LAWS OF SOUTHERN SUDAN

REGISTRATION OF BUSINESS NAMES REGULATIONS, 2009

REGISTRATION OF BUSINESS NAMES REGULATIONS. 2009

Statutory Instrument No ……

Arrangement of Regulations

Regulation.

1. Title and Commencement.
2. Size and Texture of Document.
3. Format of the Register.
4. Search and Reservation of Name.
5. Statement of Particulars.
6. Certificate of Registration.
7. Notice of Change of Particulars.
8. Certificate Upon Re-registration.
9. Notice of Cessation.
10. Other Notices.
11. Fees

REGISTRATION OF BUSINESS NAMES REGULATIONS, 2009

Statutory Instrument …..

Registration of Business Names Regulations.

(Under section 29 of the Registration of Business Names Act, 2009)

1. Title and Commencement.

These Regulations may be cited as "the Registration of Business Names Regulations, 2009" and shall come into force upon publication in the Gazette.

2. Size and Texture of Document.

Subject to any directions which may be given by the registrar, every statement of particulars, notice of change, notice of cessation, application for extension of time or other document intended for registration or filing shall be made upon paper of durable quality and of a size approximately two hundred and ninety-seven millimeters by two hundred and ten millimeters and shall have on the left part of the document, a margin of approximately thirty millimeters.

3. Format of the Register.

The register under section 5(4) of the Act shall be in Form 1 in the Schedule.

4. Search and Reservation of Name.

Every request for a search and reservation of a name under section 19 shall be in Form 2 in the Schedule.

5. Statement of Particulars.

Every statement of particulars lodged under section 8 of the Act shall be in Form 3 in the Schedule.

6. Certificate of Registration.

Every certificate under section 16 (1) of the Act shall be in Form 4 in the Schedule.

7. Notice of Change of Particulars.

Every notice of change of particulars lodged under section 11 of the Act shall be in Form 5 in the Schedule.

8. Certificate Upon Re-registration

Every certificate under section 16 (2) of the Act shall be in Form 6 in the Schedule.

9. Notice of Cessation.

Every notice of cessation of business lodged under section 17 (1) of the Act shall be in Form 7 in the Schedule.

10. Other Notices.

Every notice of the happening of an event, in consequence of which registration under the Act ceases to be necessary, lodged under section 17 (5) of the Act shall be in Form 8 in the Schedule.

11. Fees

The fees payable under the Act are set out in the Second Schedule.

FIRST SCHEDULE

THE GOVERNMENT OF SOUTHERN SUDAN

MINISTRY OF LEGAL AFFAIRS AND CONSTITUTIONAL DEVELOPMENT

THE REGISTRATION OF BUSINESS NAMES ACT, 2008

FORM 1

(r. 3)

THE BUSINESS NAMES REGISTER

Registration number of business .....

Business name .....

Principal place of business .....
.....
Address .....

Other places of business .....
.....

Nature of business .....
.....

Date of registration .....
.....

PARTNERS OR PROPRIETOR

Name(s)	*Any former name(s)*.....	*Nationality*
.....	.....	.....
.....	.....	.....
.....	.....	.....

.....	.....	.....
.....	.....	.....
	.....	.....

THE GOVERNMENT OF SOUTHERN SUDAN

MINISTRY OF LEGAL AFFAIRS AND CONSTITUTIONAL DEVELOPMENT

THE REGISTRATION OF BUSINESS NAMES ACT, 2008

FORM 2 (r. 4)

RESERVATION OF NAME FORM

Dear Sir/Madam,

RE: SEARCH AND RESERVATION OF A BUSINESS NAME

Please confirm if the following name(s) is/are available for registration.

……
……
……

Thank you,

Yours faithfully,

Signature of applicant.

Fee: 25 Sudanese Pounds

FOR OFFICIAL USE ONLY

APPROVED/REJECTED

Signature ----------

The Chief Registrar/Assistant Registrar

Ministry of Legal Affairs and Constitutional Development.
Date:……../……..20……..

GOVERNMENT OF SOUTHERN SUDAN

MINISTRY OF LEGAL AFFAIRS AND CONSTITUTIONAL DEVELOPMENT

THE REGISTRATION OF BUSINESS NAMES ACT, 2008

FORM 3

(r. 5)

STATEMENT OF PARTICULARS

(Please read carefully the notes printed overleaf).

1. Business name.....

(State date of registrar's approval of name …….of.... .....20.....)

2. Nature of business.....

3. Physical address of the principal place of business .....

(Plot number, name of street or road.)

4. Address.....

5. Address of any other places of business.....

(Branch Office under the above name.).....

6. Particulars of proprietor or partners-

Full names and former names if any	Nationality	Gender	Usual place of residence	Other business occupation

Signed.....

FOR OFFICIAL USE ONLY

Approved/Rejected

Signature……
Name……..

The Chief Registrar of Companies, NGOs, Societies and Associations/Assistant Registrar (MOLCAD)

Date:……/…….20……

THE GOVERNMENT OF SOUTHERN SUDAN

MINISTRY OF LEGAL AFFAIRS AND CONSTITUTIONAL DEVELOPMENT

THE REGISTRATION OF BUSINESS NAMES ACT, 2008

FORM 4

(r. 6)

CERTIFICATE OF REGISTRATION OF BUSINESS NAME

Business Name Number

(For official use only)

I, ……Chief Registrar of Companies, NGOs, Societies and Associations

hereby certify that .....

is a business name registered in accordance with the Registration of Business Names Act, 2008.

