

Chapter 8 - Regulatory Agencies and Administration : Annexure 1

Regulation 179

Annexure 1**Table CR 1 - Prescribed Forms***(in terms of Regulation 5)*

- (1) For ease of reference, the Form number corresponds with the number of the relevant regulation.
- (2) Whenever a document is required—
- (a) in terms of a section of the Act or a provision of these regulations as listed in column 1 of this Table; and
 - (b) for a purpose listed in column 2,

the document must be substantially in the form of the annexure listed opposite that section number in column 3, and must be produced, delivered, or filed as the case may be subject to any conditions or requirements listed opposite that section number in column 4.

1 Authority	2 Purpose of Form	3 Form	4 Conditions
S. 12 (1) R. 9	Application to reserve a company name	CoR 9.1	Must be accompanied by a filing fee of R75 if filed manually, or R50 if filed electronically; and any relevant documentation or evidence required in terms of regulation 8.
S. 12 (4) R. 9	Application for extension of name reservation	CoR 9.2	Must be accompanied by filing fee of R50 if filed manually, or R30 if filed electronically; and a statement required by in regulation 9 (2)(b), and evidence required by regulation 9 (2)(c), if applicable.
R 9 (3)(a)	Notice requiring further particulars in respect of name reservation, issued by the Commission	CoR 9.3	
R. 9 (3)(b)	Confirming notice of name reservation, issued by the Commission	CoR 9.4	
R. 9 (3)(c)	Notice refusing name reservation or defensive registration, issued by the Commission	CoR 9.5	
S. 12 (3)(a) R. 9 (4)(a)	Notice of potentially contested name, issued by the Commission	CoR 9.6	

1 Authority	2 Purpose of Form	3 Form	4 Conditions
S. 12 (3)(b) R. 9 (4)(b)	Notice of potentially offensive name, issued by Commission	CoR 9.7	
S. 12 (9) R 10(1)	Application for Defensive Name Registration	CoR 10.1	Must be accompanied by a filing fee of R250 if filed manually, or R200 if filed electronically, and evidence of a direct and material interest in the name.
S. 12 (9) R. 10 (2)	Application for Renewal of Defensive Name Registration	CoR 10.2	Must be accompanied by a filing fee of R50 if filed manually, or R30 if filed electronically, and evidence of a direct and material interest in the name.
S. 12 (5) R. 11	Application to transfer reserved or defensive name	CoR 11.1	Must be accompanied by a filing fee of R100 if filed manually, or R75 if filed electronically, and evidence as required by regulation 11 (1)(b).
S. 12 (5) R. 11	Notice refusing name transfer, issued by the Commission	CoR 11.2	
S. 12 (6) R. 12	Notice alleging reservation system abuse, issued by the Commission	CoR 12.1	
S. 13 (2) R. 14	Notice of Incorporation	CoR 14.1	<p>Payment of a filing fee, subject to a credit—</p> <p>(a) for any amount previously paid to reserve the company's name; or</p> <p>(b) of an amount equal to the fee for name reservation, if the company has chosen to be known by its registration number alone.</p> <p>Must have Memorandum of Incorporation attached.</p> <p>Refer to Annexure 2, Table CR 2B for Incorporation fees.</p>

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1 Authority	2 Purpose of Form	3 Form	4 Conditions
S. 13 (4) R. 14 (5)	Notice rejecting a Notice of Incorporation, issued by the Commission	CoR 14.2	
S. 14 (1)(b) R 14 (6)	Registration Certificate	CoR 14.3	
S. 13 (1)(a) R. 15 (1)	Standard Form Memorandum of Incorporation	CoR 15.1	Refer to Annexure 2, Table CR 2B for Incorporation fees. May be in any of Form A, B, C, D or E as allowed by regulation 15 (1)
S. 16 (1)(b) R 15 (2)	Notice of Amendment to the Memorandum of Incorporation	CoR 15.2	Payment of a filing fee, unless it is the first such filing by a pre-existing company, as contemplated in Schedule 5, Item 4 (2). Must be accompanied by either the Special Resolution of the company setting out- a) the amendment to the Memorandum of Incorporation, or b)a copy of the complete Memorandum of Incorporation, as amended. Payment of a filing fee of R250.
17 (1)(a) R. 15 (5)	Notice of Alteration of Memorandum of Incorporation	CoR 15.3	Payment of filing fee of R250.
s. 17 (4) R. 15 (6)	Notice of Translation of Memorandum of Incorporation	CoR 15.4	Payment of a filing fee of R250. Must be accompanied by a copy of the translated Memorandum of Incorporation, and a sworn statement, as required by section 17 (4).

