

a member of the dtic group

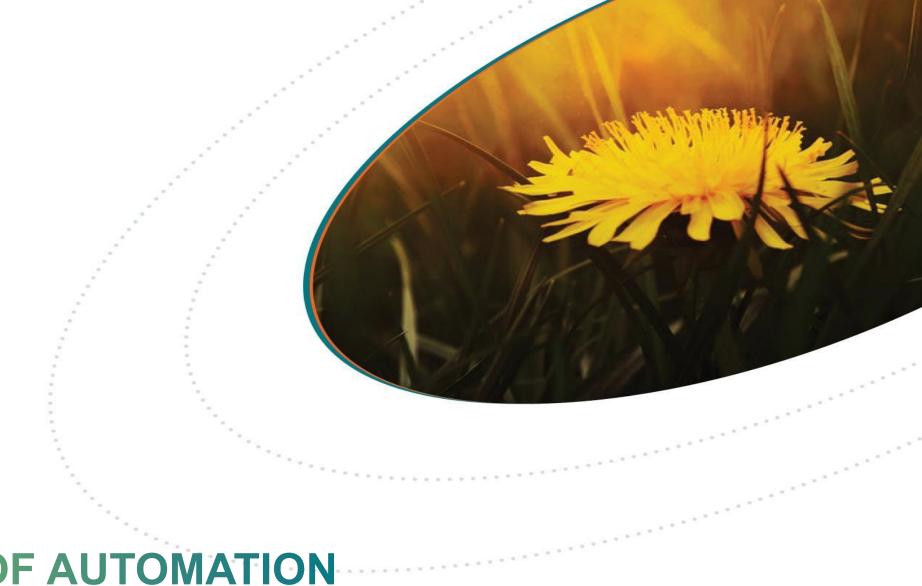
**WEBINAR** 

AUTOMATION OF RE-INSTATEMENTS
FOR
COMPANIES & CC



### TABLE OF CONTENT

- 1. Objective of Automation
- 2. Requirements for Reinstatement
- 3. Step by Step
- 4. Incidental information
- 5. Learn-i-Biz
- 6. Resources



**OBJECTIVE OF AUTOMATION** 

# Objective of Automation



Part of the CIPC strategy to automate services and provide services on more efficient platforms



To improve communication to customers throughout the process



Reduce administrative errors and enquiries



To improve service turnaround times



Better data collection and data control in services



Allow for integration with other data sources to improve data quality and access to information



Download functionality for the customer who submitted

### Automation

- Release of automation reinstatement process for companies and close corporation is planned for 11 August 2025
- CIPC must finalise its internal governance procedure first, whereafter the formal communication of the release will be communicated via the CIPC communication platforms

# Scope of the Automation

- From the release date no manual applications will be accepted via <u>re-instatements@cipc.co.za</u> (it will be deactivated)
  - Applications e-mailed in, IF IT MEETS THE REQUIREMENTS, will be finalised by the CIPC back office
- Reinstatement Application fully automated no supporting documents required
- Reinstatement Court Order hybrid and court order must be uploaded for back office to confirm



# Re-instatement Requirements

- MUST had economic value on date of final deregistration CIPC can call for evidence to support at any time after processing the application.
- Criminal offense to submit false information to the CIPC.

# Who May Apply For Re-instatement

- Section 82(4) of the Companies Act any interested person may apply to re-instate a company or close corporation
- Only company or close corporation or its duly appointed representative may
  - File annual returns;
  - File Beneficial Ownership Declaration / security register etc.
  - File AFS/FAS
  - Third parties do not have such information, and therefore cannot complete reinstatement process since all annual returns and other documents MUST be submitted to complete the process
- Third parties, must apply to court and court order must also contain prayer that company
  or close corporation must comply with its administrative requirements under the
  Companies Act

