returns must be prepared with the relevant audited accounts
3. All fees due to the Companies Registration Office in respect of the filing duty due for the form H1-OMC (€300), standard filing fees and late filing penalties due if any on the annual returns.

Upon registration of the application and payment of the relevant fees the company shall be restored to the Register within 2 / 3 weeks and shall be deemed to have been in existence as if it had never been dissolved

Once the company has been restored, CFI will commission a Certified Print-Out from the CRO's records which will show the status of the Company as "Normal". This document can then be presented to banks, solicitors and other parties needing confirmation of the company's legal standing.

(Every company being restored to the register must be in compliance with the provisions of the Companies Act 2014. Since 1st December 2016 old unconverted private limited by shares companies become LTD companies and guarantee companies and unlimited companies must be accord with the name change requirements imposed by the Act.)

Should you wish to engage CFI to attend to this procedure on your behalf we would need the following items;

1. All outstanding annual returns and accounts **OR** instructions to prepare the returns together with payment of late penalties and standard filing charges.

2. A Form H1-OMC signed by a director, Secretary or Member of the above company which ever applies (**relevant certificates must also be attached to the Form H1-OMC) – form will be provided once instructions are received to proceed.**

3. CFI fees as indicated below:

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| CFI fees for completion & submission of Form H1/ H1(OMC) to CRO | €299 |
| | |
| VAT @ 23% | €68.77 |
| Duty payable to CRO for filing of the form H1 OMC | €300 |
| **TOTAL** | **€667.77** |

***Please note audited accounts must be attached to all annual returns, even if Audit Exemption would otherwise have applied.***

If you would like further information on the above matter, please contact **Karen Corcoran or Sean Kavanagh** at CFI on +**353 1 664 1177**. Or better still you can email us directly at **karen@formations.ie**.

***Very Important note:***

***The information in this document is of a general nature only and is not intended to address the circumstances of any particular person, corporation or entity. There is no guarantee that the information in this document is accurate as of the date it is received, or that it will continue to be accurate in the future. No individual or entity should act on the contents herein without first taking appropriate legal, accounting and taxation advice that is specific to their circumstances.***




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