

Companies and Intellectual Property Commission Republic of South Africa

EXPLANATORY NOTES FOR NOTICE OF ALTERATION OF MEMORANDUM OF INCORPORATION – COR 15.3

The explanatory notes is not a complete guide on how to complete the indicated documents but to provide guidance as to what must done and filed. Further, these explanatory notes are based on draft forms and regulations. Therefore, the CIPC is not liable for any error or misrepresentation made in these explanatory notes and subsequent loss or damage suffered by any party.

(1) Alterations

Section 17 of the Companies Act, 2008 allows for a company to correct an error on the Memorandum of Incorporation by filing a notice COR 15.3 with the CIPC.

The alteration does not mean a change to the MOI can be made, only an alteration to correct:-

- A patent error in spelling;
- Punctuation;
- Reference;
- Grammar; or
- Similar defect.

(2) Publication

The Act prescribes that such an error must be corrected by filing a notice in the form of COR 15.3 as well as the fact that such an alteration needs to be published in the manner as prescribed by the MOI or the company rules. The date of such a publication needs to be completed on the notice filed with the CIPC.

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