# Steps For Re-instatement

- Step 1: Determine status (AR Final Deregistration)
- Step 2: Assessment as to economic value at time of final deregistration
- Step 3: Source all the required documentation and information (for re-instatement, annual returns, AFS/FAS and beneficial ownership)
- Step 4: Submit application via any of the available electronic platforms
- Step 5: Pay for the application within 5 business days R200
- Step 6: Submit and pay (file) all outstanding Annual Returns, latest AFS/FAS and Beneficial Ownership Declaration within 30 business days
- Step 7: Ensure that all director, address etc., is updated

## Step 3:

## Source all the required documentation

- Sufficient documentary proof showing that the company or close corporation was in business/economic value or had any outstanding assets or liabilities.
   Examples of possible proof -
  - Bank statements (most common evidence)
  - Immovable property Windeed / Letters from land registry
  - IP rights e.g., Trade Marks Extract from Trade Mark registry
  - Shares Letter / notification from issuer of shares that company or close corporation hold shares
  - Outstanding liabilities e.g., letter / notification from SARS that credit/rebate or outstanding tax liabilities
  - Lease agreement must indicate parties and one of the parties must be the company or close corporation AND must not have expired
  - Assets e.g., car then statement of financier or confirmatory letter or notice from Department of Transport

 NB: Don't have to submit the evidence of economic value or in business at the time of final deregistration – CIPC may request such at any point in time

# Steps for Re-instatement Court Order

- Court order (not court documents) must be uploaded on e-Services for back office approval
- Important -
  - Advised that court order must also mandate company or close corporation to bring all obligations up to date within a period of time
  - Failure of which, company or close corporation will be placed back into AR deregistration for non-compliance

## Cost





Court order – R0.00

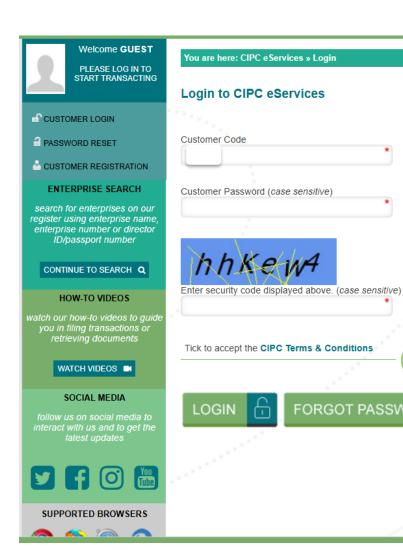
Reinstatement Application – R200 PLUS outstanding Annual Return Fees

## Channels

- BizPortal <u>www.bizportal.gov.za</u>
- E-Services <u>www.eservices.cipc.co.za</u>
- SST



**STEP BY STEP** 



Before you login make sure you have a valid Customer Code be able to transact if you don't have one. You

FORGOT PASSWORD

### address at GMail. RESET PASSWORD

- To reset your password, visit the webs. https://www.bizportal.gov.za
- Click on Login on top of the page, and the
- Type your ID number and click on Cor.
- An OTP will be sent to your email and OTP and reset your password.

Kindly note that the same password is used to E-services and BizPortal.

If you experience challenges with login in to tl phone number is incorrect, follow the following

- 1. Please click here or use the link https://enguision.com.
- Click on Password reset.
- 3. Complete the required fields, and atta older than three months).

Foreign nationals must follow the manual pas but provide a certified passport copy instead of

