

Restoration of a Company

Important Information

CIPC introduced legislation on 1 November 2012 which makes the restoration of a company or CC complex and difficult.

- If the company is dormant and has not conducted any business it is cheaper and quicker to register a new company than to restore a deregistered company or CC. (we can register a new company for you in 3-4 weeks)
- However, if the company **owns any fixed property**, the property cannot be sold (or bought) until the company has been restored and all the annual returns have paid up. This is a time consuming and costly process (up to a few thousand Rand).

Restoring a Company or CC

Step 1:

The following documentation is required by CIPC:

1. **Certified ID** copies of **each** director/member.
2. A **Multiple Deed search** (reflecting if the company owns a fixed property or not in all the provinces of RSA) <http://www.windeed.co.za/spider/> (**Note we can provide this service for R200**)
3. If the company does own fixed property, a **letter from National Treasury** (restorations@treasury.gov.za or 012-315 5111) and the Department of Public Works (andre.meyering@dpw.gov.za or 012-337 2147) indicating that they do not have any objection to the reinstatement is required.
4. **Proof of an advertisement** placed in a local newspaper giving 21 days notice of the proposed application of reinstatement. CIPC require the full page reflecting the date and name of the newspaper. [Sample wording below]

Please take notice that (name of member) intends making application to the Commissioner of CIPC for the reinstatement of (Name & Registration number of the company) Please take notice that any objection to the application must be lodged with the Commissioner of CIPC within twenty one (21) days of the date of the publication hereof

5. An **affidavit** indicating the reasons for the non-filing of the annual returns (if the deregistration was due to non-payment of annual returns) or an affidavit indicating the reason if the original deregistration of the company was that company itself applied for the deregistration.



Company Registrations

Unit 7B N1 City Mews
Frans Conradie Drive
Goodwood, 7460
P O Box 12322, N1 City, 7463

Call Centre: 021-5954433, Fax: 0865 763 480
www.swiftreg.co.za

6. Sufficient documentary proof indicating that the company was in business after the time of deregistration. Eg. *Bank statements, financials (P&L) or other documentary proof.*
7. Completed **Limited Power of Attorney** (last page) which must have original signatures

Once you have gathered all of the documentation together, please post it, together with proof of payment for **R480** to :

SwiftReg
P O Box 12322
N1 City
7463

Our banking details are :

Bank	:	ABSA
Branch code	:	632005
Account holder	:	SwiftReg (Pty) Ltd
Account number	:	4052 022 222
Amount	:	R 480 (add R200 for a deeds search)
Reference no.	:	Company name

Step 2.

- Once we have received all of the above information, we will submit the application to CIPC who will then unlock the company. This will allow us to access the company profile online and determine the **amount of outstanding annual returns which are due.**
- We will inform you of the amount due to CIPC to which we add our service fee of R150.
- When we have received proof of payment of this amount we will proceed with the completion of the outstanding annual returns and restore the company status from 'deregistered' to 'in business'.

Contact Details:

Name _____

Cell Phone _____ eMail _____

Limited Power of Attorney to Restore a Company

Company Name _____

I/we, the undersigned hereby nominate, constitute and appoint, Douglas van der Merwe, Yolanda Cupido, Amber Louw, Telana Swart, Samantha Davids, Anita April, Nomfeneko Njeza, Nobuntu Mpiti, Nastasja Jordaan, Thandiwe Bayi, Tulisa Gantsho, Delicia Blom, Shade Smith, Shannon Hendricks, Megan Muller, Renata Adams, Yolanda Sijobo with full powers of substitution in our name place and stead to act as our Agent:

- To complete the CoR 40.5 and apply for the restoration of the above company under the Companies Act No. 71 of 2008
- Upon restoration, to complete the annual returns and return the company status to “in business”
- We also certify that the information provided is true and correct and hereby indemnify SwiftReg (Pty) Ltd as well as the individuals to whom we give this Power of attorney any claims, loss or damage or liability arising from the restoration and lodgment of the Annual Return.

Signed at _____ on this _____ day of _____ 20 _____

Director /Member Name & Surname

Signature

Director /Member Name & Surname

Signature

Director /Member Name & Surname

Signature

Director /Member Name & Surname

Signature

Director /Member Name & Surname

Signature

Director /Member Name & Surname

Signature