1 Authority	2 Purpose of Form	3 Form	4 Conditions
S. 17 (6) R. 15 (7)	Notice of Consolidation of Memorandum of Incorporation	CoR 15.5	Payment of R 250 fee. Must be accompanied by the consolidated revision of the Memorandum of Incorporation, together with a sworn statement, or a statement of an attorney or notary public, as required by section 17 (6).
S. 17 R. 15 (8)	Notice to consolidate the Memorandum of Incorporation, to be issued by Commission	CoR 15.6	
S. 15 (3)-(5) R. 16 (1)	Notice concerning company rules	CoR 16.1	Payment of a filing fee of R100.
S. 15 (3)-(5) R. 16 (2)	Notice of result of vote on company rules	CoR 16.2	Payment of a filing fee of R100.
S. 13 (5) R. 17	Application to transfer registration of foreign company	CoR 17.1	Must be accompanied by R 400 fee and all materials listed in regulation 17.
S. 13 (6)-(7) R. 17 (2)	Notice requiring further particulars of foreign company	CoR 17.2	
S. 13 (6)-(7) R. 17 (2)	Registration Certificate of domesticated company	CoR 17.3	
S. 13 (6)-(7) R. 17 (3)	Notice of Refusal to transfer registration of a foreign company	CoR 17.4	
Schedule 2 R. 18	Application to convert a close corporation	CoR 18.1	Must be accompanied by a filing fee, the Memorandum of Incorporation, and the consents required by regulation 18(1)(a). Refer to Annexure 2, Table CR 2B for fees related to Incorporation.
Schedule 2 R. 18	Notice Requiring Further Particulars of conversion of close corporation	CoR 18.2	
Schedule 2 R. 18	Registration Certificate	CoR 18.3	
S. 22 R. 19	Notice to show cause regarding reckless trading or trading under insolvent circumstances, to be issued by the Commission	CoR 19.1	
S. 22 R. 19	Confirmation notice	CoR 19.2	

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1 Authority	2 Purpose of Form	3 Form	4 Conditions
S.23 (3) R. 20	Notice of Registration of External Company	CoR 20.1	Payment of R 400 filing fee. Must be accompanied by a copy of the certificate of registration or comparable document issued by the jurisdiction within which the company was incorporated, and other items required by regulation 20.
S. 23 R. 20	Registration certificate of External Company	CoR 20.2	
S. 23 (3)(ii) R. 21	Notice of change of Registered Office	CoR 21.1	The prescribed fee is Nil.
S23 R. 20	Notice of change of particulars of person to accept service	CoR 21.2	The prescribed fee is Nil
S. 25 R. 22	Notice of Location of Company records	CoR 22	To be filed only if company records are not kept at its registered office.
S. 26 R. 24	Request for Access to company information	CoR 24	
S. 27(4) R. 25	Notice of Change of Financial year end	CoR 25	Payment of a filing fee of R100.
S. 33 R. 30	Annual return	CoR 30.1	Refer to Annexure 2, Table CR 2B for fees related to Annual Returns.
S. 33 R. 30 (4)	Financial Accountability Supplement to Annual Return	CoR 30.2	To be filed only by companies that do not file audited or independently reviewed annual financial statements
S. 33 R. 30 (7)	Annual return for External companies	CoR 30.3	Refer to Annexure 2, Table CR 2B for fees related to Annual Returns
Schedule 5 Item 6 R. 31	Notice of Board Resolution to convert par value shares	CoR 31	No fee to be charged
S. 21 R. 35	Notice of Pre-incorporation contract	CoR 35.1	
S. 21 R. 35	Notice of action concerning Pre-Incorporation contract	CoR 35.2	
Various sections R 36	General security holder notice to company and proxy form	CoR 36.1	Not to be filed with commission
Various section R. 36	General company notice to security holders	CoR 36.2	Not to be filed with commission
R 36 (3)	General company notice to holders of beneficial interest	CoR 36.3	Not to be filed with commission

1 Authority	2 Purpose of Form	3 Form	4 Conditions
S. 75 R. 36	Notice of directors personal financial interest	CoR 36.4	Not to be filed with commission
S. 70 (6) R. 39	Notice of Change of company and external company Directors	CoR 39	Prescribed fee is Nil.
S. 80 to 82 R. 40	Notice of special resolution to wind up solvent company	CoR 40.1	Payment of R250 filing fee.
S. 80 to 82 R. 40	Notice of foreign registration of company	CoR 40.2	Payment of R250 filing fee.
S. 80 to 82 R. 40	Demand notice concerning inactive company or external company, to be issued by Commission	CoR 40.3	
S. 80 to 82 R. 40	Notice of pending de-registration of company or external company, to be issued by Commission	CoR 40.4	
S. 80 to 82 R. 40	Application for re-instatement of de-registered company or external company	CoR 40.5	Payment of R200 fee.
S. 84 (6), R. 50(12) R. 44	Notice of change of auditor or company officials	CoR 44	
s. 97 (2) R. 46	Notice of Employee Share Scheme	CoR 46.1	
s. 97 (2) R. 46	Annual certificate of Employee Shares Scheme	CoR 46.2	
s. 99 (7) R. 46	Application concerning rights offer exclusion	CoR 46.3	Payment of R 100 filing fee.
s. 99 R. 46	Registration of Prospectus or Letter of Allocation	CoR 46.4	Must have prospectus appended Refer to Annexure 2, Table CR 2B for fees.
s. 99 R. 46	Registration Certificate of Prospectus or Letter of Allocation	CoR 46.5	
s. 99 R. 46	Application to exclude information from Prospectus	CoR 46.6	Payment of R 300 filing fee.
S.116 (3) R 89	Notice of Amalgamation or Merger	CoR 89	Payment of R 250 filing fee, plus ancillary fees for any registration of new company, or de-registration of existing company.