Login with Customer Code and Password

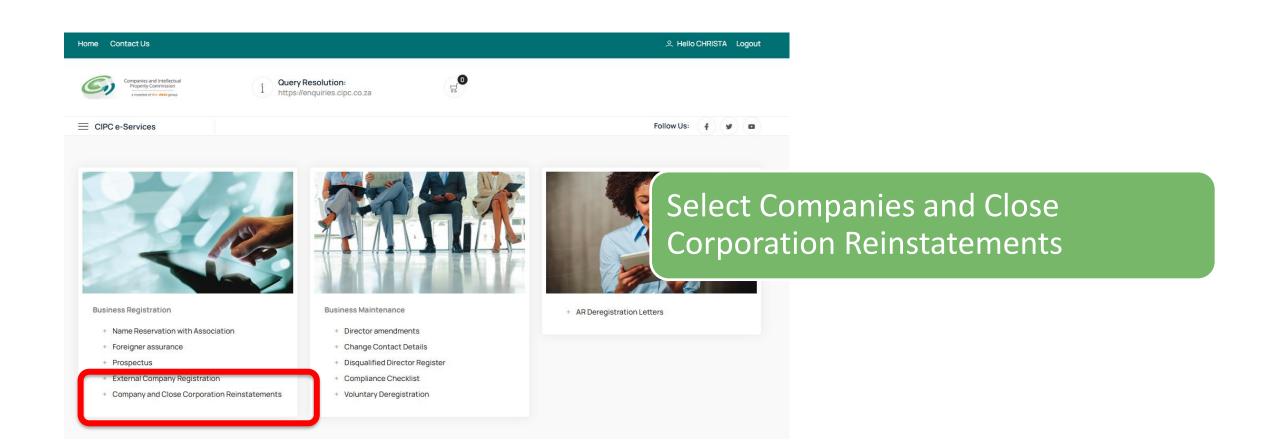
If you have forgotten your password select forgot password

If your customer code is outdated first update via resetpass@cipc.co.za

## Select the Service



### Select the Service



### **Terms and Conditions**

### Company and Close Corporation Reinstatement

**Terms and Conditions** 

Submitting of false information to the CIPC, is a criminal offense in terms of section 214 of the Companies Act and will result in the withdrawal of the fillings and possible criminal prosecution.

A company or close corporation can only be re-instated by a Form CoR40.5 if it was in business or had other economic value at the time of this evidence must be retained by the company or close corporation, and CIPC reserves the right to request it at any time in accordance Regulation 168. Failure to provide such evidence may result in the withdrawal of the re-instatement application and subsequent annual

If the company or close corporation was not in business or had other economic value at the time of final deregistration, a new company registered at a cost of R175.

If a creditor to the company or close corporation or another party wishing to enforce his/her/its liability against the company or close co court order is required. The court order must in addition to stating that the company or close corporation is re-instated, also mandate til close corporation to comply with its obligations in terms of the Companies Act, 2008 inter alia the filling of outstanding Annual Returns, Ownership Declaration, AFS/FAS and other information to bring its records up to date. Failure of the court order to mandate the companicorporation to comply with these obligations, will result in the company or close corporation being placed back into Annual Return Dere the implementation of the court order.

IMPORTANT: Read the Terms and Conditions and confirm that you agree to it and that you have the mandate to submit

