



**AUDITORS' AND COMPANIES' DUTY TO NOTIFY IAASA
ON CESSATION OF OFFICE BY AN AUDITOR ¹**

FREQUENTLY ASKED QUESTIONS

¹ In accordance with sections 403 and 404 of the Companies Act 2014.

What are the auditor's obligations and what format should the Auditor Notification take?

In accordance with section 403 of the Companies Act 2014, within 30 days of ceasing to hold office, the outgoing auditor shall notify IAASA, using the Auditor Notification Form.

The Auditor Notification Form shall be accompanied by:

- **in the case of resignation from office by the auditor**, a copy of the notice of resignation served to the company², containing either a statement to the effect that there are no circumstances in connection with the resignation which should be brought to the notice of members or creditors of the company; or a statement of any such circumstances.
- **in the case of removal of the auditor from office by the company**³, a copy of any representations in writing made to the company by the outgoing auditor⁴, in relation to the intended resolution removing the auditor, except where such representations were not sent to the members of the company in consequence of an application to the court⁵.

What are the company's obligations and what format should the Company Notification take?

In accordance with section 404 of the Companies Act 2014, within 30 days of the auditor ceasing to hold office, the company shall notify IAASA, using the Company Notification Form.

The Company Notification Form shall be accompanied by:

- **in the case of resignation from office by the auditor**, a copy of the notice of resignation served to the company², containing either a statement to the effect that there are no circumstances in connection with the resignation which should be brought to the notice of members or creditors of the company; or a statement of any such circumstances.
- **in the case of removal from office of the auditor by the company**³:
 - a copy of the resolution removing the auditor; and
 - a copy of any representations in writing made to the company by the outgoing auditor⁴, in relation to the intended resolution removing the auditor, except where such representations were not sent to the members of the company in consequence of an application to the court⁵.

Must a separate Notification Form be submitted for each company within a group of companies from which an auditor has ceased to hold office?

No. Where an auditor has ceased to hold office from a group of companies, as defined by Irish Company Law⁶, and the details of the cessation (date, reason etc.) are the same for each company within the group, then a single Auditor Notification Form and a single Company Notification Form in respect of the parent company are required to be submitted to IAASA. These forms must be accompanied by a list of the group companies from which the auditor has ceased to hold office, using the "List of Group Companies" sheet in the Auditor Notification Form or Company Notification Form, as appropriate.

² Under section 400(1) of the Companies Act 2014.

³ Pursuant to section 394 of the Companies Act 2014.

⁴ Pursuant to section 397(2) of the Companies Act 2014.

⁵ Under section 397(4) of the Companies Act 2014.

⁶ Section 8(3) of the Companies Act 2014.

Are there any exceptions to the requirement to notify IAASA on cessation of office by an auditor?

Yes. Notification to IAASA is not required, by either the auditor or the company, where the cessation of office by an auditor is due to a company:

- becoming audit exempt;
- being liquidated; or
- being struck off the Companies' Register.

Is notification to IAASA required on incorporation of an auditor?

Yes. Where an auditor transfers clients from an unincorporated audit practice to an incorporated audit practice, the auditor must submit a Notification of Auditor Incorporation Form to IAASA. Details of all clients affected shall be submitted through the form. Notifications to IAASA may be submitted in batches as clients are transferred to the incorporated audit practice i.e. it is not necessary to transfer all clients simultaneously.

Is notification to IAASA required where an auditor ceases to hold office in respect of a company registered outside the Republic of Ireland?

No. Notification to IAASA on cessation of office by an auditor is only required in respect of companies registered in the Republic of Ireland. Consequently, where an auditor resigns or is removed as auditor from a group of companies, notification to IAASA is not required in respect of group companies registered outside the Republic of Ireland.

How do I submit a notification?

Notifications must be submitted electronically via the IAASA website.

Will an acknowledgement of receipt be issued by IAASA?

The system will confirm that a notification has been submitted as part of the online submission process. Due to the high volume of Notification Forms received, it is not IAASA's policy to issue any further acknowledgements.

Is there a filing fee for notifications?

No. At present there is no fee charged by IAASA for submission of either auditor or company notifications.

Further information

Further information on this subject may be obtained in the relevant sections of the Companies Act 2014.