

(15 March 2013 - to date)

COMPANIES ACT 71 OF 2008

(Gazette No. 32121, Notice No. 421, dated 9 April 2009. Commencement date: 1 May 2011. [Proc. No. R32, Gazette No. 34239, dated 26 April 2011] – with the exception of section 11(1)(a)(ii) and (iii) which shall come into operation three years from the date of commencement of this Act)

PRACTICE NOTE 3 OF 2012

NOTICE ON DOCUMENTS REQUIRED IN RESPECT OF APPLICATIONS FOR LIQUIDATION OF EITHER SOLVENT OR INSOLVENT COMPANIES AND CLOSE CORPORATIONS

Published under General Notice 202 in Government Gazette 36225, dated 15 March 2013. Commencement date: 15 March 2013.

1. The following forms must be lodged with CIPC in the event of a winding-up of a **solvent company or close corporation**:
 - Form CoR 40.1
 - The special resolution passed by the shareholders
 - JM12 (if liquidated by members)
 - Certified copies of the ID of the director who signed the CoR 40.1
2. Chapter 14 of the repealed Companies Act, 1973, continues to apply in terms of Item 9 of Schedule 5 of the Companies Act, 2008, in relation to the provisions of the winding-up of insolvent companies and close corporations.

Therefore the following forms must be lodged with CIPC in the event of a winding-up of an **insolvent company or close corporation**:–

- Form CM26
- Special resolution passed by the members
- Notice of the meeting or cm25a or notice plus cm25
- JM12 (if liquidated by members)
- Cm100 (if liquidated by creditors)
- Certified copies of the ID of the director who signed the CM26

Signed

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COMMISSIONER

Prepared by:

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