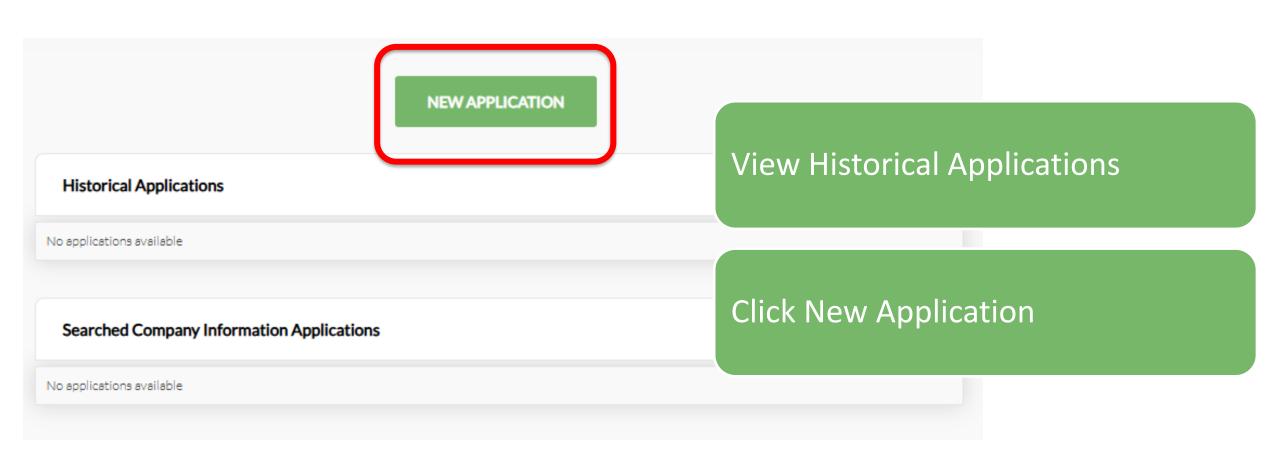
### Mandate

By clicking on I agree, you are confirming that you have the necessary mandate in terms of Companies Regulation 168 (4) to submit the reinstatement application and submit all outstanding information with the CIPC on behalf of the company or close corporation, or to submit the court order and that all information submitted is true and correct, including that the company or close corporation was in business or had other economic value at the time of final deregistration.

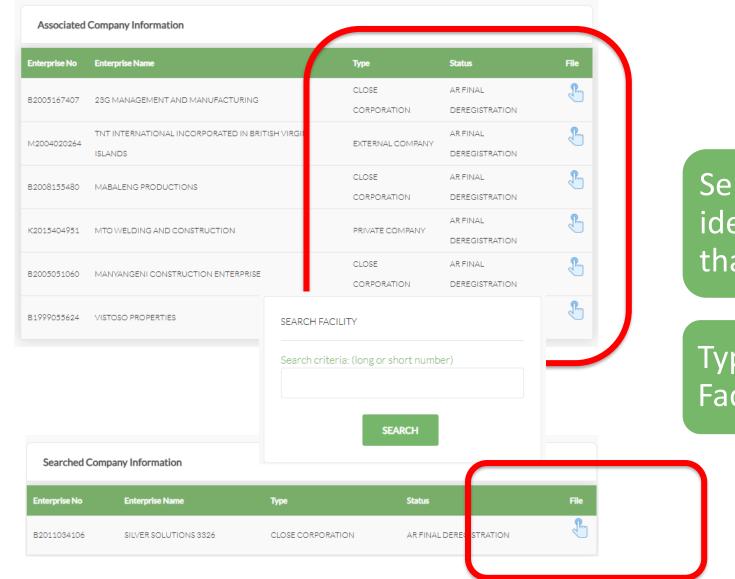
☐ I Agree

CONTINUE

# Start a New Application or View Existing Application



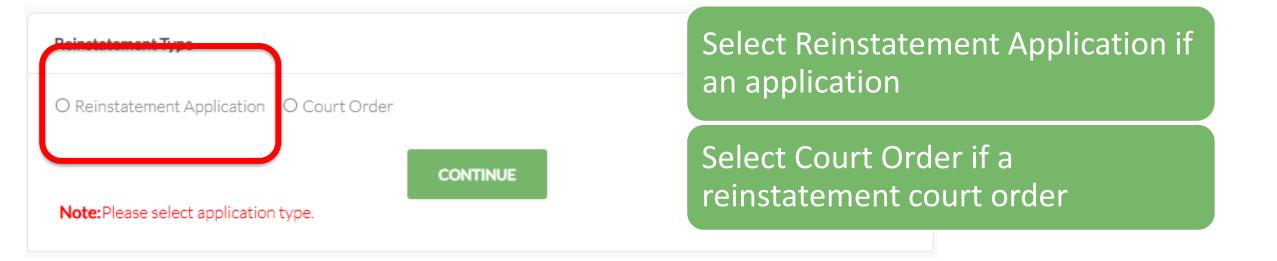
# Search or Select Associated Company



Select An Associated Company – identity number of customer is also that of a director or member

Type in enterprise number in Search Facility and then click on file (hand)

