



PRACTICE NOTE 1 OF 2022

REQUIREMENTS FOR COMPANY AND CLOSE CORPORATION RE-INSTATEMENT IN TERMS OF REGULATIONS 4(2)(b)

Note that Practice note 8 of 2017 is hereby withdrawn as from 1 January 2022 and replaced with this Practice Note.

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 January 2022, the re-instatement application Form CoR40.5 must be accompanied by the following supporting documents, regardless of the cause or date of final deregistration:-

- (1) Certified identity copy of applicant not older than 3 months;
- (2) Certified identity copy of the owner of the customer code not older than 3 months;
- (3) Sufficient documentary proof indicating that the company or close corporation was in business (e.g. bank statements in the name of the company or close corporation six months before and six months after date of deregistration) or that it had any outstanding assets or liabilities (e.g. property, intellectual property rights), at the time of deregistration; and
- (4) 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 company or close corporation fails to file all outstanding Annual Returns within 30 business days from the date of re-instatement, the company or close corporation will be finally deregistered again without any further notification.

For enquiries, kindly log a ticket on the CIPC website www.cipc.co.za / enquiries.

Yours faithfully,

Adv. Rory Voller
Commissioner: CIPC
Date: 9/12 /2021