



**AUDITORS', COMPANIES' AND QUALIFYING PARTNERSHIPS'
DUTY TO NOTIFY IAASA ON CESSATION OF OFFICE BY AN
AUDITOR¹**

Frequently Asked Questions

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

1. How do I submit a notification?

Notifications should be submitted electronically by completing the online form and attaching notices as required under legislation. All forms should be submitted via the IAASA website.

2. 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 by the auditor to the company or qualifying partnership under section 400(1). The notice shall contain 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, partners in or creditors of the company or partnership; or a statement of any such circumstances which should be brought to the notice of members, partners in or creditors of the company or partnership.

Where there are no circumstances connected with the resignation of the auditor, the notification shall also be accompanied by a statement of the reasons for the auditor resignation

- in the case of removal of the auditor pursuant to section 394 by the company, a copy of any representations in writing made to the company pursuant to section 397(2) by the outgoing auditor 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 court under section 397(4).
- in the case of removal of the auditor pursuant to section 394, a copy of any representations in writing made to the qualifying partnership by the outgoing auditor in relation to the auditor ceasing to hold office.

3. 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 company, 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 which should be brought to the notice of members or creditors of the company.

- in the case of removal from office of the auditor
 - a copy of the resolution removing the auditor; and
 - a copy of any representations in writing made to the company pursuant to section 397(2), by the outgoing auditor 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 court under section 397(4)

4. What are the Qualifying Partnership's obligations and what format should the Qualifying Partnership Notification take

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

The Qualifying Partnership 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 qualifying partnership under section 400(1), 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 partners in or creditors of the partnership; or a statement of any such circumstances which should be brought to the notice of partners in or creditors of the partnership.
- in the case of removal from office of the auditor by the
 - a copy of the statement by the partners of the reasons for the auditor's ceasing to hold office and
 - a copy of any representations in writing made to the qualifying partnership by the outgoing auditor in relation to the auditor ceasing to hold office.

CURRENTLY THERE IS NO SEPARATE FORM FOR QUALIFYING PARTNERSHIPS. PLEASE USE AVAILABLE FORMS ON WEBSITE FOR RESIGNATION AS AUDITOR.

5. 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 Law, 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.

Please contact notifications@iaasa.ie if you have any issues with submission of group companies.

6. 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.

7. Is notification to IAASA required on incorporation of an auditor?

Yes. If an auditor resigns when transferring 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.

8. Is notification to IAASA required when a new auditor is appointed, with either the new auditor or company?

No. IAASA only needs to be notified of the cessation of office of auditor. New auditor appointment information should be filed with the CRO.

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

No. Notification to IAASA on cessation of office by an auditor is only required in respect of companies or qualifying partnerships 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.

10. Will an acknowledgement of receipt be issued by IAASA?

The system should confirm that a notification has been submitted as part of the online submission process, however there is currently no confirmation number or confirmation email provided. Please contact the IAASA Notification team at notifications@iaasa.ie if you require a confirmation.

11. I want to know if the auditor/company/qualifying partnership has notified IAASA:

We note your request for confirmation of notification of the auditor, company or qualifying partnership resignation. We are unable to provide this information and suggest that you direct your request for confirmation to the relevant auditor, company or qualifying partnership. Please be advised, the auditor, company or qualifying partnership can contact us directly for confirmation of submission.

12. The incorrect letter was uploaded with our submission:

Please contact the IAASA Notification team at notifications@iaasa.ie who will be able to assist you.

13. Is there a filing fee for notifications?

No. At present there is no fee charged by IAASA for submission of either auditor, company or qualifying partnership notifications. Further information on this subject may be obtained in the relevant sections of the Companies Act 2014.

14. I am unable to submit form?

Please contact the IAASA Notification team at notifications@iaasa.ie who will be able to assist you.

15. What do I do if my submission is late?

In accordance with section 403 of the Companies Act 2014, within 30 days of ceasing to hold office, the outgoing auditor shall notify IAASA, Please contact the IAASA Notification team at notifications@iaasa.ie who will be able to assist you.