

Functions of Director

949. (1) The functions of the Director are—

(a) to encourage compliance with this Act,

(b) to investigate—

(i) instances of suspected offences under this Act, and

(ii) instances otherwise of suspected non-compliance with this Act or with the duties and obligations to which companies and their officers are subject,

(c) to enforce this Act, including by the prosecution of offences by way of summary proceedings,

(d) at his or her discretion, to refer cases to the Director of Public Prosecutions where the Director has reasonable grounds for believing that an indictable offence under this Act has been committed,

(e) to exercise, in so far as the Director considers it necessary or appropriate, a supervisory role over the activity of liquidators and receivers in the discharge of their functions under this Act,

(f) for the purpose of ensuring the effective application and enforcement of obligations, standards and procedures to which companies and their officers are subject, to perform such other functions in respect of any matters to which this Act relates as the Minister considers appropriate and may by order confer on the Director,

(g) to act under Chapter 2 as a member of the Supervisory Authority and, if appointed under section 907, act as a director of that body, and

(h) to perform such other functions for a purpose referred to in paragraph (f) as may be assigned to the Director under this Act or any other Act of the Oireachtas.

(2) The Director may do all such acts or things as are necessary or expedient for the performance of his or her functions under this Act or any other Act.

(3) The Director shall be independent in the performance of his or her functions.

(4) The Director may perform such of his or her functions as he or she thinks fit through an officer of the Director and in the performance of those functions the officer shall be subject to the directions of the Director only.