

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. 1164

03 NOVEMBER 2017

REGULATIONS IN TERMS OF SECTION 15 OF THE COMPANIES ACT, 1973 (ACT NO. 61 OF 1973)

The Minister of Justice and Correctional Services has, in consultation with the Minister of Finance, under section 15 of the Companies Act, 1973 (Act No. 61 of 1973), read with Item 9 of Schedule 5 of the Companies Act, 2008 (Act No. 71 of 2008) and regulation 41 of the Companies Regulations, 2011, made the regulations contained in the Schedule.

SCHEDULE**Definitions**

1. In this Schedule "the Regulations" means the regulations published by Government Notice No. R.2490 of 28 December 1973, as amended by Government Notices Nos. R 1424 of 11 July 1980, R1682 of 29 July 1983, R612 of 31 March 1989, R. 1922 of 17 August 1990, R1542 of 13 August 1993, R417 of 31 March 1999 and R1070 of 9 November 2009,

Amendment of Annexure CM 103 to the Regulations

2. Paragraphs 1, 2 and 3 of Annexure CM 103 to the Regulations are hereby substituted for the following paragraphs:

"1. On all companies in final liquidation the total gross value of the assets according to the liquidator's liquidation and distribution account and/or contribution account of which —

	R
(a) is R5 000 or more, but less than R50 000,00:	250,00

(b) is R50 000,00 or more, but less than R150 000,00:	1 000,00
(c) is R150 000,00 or more, for each complete further R5 000 when the gross value exceeds R150 000, 00 a further:	275, 00,
subject to a maximum fee of:	275 000,00.

2. (1) (a) For a copy of any document preserved in the office of a Master, R25,00 per document pack shall be paid.

(b) For a certified copy of any document preserved in the office of a Master, R50, 00 per document pack of certified copies shall be paid.

(c) For an electronic copy of any document preserved in the office of a Master, when it is made in such office, and if it is available, no fee is payable. "

(2) For purposes of subparagraph (1), "document pack" means any document, irrespective of the number of pages, which constitutes a complete document which can be read on its own."

Commencement

3. The provision of these regulations come into operation on 1 January 2018 and shall apply only to the companies in final liquidation where the final court order is made or the voluntary resolution with the Companies and Intellectual Property Commission is registered on or after 1 January 2018.

DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

NO. 1164

03 NOVEMBER 2017

REGULASIES INGEVOLGE ARTIKEL 15 VAN DIE MAATSKAPPYWET, 1973 (WET NO. 61 VAN 1973)

Die Minister van Justisie en Korrektiewe Dienste het, in ooreenstemming met die Minister van Finansies, kragtens artikel 15 van die Maatskappywet, 1973 (Wet No. 61 van 1973), gelees met Item 9 van Bylae 5 van die Maatskappywet, 2008 (Wet No. 71 van 2008) en regulasie 41 van die Maatskappyregulasies, die regulasies in die Bylae vervat, uitgevaardig.

BYLAE**Weerdomskrywing**

1. In hierdie Bylae beteken "die Regulasies" die regulasies gepubliseer by Goewermentskennisgewing No. R.2490 van 28 Desember 1973, soos gewysig deur Goewermentskennisgewings No's. R 1424 van 11 Julie 1980, R1682 van 29 Julie 1983, R612 van 31 Maart 1989, R. 1922 van 17 Augustus 1990, R1542 van 13 Augustus 1993, R417 van 31 Maart 1999 en R1070 van 9 November 2009.

Wysiging van Aanhangsel CM 103 tot die Regulasies

2. Paragrafe 1, 2 en 3 van Aanhangsel CM 103 tot die Regulasies, word hierby deur die volgende paragrafe vervang:

"1. Op alle maatskappye in finale likwidasië is die totale bruto waarde van die bates volgens die likwidateur se likwidasië- en verspreidingsrekening en/of bydraerekening waarvan:—

	R
(a) R5 000 of hoër, maar minder as R50 000,00:	250,00

(b) R50 000,00 of hoër, maar minder as R150 000,00:	1 000,00
(c) R150 000,00 of hoër, vir elke volledige verdere R5 000 wanneer die bruto waarde R150 000,00 oorskry, 'n verdere:	275, 00,
behoudens 'n maksimum van:	275 000,00.

2. (1) (a) Vir 'n afskrif van 'n dokument wat in die kantoor van 'n Meester bewaar word, moet R25,00 per dokumentstel betaal word.

(b) Vir 'n gesertifiseerde afskrif van enige dokument wat in die kantoor van 'n Meester bewaar word, moet R50,00 per dokumentstel vir 'n gesertifiseerde afskrif betaal word.

(c) 'n Elektroniese afskrif van 'n dokument wat in die kantoor van 'n Meester bewaar word, wanneer dit in sodanige kantoor gemaak word en indien dit beskikbaar is, is gratis.

(2) By die toepassing van subparagraaf (1), beteken "dokumentstel" 'n dokument, ongeag die getal bladsye, wat 'n volledige dokument is wat op sy eie gelees kan word."

Inwerkingtreëding

3. Die Regulasies tree in werking op 1 Januarie 2018 en is slegs van toepassing op maatskappye in finale sekwestrasië waar die hofbevel uitgereik is of die vrywillige oplossing by die Kommissie vir Maatskappye en Intellektuele Eiendom geregistreer is op of na 1 Januarie 2018.