

Ireland

1. **Public companies limited by shares - Public companies limited by guarantee having a share capital**
2. **Private companies limited by shares - Private companies by guarantee having a share capital**

*Brief overview: Establishment and structure of the
4 above-mentioned types of company*

Statutory basis:

Company Acts from 1963 – 1990

Requirements for establishment

- Company agreement, consisting of
 1. the Memorandum of Association (governs the company's authority vis a vis third parties, e.g. nature of business activity, capital etc.) and
 2. the Articles of Association (governs relationships between shareholders as well as between shareholders and directors, e.g. formation agreement, governs relationships between company members etc.)
- Entry in the Commercial Register

Minimum capital

Only mandatory for a public limited company: 30,000 IR£ = 38,092.14 euro.

Organisation

1) General meeting (of shareholders)

Responsibilities include

- Appointment and deselection of board of directors, unless the articles of association already set down the directors
- Invitation to General Meeting

Meeting: at least once per year

2) Board of Directors

Company executive; responsible for all decisions affecting interests of the company, its shareholders and employees

Brief overview: Employee participation at board level

None.

Exception: state-owned companies

Representation of employees on board of directors since 1977 (number of employee representatives: employees make up 1/3 of membership of the board of directors; nominations by trades union or 15 % of the workforce; the rights and responsibilities of employee representatives are the same as those of the other members).

Source: Büggel, A. (2003) *Company law and existing legislative provision for employee participation in the EU member states*, in R. Köstler and A. Büggel, *The European Company and Company law and existing legislative provision for employee participation in the EU member states*, Brussels: ETUI. Report 79 (to order the whole report, please send an e-mail to etui@etuc.org; price: €20).