



Companies and Intellectual
Property Commission

a member of **the dtic** group

USER GUIDELINES

BENEFICIAL OWNERSHIP

PURPOSE OF DOCUMENT

The Companies and Intellectual Property Commission (CIPC) launched its beneficial ownership (BO) register for companies and close corporations on 1 April 2023. The aim of establishing the BO register is to have a repository/register of natural persons who own or exercise control over legal entities; to assist law enforcement with relevant information when it comes to their investigations of who the ultimate owners of an entity are; and to mitigate the risks identified in the national risk assessment where legal persons were identified as vehicles prone to abuse for money laundering and terror financing activities.

The register to be kept is for the applicable companies and close corporations to submit any beneficial ownership information relating to that entity. Anyone with more than 5% beneficial ownership of a company or close corporation must submit (file) with the CIPC, the requisite information. This document is to guide filers and users on the steps for filing beneficial ownership details via the online automated process of filing, and also to provide legislative and practical guidelines (explanatory notes) on the purpose and process of filing.

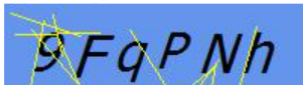
STEPS TO CAPTURE BENEFICIAL OWNERSHIP DETAILS

1. Visit the CIPC website www.cipc.co.za and click on On-line transacting/New E-services or use the following direct link: <https://eservices.cipc.co.za/>
2. Complete your Customer Code, Password and Security Code. Click on Login
3. **Note:** In order to file beneficial ownership information, the filer must be a registered customer of the CIPC, with a valid customer code and password.

Login to CIPC eServices

Customer Code

Customer Password (case sensitive)



Enter security code displayed above. (case sensitive)

Tick to accept the [CIPC Terms & Conditions](#)

LOGIN



FORGOT PASSWORD



Before you login make sure you have a **valid email address**, you will not be able to transact if you don't have one. You can register for a free email address at [GMail](#).

RESET PASSWORD

- To reset your password, visit the website <https://www.bizportal.gov.za>
- Click on Login on top of the page, and then on Reset Password.
- Type your ID number and click on Continue.
- An OTP will be sent to your email and cell number. Provide the OTP and reset your password.

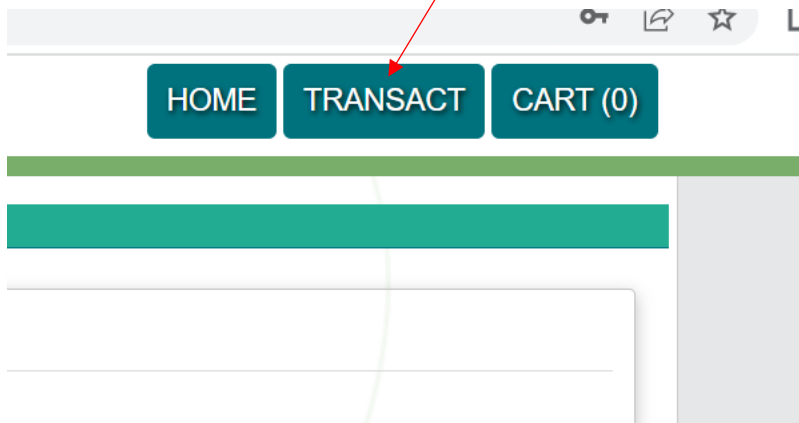
Kindly note that the same password is used to log into E-services, New E-services and BizPortal.

If you experience challenges with login in to the CIPC system or your cell phone number is incorrect, follow the following manual process:

1. Please click here or use the link <https://enquiries.cipc.co.za>
2. Click on Password reset.
3. Complete the required fields, and attach certified ID copy (not older than three months).

Foreign nationals must follow the manual password reset process above, but provide a certified passport copy instead of ID copy.

4. Click on the Transact button



5. The services on the e-services portal will be displayed. Select Beneficial Ownership option.



6. Read and accept the Declaration, click on the “I Agree” check box and continue button.

Beneficial Ownership

Declaration Information

Declaration

I hereby declare that I am authorised to file the Beneficial Ownership Information on behalf of the entity. I confirm that the information furnished herein is true and accurate according to my knowledge. I am fully aware that enforcement action may be taken in terms of the Companies Act against the entity and individuals who are involved in deliberately providing false information.

By agreeing below, I confirm that the CIPC terms and conditions have been read and understood and that any false statements, reckless conduct and non-compliance with the Companies Act, 2008 may result in criminal action against me and penalties imposed.

