



**An Roinn Fiontar,
Trádála agus Fostaíochta**
Department of Enterprise,
Trade and Employment

Call for Expressions of Interest:

Appointment as Ministerial Nominees to the Company Law Review Group

28 April 2022

Contents

1. Expressions of Interest.....	3
2. Company Law Review Group (CLRG)	3
Purpose	3
Role	3
3. Operation of the CLRG	3
Work Programme.....	3
Publications.....	4
Policy Development	4
Time Requirement	4
Remuneration	4
Secretariat.....	4
4. Membership.....	4
CLRG Members	4
Chairperson.....	5
Term of Office	5
5. Qualifications/Expertise and Application.....	5
Qualifications/Expertise.....	5
Application	5
Closing Date	5
Canvassing.....	6
Selection Process	6
Questions and Enquiries	6
Confidentiality.....	6
6. Applicant Privacy Statement.....	7
Purpose of Processing.....	7
Applicants Entitlements.....	7
Access.....	7
Erasure	7
Rectification	8
Objection.....	8
Complaints	8
DETE DPO Contact Details.....	8
Further information on Data Protection.....	8

1. Expressions of Interest

Expressions of interest are now being sought from suitably qualified persons with significant career experience at an appropriately senior level in the field of company law for consideration for appointment as a Member (Ministerial nominee) to the Company Law Review Group (CLRG) for a four-year period from 2022-2026.

It is foreseen that there could be up to seven appointments made to the CLRG by the Minister arising from this call.

See 5. below for details on the required experience/qualifications of candidates and the application process.

2. Company Law Review Group (CLRG)

Purpose

The Company Law Review Group (CLRG) is a statutory advisory expert body charged with advising the Minister for Enterprise, Trade and Employment (the Minister) on the review and development of company law in Ireland. It was accorded statutory advisory status by the Company Law Enforcement Act 2001, which was continued under section 958 Companies Act 2014.

Role

The CLRG was established to monitor, review and give advice to the Minister on company law matters. In so doing, it is required to “*seek to promote enterprise, facilitate commerce, simplify the operation of the Act, enhance corporate governance and encourage commercial probity*” (section 959(2) Companies Act 2014).

3. Operation of the CLRG

Work Programme

In exercise of the powers under section 961(1) Companies Act 2014, the Minister, after consultation with the CLRG, determines the programme of work to be undertaken by the CLRG over the ensuing two-year period. The Minister may also add items to the work programme as matters arise. The current work programme can be found at www.clrg.org/Work-Programme/.

The CLRG has subcommittees which meet, as the need arises, in relation to items on the work programme, issues arising from the administration of the Companies Act 2014 or matters arising such as court judgments in relation to company law. CLRG Members are encouraged to volunteer to serve on subcommittees which are relevant to their specific interests and expertise. There are a number of subcommittees which

facilitate the on-going review of company law. The CLRG meets in plenary session to discuss progress on the work programme and to formally adopt its recommendations and publications.

Publications

The CLRG publishes its recommendations to the Minister either annually, in its annual reports, or thematically, in stand-alone publications. The publications of the CLRG can be found on the CLRG website at: www.clrg.org/publications/.

Policy Development

The CLRG presents its recommendations on matters in its work programme to the Minister. The Minister reviews the recommendations of the CLRG and decides the policy direction to be adopted.

Time Requirement

The CLRG meets in plenary session approximately three to four times a year and meetings are usually of a two-hour duration. CLRG Members are expected to serve on subcommittees relevant to their interests and expertise.

Remuneration

The members of the CLRG give their services voluntarily. The Chairperson receives an honorarium, which currently stands at €8,978 per annum. In line with the 'One Person One Salary' principle, no public servant is entitled to receive remuneration where appointed as Chairperson, save for situations that are provided for in statute.

Secretariat

The Secretariat to the CLRG is provided by the Department of Enterprise, Trade and Employment. Contact may be made by email to: clrg@enterprise.gov.ie.

4. Membership

The members of the CLRG are appointed by the Minister in accordance with section 960 Companies Act 2014. The CLRG consists of members who have expertise and an interest in the development of company law, including practitioners (the legal profession and accountants), users (business and unions), regulators (implementation and enforcement bodies) and representatives from government departments including the Department of Enterprise, Trade and Employment.

CLRG Members

There are two methods for the appointment of members of the CLRG: Either as the representative of a nominating body or separately as a Ministerial nominee.

The current membership of the CLRG can be found at [Members - Company Law Review Group \(clrg.org\)](http://www.clrg.org/members).

Chairperson

The Chairperson of the CLRG is appointed by the Minister under section 960(2) Companies Act 2014. The Chairperson is responsible for the CLRG's effectiveness in all aspects of its role. The Chairperson chairs the meetings of the CLRG and works closely with the secretariat to progress the CLRG Work Programme.