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1 Authority	2 Purpose of Form	3 Form	4 Conditions
R 84	Declaration of coming into or out of concert	TRP 84	To be filed with the Panel
R 98	Notice of disclosure of dealings in securities	TRP 98	To be filed with the Panel
S 122 (1) R 121	Notice of disclosure of acquisition or disposal of securities	TRP 121.1	
S 122 (3) R 121	Notice of acquisition or disposal of securities	TRP 121.2	To be filed with the Panel
S. 129, 131 R.123	Notice of beginning of Business Rescue Proceedings	CoR 123.1	
S. 129 (7) R. 123 (3)	Notice of appointment of Business Rescue Practitioner	CoR 123.2	
S. 129 (7) R. 123 (5)	Notice of decision not to begin business rescue proceedings	CoR 123.3	
s. 132, 141 R. 125	Notice of Business Rescue Status	CoR 125.1	
125 (4)	Notice of Termination of Business Rescue Proceedings	CoR 125.2	
R 125 (5)	Notice of Substantial Implementation of a Business Rescue Plan	CoR 125.3	
S. 138 R. 126	Application for Business Rescue Practitioners licence	CoR 126.1	Payment of R 500 application fee
S. 138 R. 126	Certificate of Business Rescue Practitioner License	CoR 126.2	

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1 Authority	2 Purpose of Form	3 Form	4 Conditions
S 166 R 132	Application for ADR	CTR 132.1	
S 166 R 132	Referral for ADR	CTR 132.2	
S 166 R 132	Certificate of failed ADR	CTR 132.3	
s. 166 R 134	Application for accreditation (as ADR provider)	CoR 134.1	Payment of R 500 application fee.
s. 166 R 134	Registration certificate as ADR provider	CoR 134.2	
s. 168 R. 135	Complaint to Commission	CoR 135.1	
s. 169 R. 135	Commission Notice of Non-investigation	CoR 135.2	
R 137	Commission Notice to Investigate	CoR 137.1	
R 137	Commission Summons	CoR 137.2	
R 137	Commission request for additional information	CoR 137.3	
R 137	Commission Demand for corrected information	CoR 137.4	
R 138	Consent to Order	CoR 138	
R 139	Compliance Notice	CoR 139.1	
R 139	Compliance Certificate	CoR 139.2	
R 140	Referral by Commission or Panel to another regulator	CoR 140.1	
R 140	Commission Notice of Non referral	CoR 140.2	
R 140	Commission referral to Tribunal	CTR 140	
R 142	Application to Tribunal	CTR 142	
R 145	Notice of Motion	CTR 145	
R 147	Request for Condonation	CTR 147	
R 148	Notice of Withdrawal	CTR 148	
R 151	Tribunal Notice of Hearing	CTR 151	

Annexure 2 : Table CR 2A— Panel Fee Schedule

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1 Authority	2 Purpose of Form	3 Form	4 Conditions
R 160	Tribunal Summons	CTR 160	
R 168 (6)	Notice challenging filed information	CTR 168	
s. 9 R 188	Request for particulars regarding requested exemption	CoR 178	

Annexure 2**Table CR 2A— Panel Fee Schedule***(in terms of Regulations 122, 155, 170 and 171)*

1. The fees chargeable (inclusive of VAT) for the several categories of service rendered by the Panel, and referred to in regulation 122 (1) are as follows:
 - (a) No fees will be charged for services under regulation 122 (1)(a).
 - (b) Services under regulation 122 (1)(b) will be charged at the rate of R1 710 per billable hour of work or part thereof.
 - (c) Services under regulation 122 (1)(c) will be charged at the rate of R3 420 per billable hour of work or part thereof.
 - (d) Services under regulation 122 (1)(d), including a circular dealing with a waiver, payable upon first submission of documentation for which a VAT invoice will be issued by the Panel, will depend on the value of the offer, being the consideration payable for acquiring, merging or amalgamating the securities or assets/undertaking of each/all offeree regulated company/ies involved, and will be charged according to the scale set out below:

Consideration value of affected transaction (R million)	Fee including VAT (R)
Up to 50	57 000
Over 50 to 100	85 500
Over 100 to 250	114 000
Over 250 to 500	142 500
Over 500 to 1 000	171 000
Over 1 000 to 10 000	228 000
Over 10 000	285 000

2. Fees to be levied by the Panel in terms of regulation 171 will be as published from time to time in the *Gazette*.