

DEPARTMENT OF TRADE AND INDUSTRY

NO. 1211

03 NOVEMBER 2017

PRACTICE NOTE 9 OF 2017

SERVICE OF SUBPOENAS AND OTHER COURT DOCUMENTS ON CIPC

In some instances it is required for legal documents such as Notices of Motion, Subpoenas to provide documentation, etc. to be served on CIPC as an interested party, as the outcome of the court proceedings may entail action to be taken by CIPC.

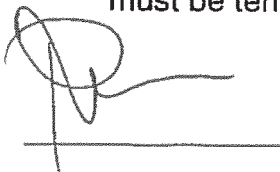
Uniform Rules of Court, specifically Rule 4 and 4A describes the requirements of service of legal documents in detail and allows for the service of documents by way of electronic means. Annexure 3, Table CR3 of the Companies Act, 2008 details the methods and times for delivery of documents, and provides for service thereof by electronic means. To this end, CIPC has provided for a dedicated e-mail box to receive legal documentation – corporatelegalservices@cipc.co.za

All legal documents where CIPC is stated as an interested party, and must be provided with a copy of the documents for record purposes, may be sent to the dedicated e-mail address as valid service thereof.

With regards to subpoena's, where specific action is required by CIPC, service via corporatelegalservices@cipc.co.za is also accepted.

Subpoenas must comply with the following requirements:

- All documentation must be signed by the Registrar of the relevant court;
- Enough time must be provided for CIPC to respond in terms of Rule 4 of the Uniform Rules of Court, which advocates a "reasonable time" period;
- Only information that CIPC is in a position to provide and have knowledge of, should be requested;
- Costs for providing documentary evidence, and/or giving evidence in a hearing must be tendered.



Adv Rory Voller
COMMISSIONER: CIPC

3 July 2017