



CORPORATE AND COMMERCIAL

Checklist for Establishing a Business in Ireland

by **Emmet Scully, Jennifer McGuire, Aoife Bradley, Clair Cassidy, David Williams, Marco Hickey**

Checklist for Establishing a Business in Ireland

28th November 2017 | by Emmet Scully, Jennifer McGuire, Aoife Bradley, Clair Cassidy, David Williams, Marco Hickey

#1

Company or Branch

Consider whether to do business through a company or branch. A branch does not require incorporation but various registration requirements may apply.



#2



Find Local Advisors

Engaging local legal, tax and company secretarial services will help to ensure compliance with Irish filing requirements and other legal areas.

Getting good advice from the outset will assist with good corporate governance and will generate long term benefits for the business.

#3

Implement Operational Requirements

There are some requirements that apply to virtually all businesses in Ireland.

These include: Registering for Corporation Tax, PAYE, PRSI and VAT; opening bank accounts; and, putting in place appropriate insurance cover

In addition certain types of businesses will require specific licenses, authorisations or registrations.



#4



Choose the Right Premises

Important things to factor into your decision regarding premises include broadband access, transport, local amenities, accommodation, and proximity to schools and universities.

Secure the chosen premises by purchasing or through leasing arrangements.

#5

Hire Staff

Identify the right people and have your employment agreements, policies and a handbook prepared before making offers of employment. Access to a personal retirement savings account must be provided if the employer does not operate a pension scheme or the employee is not eligible to join the pension scheme within six months.

Visa applications or work permit applications, if required, should be submitted.



#6



Acquire IT and Equipment

Whether to fit out your new premises or extend software licences to include users in Ireland, the logistics of operating from Ireland need to be considered and the relevant leases, licences or purchases made to suit your needs.

#7

Protect Intellectual Property

Identify and protect intellectual value in your business by registering patents, trademarks and design rights.

Prepare assignment and licencing agreements to acquire the rights needed to operate your business and to generate revenue streams.



#8



Formalise Data Protection

Data privacy policies are required to ensure compliance with existing and forthcoming Irish and European data protection and direct marketing regulations.

#9

Identify Grants, Incentives and Funding

There are several Irish government and industry agencies promoting and providing investment for companies who wish to establish a presence in Ireland.

Grants may be available and access to capital may also be found through Irish venture capital, traditional banking, invoice financing, and alternative lenders.



#10



Update Customer Terms and Conditions

Ensure you streamline sales activities with standard terms and conditions tailored to comply with Irish law. Use the opportunity to set out clear payment terms, limit liability to the extent possible, and choose a preferred dispute resolution mechanism.

For more detailed information please download our [Guide to Investing in Ireland](#).

For further information, please contact Jennifer McGuire at jmcguire@lkshields.ie

About the Authors



Emmet Scully
Partner

Emmet is an experienced corporate lawyer with expertise advising on a variety of M&A and private equity transactions, as well as corporate and private equity structuring.

T: +353 1 637 1538 E: escully@lkshields.ie



Jennifer McGuire
Partner

Jennifer is the Head of the Mergers and Acquisitions team.

T: + 353 1 638 5851 E: jmcguire@lkshields.ie



Aoife Bradley
Partner

Aoife is Head of Employment, Pensions and Employee Benefits.

T: + 353 1 637 1583 E: abradley@lkshields.ie



Clair Cassidy
Partner

Clair is Head of Real Estate at LK Shields.

T: + 353 1 637 1543 E: ccassidy@lkshields.ie



David Williams
Consultant

David advises on all aspects of financial services law and regulation.

T: +353 1 637 1542 E: dwilliams@lkshields.ie



Marco Hickey
Partner

Marco is a highly experienced competition and M&A/corporate lawyer having practiced in both areas for many years.

T: + 353 1 637 1522 **E:** mhickey@lkshields.ie