

**COMPLIANCE OBLIGATION ON SUBMISSION OF PROOF OF RESIGNATION
AND/OR REMOVAL OF ACCOUNTING OFFICER OF A CLOSE
CORPORATION**

In accordance with Section 59 of the Close Corporations Act, 1988 (Act No. 26 of 1988), all registered corporations and accounting officers are hereby directed to adhere to the following compliance obligations regarding the appointment and changes in Accounting Officers. It is imperative to submit the necessary documentation to the Registrar in a timely manner in any of the following circumstances:

1. If an Accounting Officer has been removed, you must provide:
 - A copy of the notification letter sent to the removed Accounting Officer.
2. If an Accounting Officer has resigned, you must provide:
 - A copy of the resignation notice submitted by the departing Accounting Officer.
3. In the event of the removal or resignation of an Accounting Officer, you are required to file an Amendment, along with a notice of the appointment of a new Accounting Officer, **within 14 days** from the date of such removal or resignation, as stipulated by in terms of section 59 of the Act.
4. Any Accounting Officer who resigns or is removed must:
 - Notify every member of the corporation in writing **immediately**.
 - Send a copy of the notification letter to the last known address of the registered office of the corporation.
 - Additionally, inform the Registrar about:
 - i. Their resignation or removal from office.
 - ii. The date of their resignation or removal.
 - iii. The date up to which they performed their duties.
 - iv. Any knowledge of financial matters within the corporation that were in contravention of the provisions of the Close Corporations Act, 1988 at the time of their resignation or removal.

If an Accounting Officer for a corporation reasonably believes they were removed for improper reasons, they must promptly inform the Registrar and provide a copy of this letter to every member.

Further take note that the Business and Intellectual Property Authority (BIPA) reserves the right to refuse amendment and/or transaction pertaining to a Close Corporation that has failed to comply with the above provisions, until such a time that the Corporation remedies the provision of the above.

By order:

Registrar of Companies and Close Corporations

02 October 2023



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