# Select Type of Application



### Filed Annual Returns AR Year Filing Date Reference No 2022 08/03/2022 9362085529 2021 19/03/2021 9343388953 9233231183 20/03/2020 2019 20/03/2020 9233231182 2018 27/06/2018 9125999048 966373767 2017 14/03/2017 2016 18/03/2016 933275004 28/03/2015 925387104 29/03/2014 720095830 2013 07/10/2013 718559783 715289614 2012 07/06/2012 **Outstanding Annual Returns** AR Year Due date 2023 01-MAR-2023 2024 01-MAR-2024 2025 01-MAR-2025 CALCULATE Annual Returns and Reinstatement Cost Annual Return Cost Reinstatement Application Fee CONTINUE

### Calculator

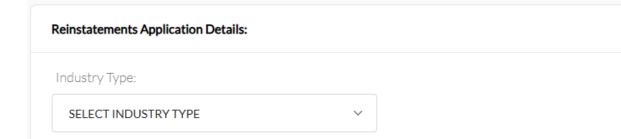
Type in the turnover value of the outstanding annual return years

Do not want to continue with reinstatement application click on here to register a new company

Total Cost of Reinstatement Due: R 950

Alternative to re-instating the company or close corporation, a new company can be registered at a cost of R175. Click here to register a new

# Industry



Industry Type
Select the Industry in which the enterprise vas operating at the time of final deregistration. For assistance to the Industry Type, click here for assistance.

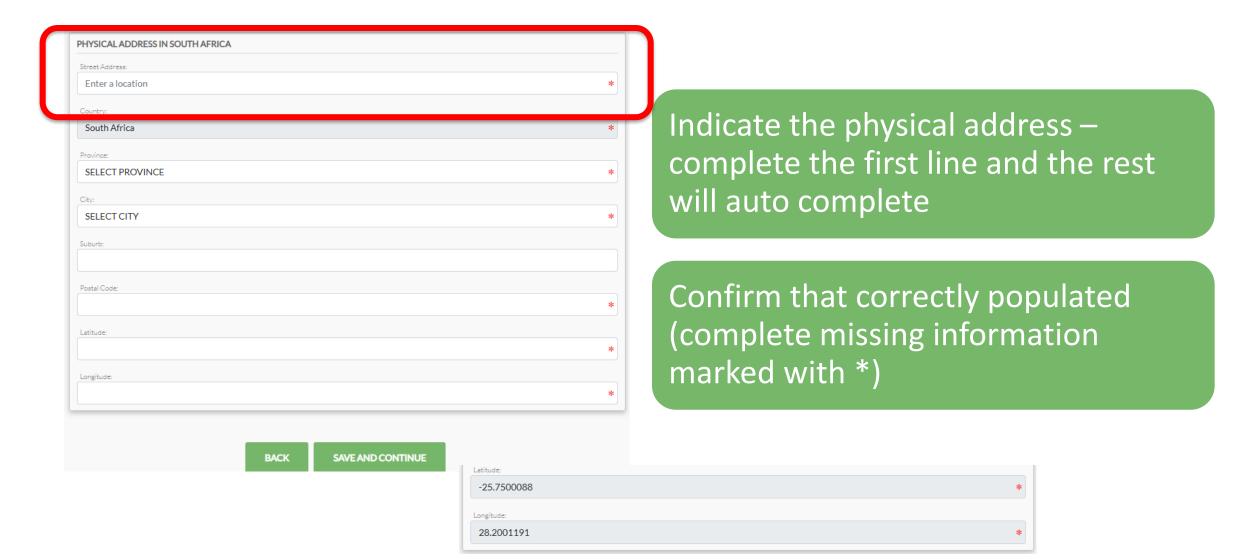
Court order beforeaction
Indicate the case number, date the order was made and by which high court. Select other if the relevant high court is not available.

Physical Address
Update the physical address of the enterprise in South Africa.