I Agree

CONTINUE

Explanatory note: It is accepted that the filer responsible for filing beneficial ownership information of any applicable entity, has been mandated in writing by the company or close corporation, to tend to same on behalf of the entity. This written and signed mandate, received by the filer, also forms part of the supporting documentation that must be uploaded to the Commission, upon filing of the BO-information. It is accepted that the filer has been provided with the full information required to tend to the BO-filing on behalf of the entity, and the agreement above relates to the filer confirming that he/she is attending to the instructions of the entity on whose behalf they are filing.

Content of mandate:

The written mandate provided by the declaring entity to an individual (filer) to submit beneficial ownership information to the CIPC, needs to comply with certain requirements in order to be accepted as a valid, lawful and binding document. Although there exists no specific template for the mandate itself, below serves as a guide with regards to minimum content: -

1. The mandate may in the form of a letter, a resolution or power of attorney, providing a specific mandate by the declaring entity to an individual (natural person) to submit beneficial ownership information, together with mandatory supporting documents, to the CIPC. The mandate must be on a company / close corporation letterhead of the declaring entity;
2. The mandate must be provided to a natural person (not a juristic person) who is in possession of a valid CIPC customer code, to be used when filing. The full names, surname and ID number of the

mandated person (filer) must be indicated in the mandate, accompanied by a certified ID copy of the filer;

3. Also, the mandate must be signed by at least 50% +1 of the directors of the company (ordinary resolution requirements), and all of the members of a CC.

Legislative guideline: When transacting with the CIPC it is accepted that the CIPC Terms & Conditions, as well as Privacy Policy (available on the CIPC website homepage) have been thoroughly read and the content thereof accepted. Section 214 of the Companies Act, provides for criminal prosecution of individuals as well as juristic persons in the event of reckless conduct, non-compliance with the Act, as well as providing false statements.

7. The system will display 2 grids, one for the applications in progress and the other on completed applications. To start a new transaction, the customer has to click the **New** button.

Explanatory note: Applications in progress refers to BO-filings that have been done prior, but not finalized. The system allows for progress on filing to be “saved” and returned to later. Applications in progress do not constitute a valid filing of beneficial ownership information and requires filings to be submitted (and a confirmation thereof received) before it is accepted as complete.

Search Application

Reference Number

In progress Applications

DATE	REFERENCE	STATUS	TOTAL OWNERSHIP %	CUSTOMER	ENTERPRISE	FILE
24/03/2023	60000016837	BO PENDING REGISTRATIONS	0	790902	K2022700025	

Completed Applications











No applications available

Explanatory note: Upon login, the system will provide the filer with a list of all entities associated with such customer code, for ease of reference. Any one of the listed entities may be selected to tend to filing, OR the search option may be selected to search for a specific entity to file its BO-information. Should a filer be mandated to submit BO-information on behalf of an entity, which is not associated with his/her customer code, simply make use of the “search” option mentioned above.


- The system will display the list of entities linked to your profile. Select the entity you want to file BO for or type in the free text box and search for the entity to file the BO information for.

Enterprise Information

Associated Enterprise Listing

ENTERPRISE NO	TYPE	STATUS	COMPLIANT	FILE
2011/091321/23	CLOSE CORPORATION	IN BUSINESS	<input checked="" type="checkbox"/>	
2020/500225/07	PRIVATE COMPANY	BUSINESS RESCUE	<input checked="" type="checkbox"/>	
2020/500228/07	PRIVATE COMPANY	IN BUSINESS	<input type="checkbox"/>	
2021/453401/07	PRIVATE COMPANY	BUSINESS RESCUE	<input checked="" type="checkbox"/>	
2022/052315/08	NON PROFIT COMPANY	IN BUSINESS	<input type="checkbox"/>	
2022/052316/08	NON PROFIT COMPANY	IN BUSINESS	<input type="checkbox"/>	
2022/052317/07	PRIVATE COMPANY	IN BUSINESS	<input type="checkbox"/>	
2022/700007/07	PRIVATE COMPANY	IN BUSINESS	<input type="checkbox"/>	
2022/700025/07	PRIVATE COMPANY	IN BUSINESS	<input type="checkbox"/>	
2022/700054/08	NON PROFIT COMPANY	IN BUSINESS	<input type="checkbox"/>	

1 2



Explanatory note: Entity statuses

Entities with types of statuses, such as active, business rescue and deregistration process, may proceed to file. Entities with the following statuses **cannot file BO-information**: -

- Final de-registration (whether voluntary or AR);
- Voluntary de-registration process (not AR);
- Final Liquidation;
- Voluntary liquidation;
- Provisional liquidation;
- Suspended;
- Conversion from CO/CC or CC/CO
- Dissolved

