



Companies and Intellectual
Property Commission

a member of **the dti** group

GUIDANCE NOTE 2 OF 2013

MEMBERS' SIGNATURES ON CLOSE CORPORATION AMENDMENT FORMS (CK2)

CIPC has noticed an increase in the number of applications for amendments of close corporations. A number of those applications were rejected due to signatures of members which differ from those that the CIPC have on record. This has an effect on the processing of the amendment application, and often the remaining members battle to get hold of the resigning members to re-sign the forms. Kindly note the following important information:-

- It does not mean that the changes have been accepted if all members have signed the CK2 documents.
- The changes will only be effected when CIPC approves the amendment and capture the information on its database.
- All members who are resigning as a member of a close corporation still need to wait for the CIPC amended certificate to confirm the resignation.
- If the signature differs, CIPC requires an affidavit to confirm the recent signature on the CK2 before the application is approved.
- If customers are unsure about their signatures, kindly prepare an affidavit confirming the signature to avoid rejections of the application. The affidavit has to be commissioned by a Commissioner of Oaths.
- If members of a close corporation cannot get hold of a resigning member to sign the CK2 form, CIPC will require a court order before such changes could be approved - refer to section 36 of the Close Corporations Act.

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- If the signature on the application form is not that of a member of the close corporation, a Power of Attorney must be submitted together with the CK2 application.
- CIPC requires original application forms, certified copies of IDs need to accompany the application form as well. The application cannot be processed without all required documents.

Your co-operation regarding the above will be highly appreciated.



Astrid Ludin

Commissioner: CIPC

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