

DEPARTMENT OF TRADE AND INDUSTRY

NO. 1213

03 NOVEMBER 2017

**PRACTICE NOTE 08 OF 2017
REQUIREMENTS FOR RE-INSTatement IN TERMS OF REGULATIONS 4(2)(b)**

Note that PRACTICE Notice 6 of 2008 is hereby withdrawn on 1 May 2017 and replace with Practice Note 08 of 2017.

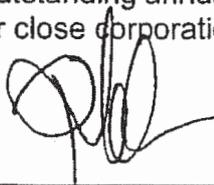
This practice note is issued in terms of Regulation 4(2)(b) of the Companies Regulations, 2011, and is applicable to the re-instatement of companies and close corporations in terms of Companies Regulation 40(6) and (7)

In order to re-instate a company or close corporation from 1 May 2017, the re-instatement application on a form CoR40.5 must comply with the following requirements regardless of the cause or date of deregistration;

- (1) Certified identity copy of the applicant;
- (2) Certified identity copy of the owner of the customer code;
- (3) Multiple Deed search (deed search of each of the 10 regional deeds offices);
- (4) Letter from the Department of Public Works, ONLY if the multiple deed search reflects immovable property;
- (5) Sufficient **documentary** proof indicating that the company or close corporation was in business or that it had any outstanding assets or liabilities (e.g property, intellectual property rights), **at the time of deregistration.**
- (6) Mandate from the applicant confirming that the customer may submit on his/her behalf.

CIPC will only consider re-instating a company or close corporation if it can provide proof that it was conducting business at the time of deregistration, or has any other economic value.

Upon the successful processing of the re-instatement application, all outstanding annual returns must be filed in order to complete the process. If the close corporation or company fails to file all outstanding annual returns within 30 business days from date of the re-instatement, the company or close corporation will be finally deregistered again without any further notification.



Adv Rory Voller
Commissioner: CIPC
18/11/2017