

Restoration on application to Registrar

737. (1) On an application by a person specified in subsection (4), the Registrar may restore a company to the register if—

(a) the Registrar has reasonable cause to believe that the strike off of the company has disadvantaged the applicant,

(b) the application is made in the prescribed form,

(c) the application is received by the Registrar within the period of 12 months after the date of dissolution of the company, and

(d) the requirements of subsection (2) have been satisfied within the period of 15 months after the date of dissolution of the company.

(2) Subject to subsection (3), the requirements referred to in subsection (1)(d) are the following:

(a) the Registrar has received from the company all annual returns outstanding, if any, being annual returns prepared in accordance with Part 6;

(b) the Registrar is satisfied that section 137 (1) is being complied with in relation to the company; and

(c) the Registrar is satisfied that no notification required by section 149 (8) remains outstanding in relation to the company.

(3) If the ground, or one of the grounds, on which the company had been struck off the register is that referred to in section 726 (b), subsection (2) shall have effect as if the following paragraph were inserted after paragraph (a) of that subsection:

“(aa) the Registrar has received written confirmation from the Revenue Commissioners that they have no objection to the company being restored to the register under this section;”.

(4) The Registrar may restore a company to the register on the application of a person who was a member or an officer of the company at the date of its dissolution.

(5) On the registration of an application under this section and on payment of such fee as may be prescribed, the Registrar shall restore the company to the register and the company shall be deemed to have continued in existence as if it had not been struck off the register.

(6) Subject to any order made by the court in the matter, the restoration of a company to the register under this section shall not affect the rights and liabilities of the company in respect of any debt or

obligation incurred, or any contract entered into, by, to, with or on behalf of the company between the date of its dissolution and the date of restoration.