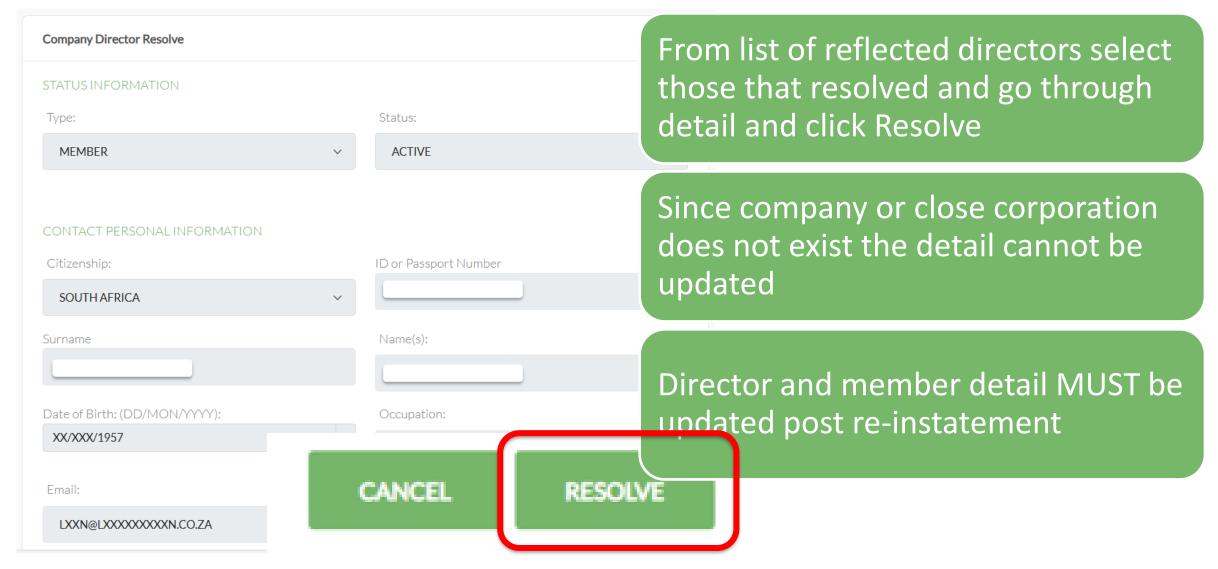
Select Industry from the dropdown list

If assistance is required, click on the click here for assistance

# Physical Address



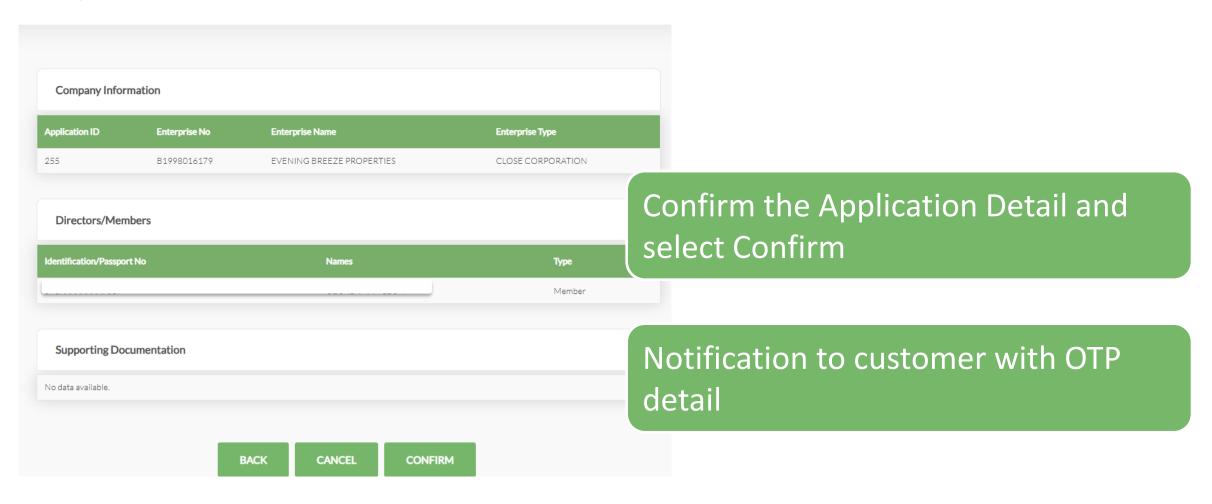
# Directors and members who resolved to reinstate