GIVEN under my hand at …….., Southern Sudan on this …..day of …….20…….

.....

Signature.

Chief Registrar of Companies, NGOs, Societies and Associations, Ministry of Legal Affairs and Constitutional Development.

THE GOVERNMENT OF SOUTHERN SUDAN

MINISTRY OF LEGAL AFFAIRS AND CONSTITUTIONAL DEVELOPMENT

THE REGISTRATION OF BUSINESS NAMES ACT, 2008

FORM 5

(r. 7)

NOTICE OF CHANGE

To: The Chief Registrar of Companies, NGOs, Societies and Associations.

NOTICE IS HEREBY GIVEN of the following changes in the particulars registered relating to the business carried on under the business name
.....

(registered under No. .....), with effect from ……

GIVEN under my hand at Juba, Southern Sudan on this …..day of …….20…….

.....
Chief Registrar of Companies, NGOs, Societies and Associations.

Ministry of Legal Affairs and Constitutional Development

FEE: 25 SP

NOTES

(1) Where a business is transferred or a new partner taken in, full particulars of the new proprietor or partner are required as shown below.

(2) The original Certificate of Registration should accompany this notice.

(3) This notice must be signed by the proprietor or by all partners, as the case may be. A director or the secretary can sign for a corporation which is the proprietor or a partner.

Full names and former names if any	Nationality	Gender	Usual place of residence	Other business occupation

THE GOVERNMENT OF SOUTHERN SUDAN

MINISTRY OF LEGAL AFFAIRS AND CONSTITUTIONAL DEVELOPMENT

THE REGISTRATION OF BUSINESS NAMES ACT, 2008

FORM 6

(r. 8)

CERTIFICATE OF REGISTRATION OF A CHANGE OF PARTICULARS

I HEREBY CERTIFY that a change of particulars has this day been registered in the Register of Business Names in respect of the business name of
.....
..... which business name was originally registered under the provisions of 7the Registration of Business Names Act, on the ..... day of ..... 20..... under No. .....

Consequent on the registration of such change in particulars .....
.....
.....
.....
are now registered as carrying on business at.....
.....
..... under the (said) business name (of.....
.....

GIVEN under my hand at …….. this ..... day of .....Two thousand and .....

.....
Chief Registrar of Companies, NGOs, Societies and Associations.

Ministry of Legal Affairs & Constitutional Development.

THE GOVERNMENT OF SOUTHERN SUDAN

MINISTRY OF LEGAL AFFAIRS AND CONSTITUTIONAL DEVELOPMENT

THE REGISTRATION OF BUSINESS NAMES ACT, 2008

FORM 7 (r. 9)

NOTICE OF CESSATION OF BUSINESS

To: The Chief Registrar

NOTICE IS HEREBY GIVEN that the business registered and carried on under the business name ..... (registered under No. .....) has ceased to be carried on, as from the ..... day of ....., save for the purpose of winding up the said business.

DATED at ..... this ..... day of ..... 20.....

[*Signed*] .....
.....
.....
.....

NOTES

(1) The Certificate of Registration should be submitted for cancellation.

(2) This notice must be signed by the proprietor or by all partners, as the case may be. A director or the secretary can sign for a corporation which is the proprietor or a partner.

THE GOVERNMENT OF SOUTHERN SUDAN

MINISTRY OF LEGAL AFFAIRS AND CONSTITUTIONAL DEVELOPMENT

THE REGISTRATION OF BUSINESS NAMES ACT, 2008

FORM 8 (r. 10)

NOTICE OF HAPPENING OF AN EVENT RENDERING REGISTRATION UNNECESSARY

To: The Chief-Registrar,

NOTICE IS HEREBY GIVEN THAT .....
.....
..... [*specify event which has happened*] ..... .
.....
..... in consequence of which registration under the Act of the business registered and carried on under the business name .....
.....
..... (registered under No. .....) has ceased to be necessary.

DATED at ..... this ..... day of .....20…

[*Signed*] .....
.....
.....
.....

NOTES

(1) The Certificate of Registration should be submitted for cancellation.

(2) This notice must be signed by the proprietor or by all partners, as the case may be. A director or the secretary can sign for a corporation which is the proprietor or partner.

(r.11)

SECOND SCHEDULE

FEES

The following fees shall be payable:	SP
(a) On reservation of a name	25
(b) On lodging a statement of particulars if required under the Act	20
(c) On lodging a notice of change	25
(d) For the issue of a fresh certificate under subsection (2) of section 14	20
(e) For inspecting the register in respect of any one business name	20
(f) For a certified copy of or an extract from any field document	20
(g) On an application to lodge a statement of particulars or a notice of change out of time	40
(i) for the first month or part thereof during which the default continues	25
(ii) For each and every subsequent month (up to a maximum of 25SP)	20
(h) For lodging a notice of cessation of business	25
(i) For the issue of a certificate of registration	300

……

H.E. MICHEAL LUETH MAKUEI

MINISTER OF LEGAL AFFAIRS AND CONSTITUTIONAL DEVELOPMENT.

DATE: …….

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