

Companies and Intellectual Property Commission

Republic of South Africa

Form CoR 139.1

About this Notice

- This form is issued in terms of Section 171 of the Companies Act, 2008 and Regulation 139 of the Companies Regulations, 2011.
- You have the right within 15 business days to apply in terms of section 172, for an order confirming, modifying or setting aside all or part of this Notice. If the Notice was issued by the Commission, an application must be made to the Companies Tribunal in Form CTR 142. If this Notice was issued by the Takeover Regulation Panel, an application may be made to the Takeover Special Committee.
- A compliance Notice remains in force until it is set aside on review, or until the issuing authority later issues a compliance certificate in the matter.

Contacting the Commission

The Companies and Intellectual Property Commission of South Africa

Street Address
Pretoria XXXX
Republic of South Africa
tel: 27 012 123 4567
fax: 27 012 123 4567
e-mail: XXX@XXX.gov.za
WWW. XXXX.XXX

Compliance notice

Date: _____

To: _____
(Insert name and registration number of company, or name and identity number of individual)

From: ☐ The Companies Commission ☐ The Takeover Regulation Panel

The Companies Commission, or the Takeover Regulation Panel, as the case may be, believes on reasonable grounds that the company named above has contravened the Companies Act, 2008. In particular, the commission states that the company has failed to comply with section _____, or Regulation _____, or both. Specifically:

(Insert details of the nature and extent of the conduct that is the subject of this Notice)

You are required to take the steps set out in the attached statement to bring the company's conduct into compliance with the Act.

Failure to comply with this Notice may result in any of the following consequences:

- (a) prosecution in terms of section 214 (3) for the offence of failing to satisfy a compliance Notice, the maximum penalty for which is a fine or 12 months imprisonment;
- (b) imposition of an administrative fine, in terms of section 171 (7)(a).

If this notice requires the company to file overdue annual returns, failure to comply may result in the de-registration of the company, in terms of sections 80 to 82.

An person who is repeatedly guilty of an offense in terms of the Act, including the offence of failure to satisfy a compliance notice, may be placed on probation as a director, or declared a delinquent director, and disqualified from serving as a director, in terms of section 162.

Name and Title of person signing on behalf of the Commission or Panel:

Authorised Signature:

Companies and Intellectual Property Commission Republic of South Africa

Form CoR 139.2

About this Notice

- This form is issued in terms of Section 171 of the Companies Act, 2008 and Regulation 139 of the Companies Regulations, 2011.

Contacting the Commission

The Companies and Intellectual Property Commission of South Africa

Street Address

Pretoria XXXX

Republic of South Africa

tel: 27 012 123 4567

fax: 27 012 123 4567

e-mail: XXX@XXXX.gov.za

WWW. XXXX.XXX

Compliance Certificate

Date: _____

To: _____
(Insert name and registration number of company, or name and identity number of individual)

From: ☐ The Companies Commission ☐ The Takeover Regulation Panel

On _____, the Companies Commission, or the Takeover Regulation Panel, as the case may be, issued a compliance notice in this matter citing a failure to comply with section _____, or Regulation _____, or both.

The issuing authority is satisfied that the requirements set out for compliance have been met.

Name and Title of person signing on behalf of the Commission or Panel:

Authorised Signature:

Companies Tribunal

Republic of South Africa

Form CTR 140

About this Form

- This form is issued in terms of Sections 170 of the Companies Act, 2008 and Regulation 140 (3) of the Companies Regulations, 2011.
- Hearings of the Companies Tribunal are governed by Sections 180 to 184 of the Companies Act, and Chapter 7 Part D of the Companies Regulations.
- This referral, and the affidavit in support of it, must be served on each respondent within 5 business days after it is filed.
- Each respondent named in the Application has the right to file an Answer within 20 business days after being served.

Contacting the Tribunal

The Companies Tribunal of South Africa

Street Address
Pretoria XXXX
Republic of South Africa
tel: 27 012 123 4567
fax: 27 012 123 4567
e-mail: XXX@XXXX.gov.za
WWW. XXXX.XXX

Complaint Referral

Date: _____

From: ☐ The Companies Commission ☐ The Takeover Regulation Panel

To: The Companies Tribunal, and

(Name, registration number and address of respondent(s). Use additional sheet if required)

Concerning:

(Name and file number of complaint being referred)

The Issuing authority, having investigated the complaint, seeks the follow order(s) against the respondent

(Insert the relief or order sought)

In terms of _____

(Insert the section of the Act, or the Regulation, that provides for the order or relief sought)

For the following reasons:

(Insert a concise statement of the circumstances, and the particulars of the conduct)

In support of this Notice, the issuing authority has attached an affidavit setting out the relevant facts.