Term of Office

The members will be appointed for a four-year term. Members that were appointed under a revised appointment process that was introduced in 2018 can usually only serve one further term in office, if reappointed. Newly appointed members can generally serve a maximum of two terms in office. The limit of two terms does not apply to officeholders in a public body appointed to the CLRG in that capacity.

5. Qualifications/Expertise and Application

Qualifications/Expertise

Company law is dynamic and having established a world-class company law code in the Companies Act 2014 it is kept under regular review. In this regard the CLRG, with a membership made up of a wide range of stakeholders who have expertise and an interest in the development of company law, plays a central role in advising the Minister on the Act. In the CLRG, the Minister has access to a deep reservoir of knowledge and on the ground experience.

Thus, the successful candidate must possess expertise in Irish company law which is up-to-date and developed either through legal practice, industry experience, public policy development, or academic pursuits. Experience of how company law affects micro, small, and medium sized enterprises is welcomed.

Application

The expression of interest from an applicant must include:

- a) a cover letter expressing interest;
- b) a detailed CV; and
- c) a short statement setting out the applicant's views in relation to the future development of company law in Ireland.

Expressions of interest must be submitted by email to: clrg@enterprise.gov.ie

Closing Date

The closing date for receipt of applications is **3.00pm on Thursday 19 May 2022**.

Late applications will not be accepted, and it is the candidate's responsibility to ensure their application is emailed to clrg@enterprise.gov.ie on time.

Canvassing

Applicants should note that any attempt to canvass support for an application will lead to disqualification.

Selection Process

An advisory panel will be convened to review all valid applications and to make recommendations to the Minister regarding the suitability of candidates for appointment to the CLRG.

Candidates will be assessed against the following criteria:

- Validity of the expression of interest – the application contains all required elements;
- Demonstrated knowledge and recent experience of company law;
- Relevance of statement regarding future development of company law in Ireland.

Other factors will be taken into account, including:

- Gender balance;
- The range of qualifications, experience and competence to ensure there is a balance in the knowledge and expertise of the CLRG.

The Minister under his power under section 960 Companies Act 2014 will ultimately determine the Ministerial nominees for appointment to the CLRG.

Questions and Enquiries

If you have any questions or require any clarification related to this call for expressions of interest, please email: clrg@enterprise.gov.ie

Confidentiality

Subject to the provisions of the Freedom of Information Act 2014, applications will be treated in strict confidence. All enquires, applications and all aspects of the proceedings are treated as strictly confidential and are not disclosed to anyone, outside those directly involved in the selection process.

6. Applicant Privacy Statement

Purpose of Processing

When applying for these positions on the CLRG applicants are asked to submit a range of documents, i.e. cover letter, detailed C.V. and a short statement.

This Applicant Privacy Statement had been produced for applicants and further information on the General Data Protection Regulation (GDPR) and Subject Access Requests can be found at <https://enterprise.gov.ie/en/Data-Protection/>

There is a legal basis for processing this data and the data is also shared as necessary.

Recipient/Shared With	Reason
Department of Enterprise, Trade & Employment's Company Law Review Unit (CLRG Secretariat)	Storing application, acknowledging responses and corresponding with applicants.
Advisory Panel	Information required for the recommendation process.

The Department of Enterprise, Trade and Employment is fully aware of its data protection obligations and all processing of personal data sets related to this Expression of Interest for Appointment as Ministerial Nominees to the CLRG will be managed in compliance with the relevant data protection laws.

For unsuccessful candidates, applications and correspondence shall be retained for 6 months. Where personal data are being retained these data will be held by the CLRG Secretariat. All personal data will be treated in confidence and all appropriate security measures will be applied.

Applicants Entitlements

The Department of Enterprise, Trade and Employment recognises that applicants have entitlements, and these are outlined below.

Access

Applicants can request and receive access to their data at any time and can request and receive a copy of this data, in electronic/transferable format.

Erasure

Applicants can request the data held be erased.

Rectification

Applicants can have any incorrect information corrected.

Objection

Applicants can object to this information being processed.

Complaints

Applicants can make a complaint to the Department of Enterprise, Trade and Employment's internal Data Protection Officer "DPO" (contact details below) and/or make a complaint to the relevant authority – Data Protection Commission in Ireland.

DETE DPO Contact Details

Email: dataprotection@enterprise.gov.ie

Or

Data Protection Officer

Department of Enterprise, Trade and Employment

23 Kildare Street

Dublin 2

D02 TD30

Further information on Data Protection

The website of the Data Protection Commissioner – www.dataprotection.ie or

Make contact with the Office of the Data Protection Commissioner by phone on Telephone 1890 252231 or by email on info@dataprotection.ie



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