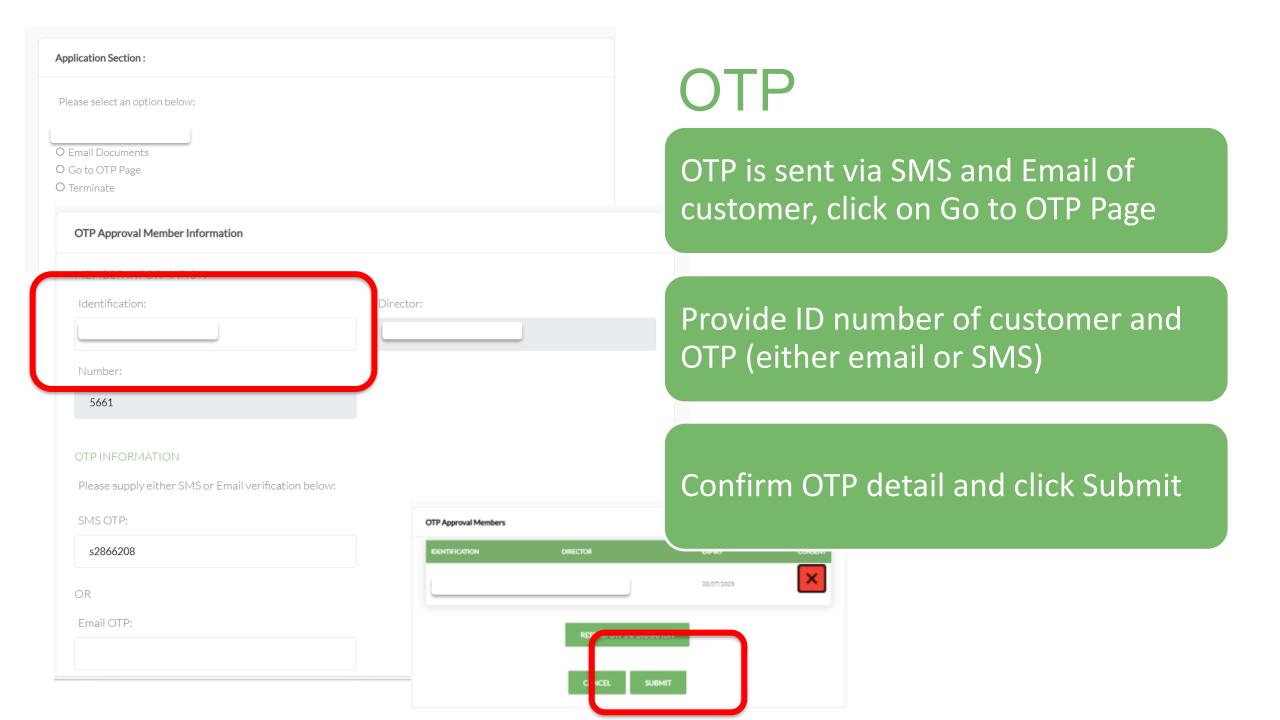


## **Confirm Detail**

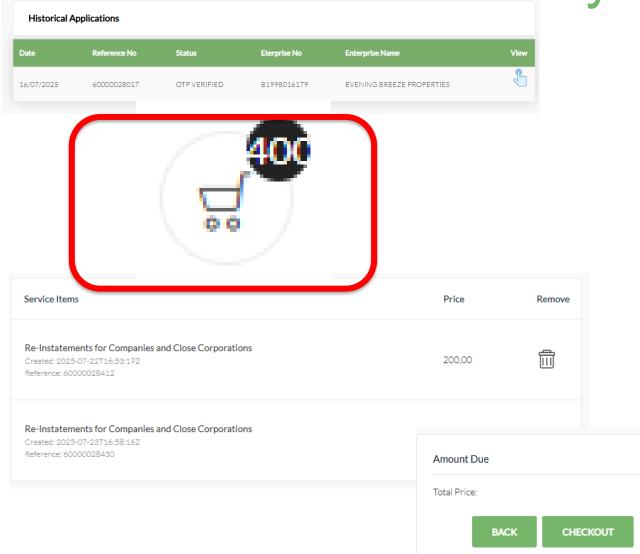
### Confirm Company Information

For Companies





Payment



Notification will be sent to customer that payment must be made to complete process

Click on Cart

Confirm application to be paid

Proceed to Checkout and follow payment instructions

# Completion



After payment status will change to Re-instatement Process and proceed to file all outstanding Annual Returns, Beneficial Ownership Declaration and AFS/FAS

30 business days



Email notification will be issued confirming processing, and next steps. The Email notification will also contain the confirmation letter.

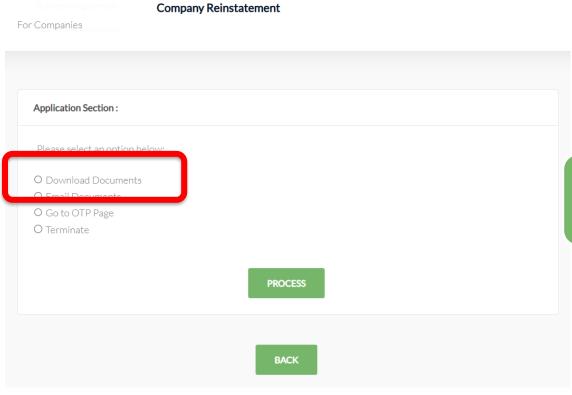


Reminder will be issued 10 days before reversal that Annual Returns, Beneficial Ownership Declaration and AFS/FAS mut be filed.



If no filing, revert back to final deregistered and new process must be followed.