Name and Title of person signing

Authorised Signature:

Companies and Intellectual Property Commission

Republic of South Africa

Form CoR 140.1

About this Form

- This form is issued in terms of Sections 170 of the Companies Act, 2008 and Regulation 140 (1) of the Companies Regulations, 2011.

Contacting the Tribunal

The Companies Tribunal of South Africa

Street Address
Pretoria XXXX
Republic of South Africa
tel: 27 012 123 4567
fax: 27 012 123 4567
e-mail: XXX@XXXX.gov.za
WWW. XXXX.XXX

Referral of Complaint to alternative authority

Date: _____

From: ☐ The Companies Commission ☐ The Takeover Regulation Panel

To: _____
(Name of complainant)

And To: _____
(Name, registration number and address of respondent(s). Use additional sheet if required)

And To: _____
(Name of regulatory authority to which the matter is being referred)

Concerning:

(Name and file number of complaint)

The Issuing authority, having investigated the complaint, believes that it falls within the jurisdiction assigned to _____, and accordingly refers it to that entity for its consideration.

Name and Title of person signing

Authorised Signature:

Companies and Intellectual Property Commission

Republic of South Africa

Form CoR 140.2

About this Form

- This form is issued in terms of Sections 170 of the Companies Act, 2008 and Regulation 140 (2) of the Companies Regulations, 2011.

Contacting the Tribunal

The Companies Tribunal of South Africa

Street Address
Pretoria XXXX
Republic of South Africa
tel: 27 012 123 4567
fax: 27 012 123 4567
e-mail: XXX@XXXX.gov.za
WWW. XXXX.XXX

Notice of Non-referral of Complaint

Date: _____

From: ☐ The Companies Commission ☐ The Takeover Regulation Panel

To: _____
(Name of complainant)

And To: _____
(Name, registration number and address of respondent(s). Use additional sheet if required)

Concerning:

(Name and file number of complaint)

The Issuing authority, having investigated the complaint, advises that it will not refer the complaint to the Companies Tribunal for an order.

The complainant may have other remedies, in terms of

(Insert the section of the Act, or the Regulation, that provides for the order or relief sought)

Name and Title of person signing

Authorised Signature:

Companies Tribunal

Republic of South Africa

Form CTR 142

About this Form

- This form is issued in terms of Sections 180 to 184 of the Companies Act, 2008 and Regulation 145 of the Companies Regulations, 2011.
- Hearings of the Companies Tribunal are governed by Sections 180 to 184 of the Companies Act, and Chapter 7 Part D of the Companies Regulations.
- This Application, and the affidavit in support of it, must be served on each respondent within 5 business days after it is filed.
- Each respondent named in the Application has the right to file an Answer within 20 business days after being served.
- It is an offense in terms of section 215 of the Companies Act to refuse to attend when summoned, or when attending, to refuse to answer any question or produce any document, or to knowingly provide false information to the Tribunal.

Contacting the Tribunal

The Companies Tribunal of South Africa

Street Address
Pretoria XXXX
Republic of South Africa
tel: 27 012 123 4567
fax: 27 012 123 4567
e-mail: XXX@XXXX.gov.za
WWW. XXXX.XXX

Application for Relief

Date: _____

From: _____ (insert name of Applicant)

To: **The Companies Tribunal, and**

(Name, registration number and address of respondent(s). Use additional sheet if required)

Concerning:

(Name and registration number of Company, or Date and Number of Commission Notice, as the case may be)

The Applicant requests that the Tribunal grant the following relief:

(Insert the relief or order sought)

In terms of _____

(Insert the section of the Act, or the Regulation, that provides for the order or relief sought)

For the following reasons:

(Insert a concise statement of the circumstances, and the particulars of the request)

In support of this Application, the applicant has attached an affidavit setting out the facts on which the Applicant relies.

