



rural development & land reform

Department:
Rural Development & Land Reform
REPUBLIC OF SOUTH AFRICA

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REGISTRAR`S CIRCULAR 5 /2011

Companies Act 71 Of 2008 : Application of same and of Chief Registrar's Circular 6 of 2011

A) Paragraph 3.1.2 of CRC 6 of 2011 refers

- 1) Examiners must update deeds when lodged for registration i.e. the new name of the company, except in a case where a deed becomes "dead", with immediate effect. Examiners must ensure that the deed/s contain computer print outs for both the new and the old name of the company.
- 2) Deeds currently in the system must reflect the new name of the company; conveyancers should be allowed to retype pages of deeds where incorrectly reflected. Seniors must not reject these deeds. However all deeds lodged on and after the 26 September 2011 must comply.
- 3) A conveyancer's certificate must be also accepted in respect of powers of attorneys. Other supporting documents do not have to be amended.
- 4) Conditions created prior to 1 May 2011 and that contain the incorrect name should be perpetuated in the new deed.
- 5) Company suffixes must be cited in "English" only. No translation is allowed. Names of companies must be reflected as registered and translation is not acceptable. If a company name has been translated from the registered name; that is deemed to be an error and a section 4 (1) (b) application must be done as from the 1 October 2011 correcting same.
- 6) Only Home Owners Associations registered as a company should contain the "NPC" suffix.
- 7) Companies registered with the IPC after 1 May 2011 and which had deeds registered after 1 May 2011 and which do not reflect the correct name in

accordance with the CRC, must be amended in terms of section 4 (1) (b) of the Deeds Registries Act with immediate effect.

8) No application for the removal of brackets will be necessary.

B) Paragraph 3.3 refers-company change of names after 1 May 2011

- 1) The conveyancer may lodge a section 93 (1) application in terms of the Deeds Registries Act. All deeds and bonds must be lodged for endorsement.
- 2) The application must be lodged in a colored cover and must be allocated a “BC” code.
- 3) No consents from bondholders or any other interested party are required.
- 4) Application must be accompanied by proof of change (see sections 14 or 16 the Companies Act, 2008 (Act 71 of 2008); if drawn from the IPC web-site then it must be supported by a verification certificate from the conveyancer.
- 5) An office fee of R160, 00 (Item 1(d) of Schedule of Fees) is payable.

C Examples of company names in terms of Act 71 of 2008

Old name	New name
Follow My Eyes Incorporated	Follow My Eyes Incorporated or Follow My Eyes Inc
Piet Pompies Proprietary Limited	Piet Pompies Proprietary Limited or Piet Pompies (Pty) Ltd
Ull Brenner Beperk	Ull Brenner Limited or Ull Brenner Ltd
Eskom Ltd/Eskom Limited	Eskom SOC Ltd
ABC Home Owners Association	ABC Home Owners Association NPC

K. Pillay: Signed
Registrar of Deeds
Deeds Office Cape Town.

Date: 9 September 2011