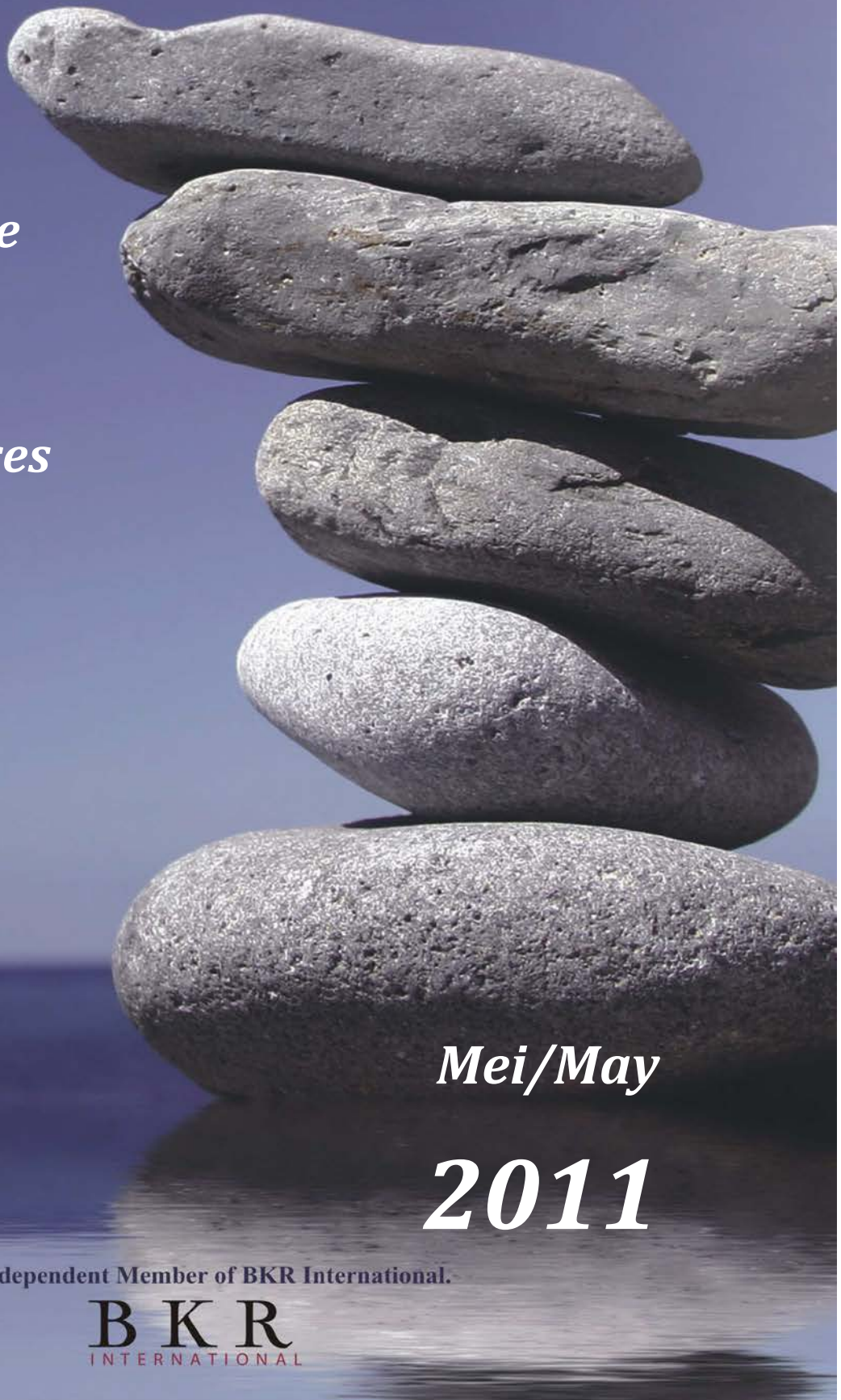
LOGISTA



Statutêredienste

Statutory services

Mei/May

2011

An Independent Member of BKR International.

BKR INTERNATIONAL

Statutêredienste

Maatskappye, beslote korporasies & trusts

Ingevolge Art 25 van die Maatskappywet 71 van 2008 (vervang Art 170 van die Maatskappywet 61 van 1973, soos gewysig) en Art 25 van die Wet op Beslote Korporasies, Wet 69 van 1984 moet elke maatskappy en beslote korporasie 'n amptelike adres aanwys, in besonder vir die betekening van regsdokumente, aflewering van meedelings en kennisgewings. Die statutêre dokumentasie moet verder by sodanige geregistreerde kantooradres bewaar word.

Logista Sekretariële Dienste BK wat deel is van die Logista groep van maatskappye, onder leiding van Dorothy Pretorius het die fasiliteit in plek, en kan die pligte soos in die verlede namens 'n kliënt nakom.

Die aangepaste jaarlikse fooi, BTW uitgesluit, vir die dienste is as volg en is betaalbaar binne 30 dae na faktuurdatum:

Maatskappye	R1,330
Beslote Korporasies	R 850
Trusts	R 280

Vir die fooie word die bogenoemde vereistes nagekom, 'n databasis word in stand gehou, navrae oor maatskappye-, beslote korporasies- en trustinligting word namens u as kliënt hanteer.

Indien u nie belangstel in die diens nie, moet u ons vroegtydig in kennis stel en reëlings tref vir die afhaal van die dokumente, en verandering van die geregistreerde adres na u eie adres. U moet let op die verpligtinge van die Wet, aangesien prosedures deur ons uitgevoer moet word wanneer ons die finansiële state finaliseer. Indien die rekords nie na behore bygehou word deur die kliënt nie, kan dit addisionele kostes tot gevolg hê.