Name and Title of person signing

Authorised Signature:

Companies Tribunal

Republic of South Africa

Form CTR 145

About this Form

- This form is issued in terms of Sections 180 to 184 of the Companies Act, 2008 and Regulation 145 (3) of the Companies Regulations, 2011.
- Hearings of the Companies Tribunal are governed by Sections 180 to 184 of the Companies Act, and Chapter 7 Part D of the Companies Regulations.
- It is an offense in terms of section 215 of the Companies Act to refuse to attend when summoned, or when attending, to refuse to answer any question or produce any document, or to knowingly provide false information to the Tribunal.

Contacting the Tribunal

The Companies Tribunal of South Africa

Street Address
Pretoria XXXX
Republic of South Africa
tel: 27 012 123 4567
fax: 27 012 123 4567
e-mail: XXX@XXXX.gov.za
WWW. XXXX.XXX

Notice of Motion

Date: _____

From: _____ (insert name of party filing the Motion)

To: **The Companies Tribunal**

Concerning:

(Name and file number of matter being considered by the Companies Tribunal)

The Party named above requests that the Tribunal grant the following relief:

(Insert the relief or order sought)

In terms of _____
(Insert the section of the Act, or the Regulation, that provides for the order or relief sought)

For the following reasons:

(Insert a concise statement of the circumstances, and the particulars of the request)

Name and Title of person signing

Authorised Signature:

Companies Tribunal

Republic of South Africa

Form CTR 147

About this Form

- This form is issued in terms of Sections 180 to 184 of the Companies Act, 2008 and Regulation 147 of the Companies Regulations, 2011.
- Hearings of the Companies Tribunal are governed by Sections 180 to 184 of the Companies Act, and Chapter 7 Part D of the Companies Regulations.
- It is an offense in terms of section 215 of the Companies Act to refuse to attend when summoned, or when attending, to refuse to answer any question or produce any document, or to knowingly provide false information to the Tribunal.

Contacting the Tribunal

The Companies Tribunal of South Africa

Street Address
Pretoria XXXX
Republic of South Africa
tel: 27 012 123 4567
fax: 27 012 123 4567
e-mail: XXX@XXXX.gov.za
WWW. XXXX.XXX

Application for Condonation

Date: _____

From: _____ (insert name of party seeking condonation)

To: **The Companies Tribunal**

Concerning:

(Name and file number of matter being considered by the Companies Tribunal)

For the reasons set out below, the Party named above requests that the Tribunal—

- ☐ Condone the late file of a document in this matter.
- ☐ Grant an extension of time for the filing of a document in this matter.
- ☐ Allows a reduction of the time for filing a document in this matter.

The particulars, circumstances and reasons for this request are:

(Insert a concise statement of the circumstances, and the particulars of the request)

Name and Title of person signing

Authorised Signature:

Companies Tribunal
Republic of South Africa

Form CTR 148

About this Form

- This form is issued in terms of Sections 180 to 184 of the Companies Act, 2008 and Regulation 148 of the Companies Regulations, 2011.
- This form must be served on each party to the proceedings, and must be filed with proof of service.
- Hearings of the Companies Tribunal are governed by Sections 180 to 184 of the Companies Act, and Chapter 7 Part D of the Companies Regulations.
- It is an offense in terms of section 215 of the Companies Act to refuse to attend when summoned, or when attending, to refuse to answer any question or produce any document, or to knowingly provide false information to the Tribunal.

Contacting the Tribunal

The Companies Tribunal of South Africa

Street Address
Pretoria XXXX
Republic of South Africa
tel: 27 012 123 4567
fax: 27 012 123 4567
e-mail: XXX@XXXX.gov.za
WWW. XXXX.XXX

Notice of Withdrawal or Postponement

Date: _____

From: _____ *(insert name of party giving notice)*

To: The Companies Tribunal

Concerning:

(Name and file number of matter being considered by the Companies Tribunal)

The Party named above —

- ☐ Advises that the parties have agreed to postpone proceedings in this matter until further notice.
- ☐ Withdraws the above matter, in its entirety.
- ☐ Partially withdraws the above matter, to the extent set out on the attached sheet.

(Only in the case of a party withdrawing)

In terms of Regulation 148 (3), the party —

- ☐ Consents to pay costs.
- ☐ Does not consent to pay costs.

Name and Title of person signing

Authorised Signature:

Companies Tribunal

Republic of South Africa

Form CTR 151

About this Notice

- This form is issued in terms of Sections 180 to 184 of the Companies Act, 2008 and Regulation 151 of the Companies Regulations, 2011.
- hearings of the Companies Tribunal are governed by Sections 180 to 184 of the Companies Act, and Chapter 7 Part D of the Companies Regulations.
- It is an offense in terms of section 215 of the Companies Act to refuse to attend when summoned, or when attending, to refuse to answer any question or produce any document, or to knowingly provide false information to the Tribunal.