Legislative guideline: Entity status

While an entity is in de-registration process, (due to annual return non-compliance), the entity is still active and able to trade and do business and is thus required to comply with filing of beneficial ownership information if applicable. It is accepted that entities that applied for voluntary de-registration (thus voluntary de-registration process status), the company has ceased to carry on business and there is no requirement to file beneficial ownership information (section 82(3)(b)(ii) of the Companies Act). Once an entity has been finally de-registered, liquidated or dissolved, the entity no longer exists, cannot trade and do business and is thus not required to comply with BO-information filing. Entities converted from a CC to a company and *vice versa*, is only required to file BO-information in terms of the entity type it was converted into and not for the entity type it was before conversion. For all intent and purposes, the initial corporate entity, no longer exist, once conversion is complete.

Explanatory note: Entity types

The following entity types are required to file BO-information, if applicable: -

- Profit companies;
- Non-profit companies;
- External companies; and
- Close Corporations

9. Click on the New button and the page will be displayed where you have to populate the details of the beneficial owner(s), applicable to that entity.

Beneficial Ownership

Ownership Information



Company Details

Company Name: CAAAAAT

Owners Listing

Enterprise No	Reference No	Ownership %	Name	Surname	Status	ID Verified	Edit	REMOVE
K2022700025	60000016837	60	SECHUBANE	MASHILO	ACTIVE	<input checked="" type="checkbox"/>		

BACK NEW CONTINUE

Explanatory note: Identity verification

ID verified means that the South African ID number submitted has been verified against the Department of Home Affairs database. For foreign beneficial owners, a certified passport copy must be uploaded for the purpose of verification. (See certification guidelines available on the CIPC website).

Explanatory note: Status

The reference to the status of the beneficial owner directly relates to the fact that the person listed is a beneficial owner. At any time, beneficial ownership changes, such changes must be submitted to the CIPC, which will update the register. Should a beneficial owner (already declared) no longer fall within the 5% threshold requirement for declaration, then same must be amended via CIPC and the status will change to inactive.

Explanatory note: Ownership %

Beneficial ownership in respect of a company means, an individual who, directly or indirectly, ultimately owns that company or exercises effective control over that company. (Section 55 of the General Laws

Amendment Act, 22 of 2022, read with the amendments to the Companies Act and Companies Act Regulations).

In the drop down list provided on the BO system, any one or more of the below types of beneficial ownership / control can be selected. Important to remember the 5% threshold for beneficial ownership declaration, with an aggregate of 100%. Currently the Companies Act provides for 5% of beneficial interest in securities, thus the norm was upheld in terms of beneficial ownership. Any beneficial ownership / control below 5%, need not be declared.

Legislative guideline: Beneficial ownership

Types of beneficial ownership / effective control:

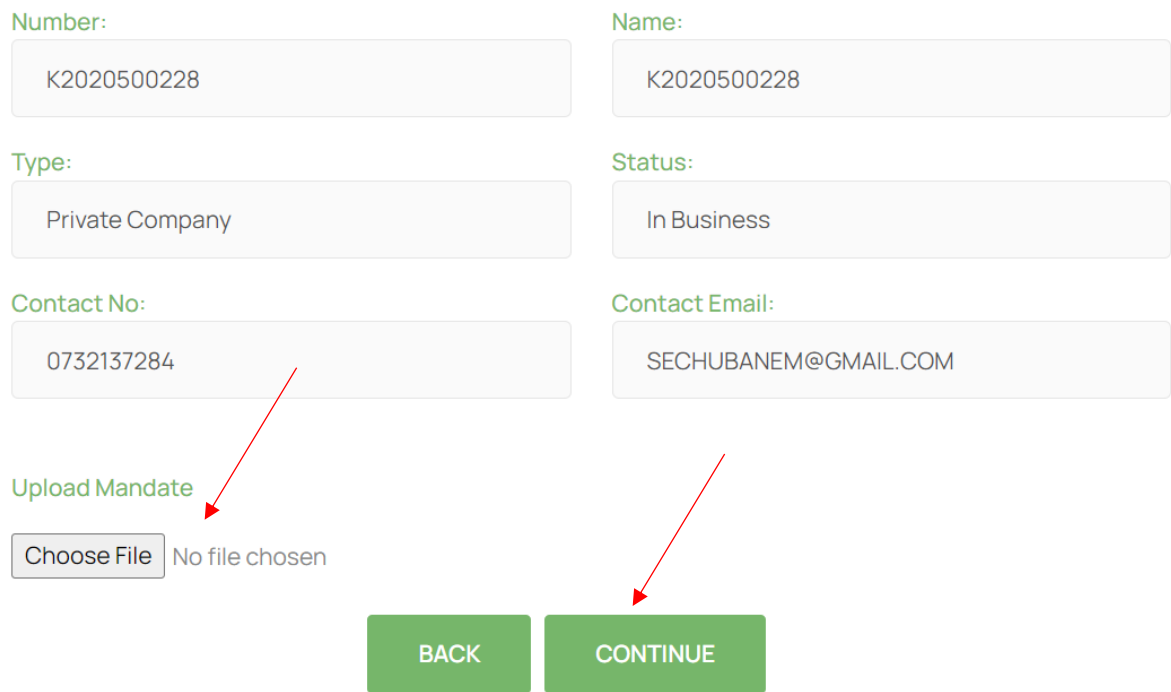
- The holding of beneficial interest in the securities of a company;
- Control over voting rights, or control over the exercise of voting rights associated with securities of a company;
- The exercise of the right to appoint / remove members of the board of directors of a company, OR control over the exercise of the right to appoint / remove board members;
- The holding of beneficial interests in the securities of a holding company, (through a subsidiary) OR the ability to exercise control (including through a chain of ownership) of a holding company through its subsidiary;
- The ability to exercise control, through a chain of ownership, of-
 - (i) A juristic person other than a holding company of that company;
 - (ii) A body of persons corporate or unincorporate (i.e body corporate of an estate – NPC);
 - (iii) A person acting on behalf of a partnership;
 - (iv) A person acting in pursuance of a trust or agreement (i.e trustees, beneficiaries of trusts, beneficiaries of an agreement);
- The ability to otherwise materially influence the management of that company – effective control.
- State owned companies (SOC's) will also be required to file BO information, unless exempted by the Minister in terms of section 9(2) of the Companies Act.

10. Once an entity is selected the following page will be displayed. Display an enterprise information and you are required to upload the mandate to file BO on behalf of the entity.

Enterprise Confirmation

You are about to file beneficial ownership application for an enterprise named **K2020500228**, which is registered with enterprise number **2021/1234567/07**. Use the continue button below to confirm that this is the enterprise you would like to file the beneficiary ownership for.

Number:	<input type="text" value="K2020500228"/>	Name:	<input type="text" value="K2020500228"/>
Type:	<input type="text" value="Private Company"/>	Status:	<input type="text" value="In Business"/>
Contact No:	<input type="text" value="0732137284"/>	Contact Email:	<input type="text" value="SECHUBANEM@GMAIL.COM"/>
Upload Mandate	<input type="button" value="Choose File"/> No file chosen		
	<input type="button" value="BACK"/>	<input type="button" value="CONTINUE"/>	



11. After uploading mandate (mandatory) and Click Continue button the following page will be displayed.

Beneficial Ownership

Ownership Information



Company Details

Company Name: CAAAAAT

Owners Listing

Enterprise No	Reference No	Ownership %	Name	Surname	Status	ID Verified	Edit	REMOVE
K2022700025	60000016837	60	SECHUBANE	MASHILO	ACTIVE	<input checked="" type="checkbox"/>		

[BACK](#) [NEW](#) [CONTINUE](#)

12. The following page will be displayed where the filer can select the relevant (in terms of beneficial ownership) company type from the drop down list for filing.

Beneficial Ownership Register

Enterprise Name:
G000000000

Enterprise Number:
K2022052315

Total Declared Ownership %:
0

Select Company Type:
Select Company Type

- Select Company Type
- AFFECTED COMPANY
- NON AFFECTED COMPANY WITH NO BENEFICIAL OWNERSHIP TO DECLARE
- NON-AFFECTED COMPANY WITH BENEFICIAL OWNERSHIP

Explanatory note: Beneficial ownership company category

Non-affected company with beneficial ownership information – companies that are not classified as “affected companies” (section 1 of the Companies Act), and have beneficial ownership information to declare, will follow the standard BO-register requirements of completing beneficial ownership information and submitting required documentation;

Affected company – companies classified as affected companies (section 1 of the Companies Act), whether beneficial ownership information to declare or not, will select this category and upload the mandatory documentation (certified ID copy of filer; mandate) and the beneficial interest register as per section 56(7)(aA) of the Companies Act;

Non-affected company without beneficial ownership information – companies that are not classified as “affected companies”, and have no (nil) beneficial ownership information to declare, will select this category and upload the mandatory documentation (certified ID of filer; mandate) and the securities / members register as per sections 33 and 50 of the Companies Act.

