



PRACTICE NOTE 4 OF 2011
COMPANIES ACT, 2008
DETAIL OF INCORPORATORS ON LOCAL COMPANIES

This practice note is issued in terms of Regulation 4 of the Companies Regulation, 2011 and is applicable to companies with the implementation of the Companies Act, 2008 on 1 May 2011.

With the introduction of the Companies Act, 2008 the concept of subscribers is replaced with incorporators. Incorporators are not required to subscribe to the shareholding of the company that is to be incorporated although the incorporators shall be regarded as the first directors of the company in the absence of details of initial directors being provided on CoR14.1 Annexure A.

Therefore, since the incorporators are regarded as the first directors of the company the following information must be provided on CoR15.1A, B, C, D or E:

- Name, surname, identity number (including passport if foreign national) and address of the incorporator in the case were the incorporator is a natural person; or
- Name, registration number and address of each incorporator in the case were the incorporator is a juristic person.

To this extent, the address requirement for an incorporator shall be the postal address of the incorporator and either an e-mail address or cell phone number. If the postal address and e-mail address or cell phone number is not provided on the manual or electronic CoR15.1A, B, C, D or E then such documentation will be rejected.

Yours faithfully,

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Adv Rory W Voller
Deputy Commissioner: CIPC
Date: 5/5/2011

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