



## GUIDANCE NOTE 4 OF 2012

Companies and Intellectual  
Property Commission

a member of the dti group

### REJECTIONS IN RELATION TO APPLICATIONS FOR CLOSE CORPORATIONS AMENDMENTS

CIPC has noticed an increase in the number of applications for amendments to close corporations which have to be rejected as the lodging requirements are not fully met. The purpose of this guidance note is therefore to attempt to assist customers in submitting such applications correct from the outset, in an effort to reduce the number of applications being rejected.

To prevent rejections in respect of applications for amendments in relation to close corporations, kindly take note of the following:-

- when capturing members' particulars via the electronic CK2 application, ensure that the same information as reflected in the ID copy is captured (ID number, surname and name/s), as CIPC does not re-capture any applications submitted electronically (CK2/CK2A);
- if some of the existing information is incorrect or not updated, e.g. spelling error on principal business, financial year end, etc. customers are urged not to automatically update/correct this information when lodging an amendment. CIPC must first update such information before an electronic CK2/CK2A application can be submitted;
- updating existing information will cause unnecessary deductions from customers' accounts, as certain deduction will automatically be made when corrections are effected by customers;
- at least one member must sign the CK2A and the attached certified ID copy when a new practice number is allocated for an existing accounting officer, and a letter of consent is required from the accounting officer;
- all members must sign and submit their certified ID copies in the case of appointing of a new accounting officer;
- a form COR39 cannot be used to amend details of members of a close corporation; the correct form to be used therefore remains a CK2/CK2A;
- insert the correct customer codes on all manual CK2/CK2A applications submitted, as no tracking number will be allocated without a customer code;
- where the signatures of the application/s submitted do not correspond with the signatures already on file at CIPC, an affidavit from that member is required to explain the reason for the difference in signature, and to confirm that it is the same member who has signed the CK2 form;
- where the signature is not that of a member, an appropriate Power of Attorney must be attached;
- ensure there are sufficient funds in the virtual account to make provision for costs in relation to, for example, changes on certain pages of the CK2 application;
- the executor must sign the application forms on behalf of a deceased member, and attached to the application must also be a certified copy of the ID of the executor, as well as an executor's letter;
- all annual returns must be up to date before lodging a form CK2/CK2A;
- an accounting officer of a close corporation cannot be a company;
- supporting documents relating to trusts must be attached to a CK2 application linked with trust registration. Also refer to Practice Note 1 of 2006 in this regard;
- in instances of a change of name, the customer code on the CK2 form must be the same as the customer code on the COR9.4 form;
- members' ID number or date of birth cannot be changed to reflect a passport number.

**ASTRID LUDIN**  
**COMMISSIONER**

...26 SEPTEMBER 2012

---

#### Physical Address

the dti Campus Block F  
Sunnyside  
0001

#### Postal Address

Companies  
P O Box 429  
Pretoria  
0001

#### Customer Contact Centre

National: 086 100 2472  
International: (+27) 83 900 2427