



Companies and Intellectual
Property Commission

a member of the dti group

NOTICE TO CUSTOMERS

Notice 4 of 2016

NON-SUBMISSION OF ANNUAL FINANCIAL STATEMENTS AND LATE SUBMISSION OF ANNUAL FINANCIAL STATEMENTS

CIPC has been administering the Companies Act, Act 71 of 2008 as amended since 01 May 2011 and in terms of the same Act, Section 187 (3) *"The Commission must promote the reliability of financial statements by, among other things (a) monitoring patterns of compliance with, and contraventions of, financial reporting standards; and (b) making recommendations to the Council for amendments to financial reporting standards, to secure better reliability and compliance"*

The Commission made the following observations with regards to the pattern of compliance for submission of annual financial statements, viz.

- 1) There are many Companies who are still not submitting their annual financial statements as required in terms of the Act;
- 2) There remains many Companies who submit their annual financial statements late with the regulator.

CIPC has been empowered with investigative and enforcement powers to take action against companies who do not comply with the requirement to submit their annual financial statements for review and public disclosure in line with the principles of maintaining transparency and high standards of corporate governance.

Therefore, if you are a director of a company; a member of a close corporation and continue to ignore the requirements to prepare and submit annual financial statements to CIPC, you are in contravention of the Act. Any continued non-compliance can trigger a formal investigation by the Commission which can lead to the issuance of a compliance notice and other actions which can be imposed in collaboration with other regulators.

To submit Annual Financial Statements, please use the dedicated e-mail address, financialstatements@cipc.co.za, please submit on time and ensure that the financial statements comply with the Companies Act and the International Financial Reporting Standards.

Adv Rory Voller

Acting Commissioner

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