Let asseblief daarop dat die fooie wat gehef word vir Trusts slegs ten opsigte van die bewaring van rekords wat beskikbaar moet wees vir insae.

Die fooie sal gehef word in Meimaand, en sal genoem word "geregistreerde kantoor en bewaring van statutêre rekords".

Verdere dienste wat Logista Sekretariële Dienste BK namens kan verrig, is:
- Oprig van maatskappye;
- Omskepping van beslote korporasies in maatskappye;
- Spesiale besluite;
- Verandering van direkteure en aandele oordragte;
- Verandering van lede en ander inligting van die beslote korporasie;
- Trustvorming;
- Wysiging van trusts;
- Opstel van samewerkingsooreenkomste;
- Ander maatskappy en beslote korporasie veranderinge;
- Opstel van testamente;
- Voorberei van jaarlikse maatskappy en beslote korporasie opgawes by CIPC (voorheen CIPRO).

Met die implementering van die Maatskappywet 71 van 2008 op 1 Mei 2011 het die oprigting van beslote korporasies gestaak. Die omskepping van 'n maatskappy in 'n beslote korporasie word kragtens die nuwe Maatskappywet ook nie meer toegelaat nie.

Maatskappy en beslote korporasies se jaarlikse opgawe

Huidige wetgewing vereis dat maatskappye en beslote korporasies op 'n jaargrondslag aan die Companies and Intellectual Property Commission of CIPC (voorheen die Registrateur of CIPRO) 'n jaarfooi betaal gebaseer op die maatskappy of beslote korporasie se omset vir die vorige finansiële jaar.

Indien 'n maatskappy of beslote korporasie versuim om die voorgeskrewe jaarfooi te betaal sal CIPC 'n addisionele boete hef en na ses maande voortgaan om die maatskappy of beslote korporasie te deregistreer.

Logista kan as 'n versoekte dien namens u die administrasie aangaande die indien van dié jaaropgawes by CIPC behartig. Ons sal 'n skrywe aan u stuur waarin u attent gemaak word op die jaarfooi wat betaalbaar is aan CIPC. Die koste vir hierdie diens is as volg:

Maatskappy waar Logista die geregistreerde adres is	R 750
Maatskappy waar Logista nie die geregistreerde adres is nie	R1,200
Beslote korporasie waar Logista die geregistreerde adres is	R 500
Beslote korporasie waar Logista nie die geregistreerde adres is nie	R 800

Besoek gerus ons webtuiste www.logista.co.za, skakel ons by 012 362 1431of via epos info@logista.co.za, indien u enige navrae in die verband het.

Statutory services

Companies, close corporations & trusts

In terms of Sec. 25 of the Companies Act 71 of 2008 (replaces Sec. 170 of the Companies Act 61 of 1973, as amended) and Sec. 25 of the Close Corporation Act, Act 69 of 1984, every company and close corporation has to register an official address for the serving of legal documents and delivery of notifications. Furthermore, the statutory documents also have to be kept at the address of the registered office.

Logista Secretarial Services CC which is part of the Logista group of companies, under supervision of Dorothy Pretorius, has the necessary facilities in place to perform these duties on behalf of the client, which the client can use at an annual fee.

The annual fee, VAT excluded, for these services are as follows and is payable within 30 days after invoice date:

Companies	R1,330
Close Corporations	R 850
Trusts	R 280

For this fee, the above statutory requirements are met, a database is maintained and enquiries regarding companies, close corporations and trusts are attended to on your behalf.

Should you not be interested in these services, kindly inform us as such and make the necessary arrangements for the collecting of your documents as well as changing the registered address to your own address. Please take note of the requirements of the Act, as certain procedures have to be performed by us when we finalise the financial statements. If the records are not kept properly, it may result in additional costs to the client.

Please note that the fee charged for trusts is only in respect of the safekeeping of records that has to be available for inspection.

The fees will be charged during the month of May and will be called: "registered office and safekeeping of statutory records".

Other services Logista Secretarial Services CC can provide are:
- Formation of companies;
- Conversion of close corporations to companies;
- Special resolutions;
- Change of directors and share transfers;
- Change of members or other information of the close corporation;
- Trust formation;
- Amendments to trusts;
- Draw up of association agreements;
- Other company and close corporation changes;
- Drafting of wills
- Preparation and submission of annual duty return for a company or close corporation with CIPC (formerly CIPRO)

On 1 May 2011 the new Companies Act 71 of 2008 was implemented. In line with the implementation the formation of close corporations are no longer allowed. Subsequently no company can be converted into a close corporation.

Companies' and close corporations' annual duties

Current legislation requires a company and close corporation to annually lodge a return with the Companies and Intellectual Property Commission or CIPC (formerly the Registrar of Companies or CIPRO) were a prescribe fee is payable to CIPC based on the company's or closed corporation's annual turnover for the previous financial year end.

If a company or close corporation fails to lodge its return within the prescribed time, a penalty is levied on the prescribed fee payable. If after six months the return is still outstanding CIPC will continue to deregister the company or close corporation.

Logista can assist with the administration and lodging of the company's or close corporation's annual duty with CIPC. We will send you a letter reminding you of the annual fee payable to CIPC. The costs for this service is:

Company where Logista is the registered office	R 750
Company where Logista is not the registered office	R1,200
Close corporation where Logista is the registered office	R 500
Close corporation where Logista is not the registered office	R 800

For more information in this regard, visit our website at www.logista.co.za, contact us via email at info@logista.co.za or telephone 012 362 1431.

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