Legislative guideline: Beneficial ownership company category

Corporate entities are classified into 2 main types, “affected” and “non-affected” companies. When a company falls within either of these categories, the next question is whether the company or close

corporation have any beneficial ownership information to declare. The answer to these 2 questions will dictate which beneficial ownership company type (category) is selected. The abovementioned 3 beneficial ownership categories, are aimed at simplifying the filing of information mandatory in terms of the Companies Act and subsequent Regulations (as amended).

NB: Only non-affected companies with beneficial ownership information to declare will receive a confirmation certificate of beneficial ownership filing. Affected companies and non-affected companies with zero beneficial ownership to declare, will only receive a notification of submission of required documents (securities register and beneficial interest register (as applicable) when filing.

13. The following page will be displayed once the filer has selected Affected Company and clicked continue button.

The screenshot displays a web form titled "Beneficial Ownership Register". It contains the following fields and elements:

- Enterprise Name:** A text input field containing the value "K2020500228".
- Enterprise Number:** A text input field containing the value "K2020500228".
- Total Declared Ownership %:** A text input field containing the value "0".
- Select Company Type:** A dropdown menu with "AFFECTED COMPANY" selected. The dropdown box is highlighted with a blue border.
- Navigation Buttons:** Two green buttons labeled "BACK" and "CONTINUE" are positioned at the bottom center of the form.

Supporting Documentation Information

CREATED	NAME	DOCUMENT TYPE	REMOVE
No documents available			

BACK UPLOAD DOCUMENTS CONTINUE

14. The filer is expected to upload the Affected Companies supporting documents. Once all the mandatory documents are uploaded the continue button will be enabled. The filer will click the Continue button and the following page is displayed.

Beneficial Ownership
Supporting Document Information

Home > Applications

Supporting Documentation Information

CREATED	NAME	DOCUMENT TYPE	REMOVE
13/07/2023 15:17:46	ID Copy.pdf	CERTIFIED ID	
13/07/2023 15:18:17	Security Register.pdf	SECURITIES REGISTER	

BACK UPLOAD DOCUMENTS CONTINUE

15. Once all the mandatory documents are upload, the summary page will be displayed.

Beneficial Ownership

[Home](#) > [Applications](#) >

Summary Information

Enterprise Information

ENTERPRISE NUMBER	ENTERPRISE NAME	TYPE	STATUS
K2020500228	K2020500228	Private Company	In Business

Ownership Information

DATE	Name	ID Number/Passport Number	ID Verified
No Ownership Information			

Document Information

REFERENCE	CREATED	DOCUMENT TYPE
60000018171	13/07/2023 15:17:46	CERTIFIED ID
60000018171	13/07/2023 15:18:17	SECURITIES REGISTER

[BACK](#) [SUBMIT](#)

16. The filer will select Submit button and the system will send e-mail and cellphone OTP's to the filer only. The following page will be displayed.

OTP Confirmations

NUMBER	DATE	EXPIRE	FULLNAME	RECEIPT TYPE	CONFIRMED
1871	13/jul/2023 15:20:22	13/jul/2023 15:20:22	SECHUBANE PETER MASHILO	FILER	<input checked="" type="checkbox"/>

[RESEND OTPS](#) [REFRESH](#)

OTP CONFIRMATION RESULTS

Required: 1
Received: 0
Percentage: 0

APPLICATION INFORMATION

Reference: 60000018171
Submitted By: 790902
Submitted On: 13/JUL/2023 15:12:40
Status: BO PENDING REGISTRATIONS

17. On the following page the filer is required to capture both OTP's received and the system will validate them.

Confirmation Validation

OWNER INFORMATION

Number: Name:

VERIFY INFORMATION

ID Number/Passport Number:

SMS OTP:

Email OTP:

[CANCEL](#) [VERIFY](#)

18. Once the OTP's are validated the system dispatch the Affected BO acknowledgement e-mail to the filer and notify the directors of the BO filing.

OTP Confirmations

NUMBER	DATE	EXPIRE	FULLNAME	RECEPIENT TYPE	CONFIRMED
1872	13/jul/2023 15:41:50	13/jul/2023 15:41:50	SECHUBANE PETER MASHILO	FILER	<input checked="" type="checkbox"/>
1871	13/jul/2023 15:41:50	13/jul/2023 15:41:50	SECHUBANE PETER MASHILO	FILER	<input checked="" type="checkbox"/>

REFRESH

INFORMATION

The application confirmation is received and will be processed accordingly. No further action is required. Please check for email correspondence. Please click finish to be redirected to the page where you can download certificate.

FINISH