### Download documents



Select Download Document and follow prompts



## **Incidental Matters**

- Enquiries to be submitted via the authorized e-mail address enqreinstatements@cipc.co.za or call centre
- If Annual Returns were filed, but not the latest Beneficial Ownership Declaration, such must be filed separately failure of which CIPC may initiate an investigation against the company or close corporation and issue a compliance notice
- Refund of deposits must be logged via <u>revenue@cipc.c</u>
- Bank card must be authorized for online payments



# Follow us on these social media platforms for latest updates



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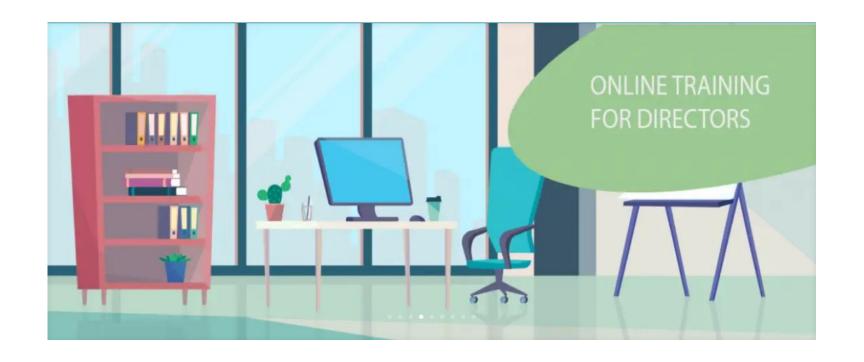








**LEARN-I-BIZ** 



### **Learn-i-Biz Course**

### LEARN-i-BIZ | CIPC

https://www.cipc.co.za/?page\_id=10431

## Resources

- Release Notice
- Government Gazette Notice
- Practice Note



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