



Údarás um Fhorfheidhmiú Corparáideach  
Corporate Enforcement Authority

## **PRESS STATEMENT**

### **FOR IMMEDIATE RELEASE**

#### **KILDARE MAN SENT FORWARD FOR TRIAL ON INDICTMENT ON COMPANY LAW CHARGES**

At a sitting of the Dublin Metropolitan District Court at Blanchardstown today Thomas Colton, of Celbridge, Co. Kildare, was served with a book of evidence and sent forward to the Circuit Court for trial on indictment in respect of two alleged company law offences.

Arising from an investigation conducted by the Corporate Enforcement Authority (CEA), and following directions from the Director of Public Prosecutions, Mr. Colton is charged with acting as a company director while disqualified. He is also accused of providing false information to the Registrar of Companies.

Each offence carries a potential penalty, upon conviction, of a fine not exceeding €50,000, or a term of imprisonment not exceeding 5 years, or both.

Mr. Colton was remanded on continuing bail to an October sitting of Dublin Circuit Criminal Court.

ENDS/  
**CORPORATE ENFORCEMENT AUTHORITY**  
**30 July 2024**

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## NOTE FOR EDITORS

### **Corporate Enforcement Authority**

The Corporate Enforcement Authority (CEA) is Ireland's company law enforcement agency. The CEA's functions include :

- promoting compliance with company law,
- investigating instances of suspected breaches of company law,
- taking appropriate enforcement action in response to identified breaches of company law,
- supervising the activities of liquidators of insolvent companies, and
- operating a regime of restriction and disqualification in respect of directors of insolvent companies.

The CEA discharges its mandate to promote compliance with company law through a range of activities, including developing and publishing accessible guidance materials and through its outreach activities. The CEA's enforcement remit is both civil and criminal in nature and, in discharging that mandate, the CEA has at its disposal an extensive suite of statutory powers including:

- the power to require the production of documents, including electronic documents, by companies and relevant third parties,
- powers of search and seizure,
- the power of arrest, i.e., by CEA officers who are seconded members of An Garda Síochána, and
- powers to request the courts to order certain additional investigative measures.

The CEA is a multi-disciplinary agency whose staff complement includes, amongst others, accounting and legal professionals, seconded members of An Garda Síochána and digital forensics experts.

### **Acting as a director while disqualified**

Section 855 of the Companies Act 2014 provides that it is an offence for a person to act, in relation to any company, in a manner or a capacity which they are prohibited from doing by virtue of being a person who is subject to a disqualification order.

### **False information to the CRO**

All information filed with the Registrar of Companies (the Companies Registration Office, or "CRO") must be accurate. Section 876 of the Companies Act 2014 provides that a person will be guilty of a category 2 offence if that person:

(a) in purported compliance with a provision of the Companies Act, answers a question, provides an explanation, makes a statement or completes, signs, produces, lodges or delivers any return, report, certificate, balance sheet or other document that is false in a material particular; and

(b) knows that it is false in a material particular or is reckless as to whether it is or not.

End