Contacting the Tribunal

The Companies Tribunal of South Africa

Street Address
Pretoria XXXX
Republic of South Africa
tel: 27 012 123 4567
fax: 27 012 123 4567
e-mail: XXX@XXXX.gov.za
WWW. XXXX.XXX

Notice of hearing before Companies Tribunal

Date: _____

From: The Companies Tribunal

Concerning:

(Name and file number of matter being considered by the Companies Tribunal)

The Companies Tribunal is conducting a hearing in the above matter, in terms of the Companies Act, 2008.

You are advised that this matter has been set down for a hearing beginning on the date and at the time and place set out below.

Date: _____

Time: _____

Place: _____

Name and Title of person signing on behalf of the Tribunal:

Authorised Signature:

Companies Tribunal

Republic of South Africa

Form CTR 160

About this Summons

- This form is issued in terms of Section 182 of the Companies Act, 2008 and Regulation 160 of the Companies Regulations, 2011.
- The Companies Act protects your constitutional right against self-incrimination. Please refer to section 184 of the Act.
- It is an offense in terms of section 215 of the Companies Act to refuse to attend when summoned, or when attending, to refuse to answer any question or produce any document, or to knowingly provide false information to the Tribunal.

Contacting the Tribunal

The Companies Tribunal of South Africa

Street Address
Pretoria XXXX
Republic of South Africa
tel: 27 012 123 4567
fax: 27 012 123 4567
e-mail: XXX@XXXX.gov.za
WWW. XXXX.XXX

Summons to appear before Companies Tribunal

Date: _____

To: _____ (Insert name of person being summoned)

From: The Companies Tribunal

Concerning:

(Name and file number of matter being considered by the Companies Tribunal)

The Companies Tribunal is conducting a hearing in the above matter, in terms of the Companies Act, 2008.

You are required to appear and give evidence in connection with this matter on the date and at the time and place set out below.

Date: _____

Time: _____

Place: _____

You are required to bring with you:

- (a) the documents or items listed on the attached sheets; and
- (b) any other documents or items in your possession or under your control that relate to this matter.

Name and Title of person signing on behalf of the Tribunal:

Authorised Signature:

Companies and Intellectual Property Commission

Republic of South Africa

Form CoR 168

About this Form

- This form is issued in terms of Regulation 168 of the Companies Regulations, 2011.
- There is no fee for filing this Notice.

Contacting the Commission

The Companies and Intellectual Property Commission of South Africa

Street Address
Pretoria XXXX
Republic of South Africa
tel: 27 012 123 4567
fax: 27 012 123 4567
e-mail: XXX@XXXX.gov.za
WWW. XXXX.XXX

Notice Challenging Filed Information

Date: _____

Concerning:

(Name and Registration Number of Company or External Company)

The above named company, or external company, advises that the information set out below appears to have been filed with the Commission without authorisation by the company, and constitutes a false filing. The company requests the Commission to remove the filing from the company's record.

(Insert particulars of erroneous filing to be corrected)

DRAFT

Name and Title of person signing on behalf of the Company:

Authorised Signature:

Companies and Intellectual Property Commission

Republic of South Africa

Form CoR 178

About this Notice

- This notice is issued in terms of Section 9 of the Companies Act, 2008 and Regulation 178 of the Companies Regulations, 2011.
- The person to whom this Notice is addressed must respond within 40 business days, failing which, the request in terms of section 9 will be regarded as having been abandoned.

Contacting the Commission

The Companies and Intellectual Property Commission of South Africa

Street Address

Pretoria XXXX

Republic of South Africa

tel: 27 012 123 4567

fax: 27 012 123 4567

e-mail: XXX@XXXX.gov.za

WWW. XXXX.XXX

Request for Additional Information

Date: _____

To: _____

Concerning:

(Name and File Number of request for exemption)

The Companies Commission has begun an investigation into the request for exemption referred to above.

The Companies Commission requests that you provide the following information relating to that matter, within 40 business days after the date of this Notice.

(Insert a statement of the particular information being requested.)

Name and Title of person signing on behalf of the Commission:

Authorised Signature: