



Companies and Intellectual  
Property Commission

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a member of **the dtic** group

# **USER GUIDELINES**

# **BENEFICIAL OWNERSHIP**

## PURPOSE OF DOCUMENT

The CIPC is to keep a register of beneficial ownership (BO) for companies and close corporations. The register to be kept is for the applicable companies and close corporations to submit any beneficial ownership information relating to that entity. Anyone with more than 5% beneficial ownership of a company or close corporation must submit (file) with the CIPC, the requisite information. This document is to guide filers and users on the steps for filing beneficial ownership details via the online automated process of filing, and also to provide legislative and practical guidelines (explanatory notes) on the purpose of filing.

## STEPS TO CAPTURE BENEFICIAL OWNERSHIP DETAILS

1. Visit the CIPC website [www.cipc.co.za](http://www.cipc.co.za) and click on On-line transacting/New E-services or use the following direct link: <https://eservices.cipc.co.za/>
2. Complete your Customer Code, Password and Security Code. Click on Login
3. **Note:** In order to file beneficial ownership information, the filer must be a registered customer of the CIPC, with a valid customer code and password.

You are here: CIPC eServices » Login

### Login to CIPC eServices

Customer Code

Customer Password (case sensitive)

Enter security code displayed above. (case sensitive)

Tick to accept the [CIPC Terms & Conditions](#)

[LOGIN](#) [FORGOT PASSWORD](#)

Before you login make sure you have a **valid email address**, you will not be able to transact if you don't have one. You can register for a free email address at [GMail](#).

#### RESET PASSWORD

- To reset your password, visit the website <https://www.bizportal.gov.za>
- Click on Login on top of the page, and then on Reset Password.
- Type your ID number and click on Continue.
- An OTP will be sent to your email and cell number. Provide the OTP and reset your password.

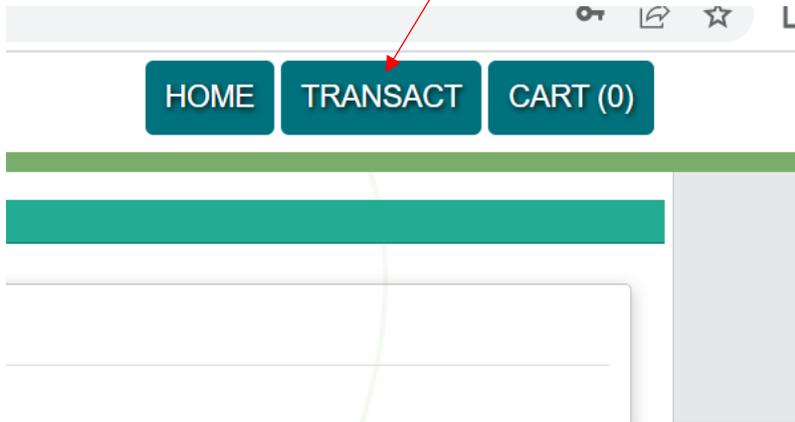
Kindly note that the same password is used to log into E-services, New E-services and BizPortal.

If you experience challenges with login in to the CIPC system or your cell phone number is incorrect, follow the following manual process:

1. Please click here or use the link <https://enquiries.cipc.co.za>
2. Click on Password reset.
3. Complete the required fields, and attach certified ID copy (not older than three months).

Foreign nationals must follow the manual password reset process above, but provide a certified passport copy instead of ID copy.

4. Click on the Transact button



5. The services on the e-services portal will be displayed. Select Beneficial Ownership option.



6. Read and accept the Declaration, click I Agree check box and continue button.

## Beneficial Ownership

### Declaration Information

#### Declaration

I hereby declare that I am authorised to file the Beneficial Ownership Information on behalf of the entity. I confirm that the information furnished herein is true and accurate according to my knowledge. I am fully aware that enforcement action may be taken in terms of the Companies Act against the entity and individuals who are involved in deliberately providing false information.

By agreeing below, I confirm that the CIPC terms and conditions have been read and understood and that any false statements, reckless conduct and non-compliance with the Companies Act, 2008 may result in criminal action against me and penalties imposed.

I Agree

CONTINUE

**Explanatory note:** It is accepted that the filer responsible for filing beneficial ownership information of any applicable entity, has been mandated in writing by the company or close corporation, to tend to same on behalf of the entity. This written and signed mandate, received by the filer, also forms part of the supporting documentation that must be uploaded to the Commission, upon filing of the BO-information. It is accepted that the filer has been provided with the full information required to tend to the BO-filing on behalf of the entity, and the agreement above relates to the filer confirming that he/she is attending to the instructions of the entity on whose behalf they are filing.

**Legislative guideline:** When transacting with the CIPC it is accepted that the CIPC Terms & Conditions, as well as Privacy Policy (available on the CIPC website homepage) have been thoroughly read and the content thereof accepted. Section 214 of the Companies Act, provides for criminal prosecution of individual as well as juristic persons in the event of reckless conduct, non-compliance with the Act, as well as providing false statements.

7. The system will display 2 grids, one for the applications in progress and the other on completed applications. To start a new transaction, the customer has to click the **New** button.

**Explanatory note:** Applications in progress refers to BO-filings that have been done prior, but not finalized. The system allows for progress on filing to be “saved” and returned to later. Applications in progress do not constitute a valid filing of beneficial ownership information and requires filings to be submitted (and a confirmation thereof received) before it is accepted as complete.

### Search Application

Reference Number

### In progress Applications

DATE	REFERENCE	STATUS	TOTAL OWNERSHIP %	CUSTOMER	ENTERPRISE	FILE
24/03/2023	60000016837	BO PENDING REGISTRATIONS	0	790902	K2022700025	

### Completed Applications

No applications available

**Explanatory note:** Upon login, the system will provide the filer with a list of all entities associated with such customer code, for ease of reference. Any one of the listed entities may be selected to tend to filing, OR the search option may be selected to search for a specific entity to file its BO-information. Should a filer be mandated to submit BO-information on behalf of an entity, which is not associated with his/her customer code, simply make use of the “search” option mentioned above.

8. The system will display the list of entities linked to your profile. Select the entity you want to file BO for or type in the free text box and search for the entity to file the BO information for.

## Associated Enterprise Listing

ENTERPRISE NO	TYPE	STATUS	COMPLIANT	FILE
2011/091321/23	CLOSE CORPORATION	IN BUSINESS		
2020/500225/07	PRIVATE COMPANY	BUSINESS RESCUE		
2020/500228/07	PRIVATE COMPANY	IN BUSINESS		
2021/453401/07	PRIVATE COMPANY	BUSINESS RESCUE		
2022/052315/08	NON PROFIT COMPANY	IN BUSINESS		
2022/052316/08	NON PROFIT COMPANY	IN BUSINESS		
2022/052317/07	PRIVATE COMPANY	IN BUSINESS		
2022/700007/07	PRIVATE COMPANY	IN BUSINESS		
2022/700025/07	PRIVATE COMPANY	IN BUSINESS		
2022/700054/08	NON PROFIT COMPANY	IN BUSINESS		

**Explanatory note: Entity statuses**

Entities with types of statuses, such as active, business rescue and deregistration process, may proceed to file. Entities with the following statuses **cannot file BO-information**: -

- Final de-registration (whether voluntary or AR);
- Voluntary de-registration process (not AR);
- Final Liquidation;
- Voluntary liquidation;
- Provisional liquidation;
- Suspended;
- Conversion from CO/CC or CC/CO
- Dissolved

**Legislative guideline: Entity status**

While an entity is in de-registration process, (whether voluntary or due to annual return non-compliance), the entity is still active and able to trade and do business and is thus required to comply with filing of beneficial ownership information if applicable. Once an entity has been finally de-registered, liquidated

or dissolved, the entity no longer exists, cannot trade and do business and is thus not required to comply with BO-information filing. Entities converted from a CC to a company and *vice versa*, is only required to file BO-information in terms of the entity type it was converted into and not for the entity type it was before conversion. For all intent and purposes, the initial corporate entity, no longer exist, once conversion is complete.

**Explanatory note: Entity types**

The following entity types are required to file BO-information, if applicable: -

- Profit companies;
- Non-profit companies;
- External companies; and
- Close Corporations

9. Click on the New button and the page will be displayed where you have to populate the details of the beneficial owner(s), applicable to that entity.

**Beneficial Ownership** 🏠  
Ownership Information

**Company Details**

Company Name: CAAAAAT

**Owners Listing**

Enterprise No	Reference No	Ownership %	Name	Surname	Status	ID Verified	Edit	REMOVE
K2022700025	60000016837	60	SECHUBANE	MASHILO	ACTIVE	<input checked="" type="checkbox"/>	✎	🗑️

↙

BACKNEWCONTINUE

### **Explanatory note: Identity verification**

ID verified means that the South African ID number submitted has been verified against the Department of Home Affairs database. For foreign beneficial owners, a certified passport copy must be uploaded for the purpose of verification. (See certification guidelines available on the CIPC website).

### **Explanatory note: Status**

The reference to the status of the beneficial owner directly relates to the fact that the person listed is a beneficial owner. At any time, beneficial ownership changes, such changes must be submitted to the CIPC, which will update the register. Should a beneficial owner (already declared) no longer fall within the 5% threshold requirement for declaration, then same must be amended via CIPC and the status will change to inactive.

### **Explanatory note: Ownership %**

Beneficial ownership in respect of a company means, an individual who, directly or indirectly, ultimately owns that company or exercises effective control over that company. (Section 55 of the General Laws Amendment Act, 22 of 2022, read with the amendments to the Companies Act and Companies Act Regulations).

In the drop down list provided on the BO system, any one or more of the below types of beneficial ownership / control can be selected. Important to remember the 5% threshold for beneficial ownership declaration, with an aggregate of 100%. Currently the Companies Act provides for 5% of beneficial interest in securities, thus the norm was upheld in terms of beneficial ownership. Any beneficial ownership / control below 5%, need not be declared.

### **Legislative guideline: Beneficial ownership**

#### **Types of beneficial ownership / effective control:**

- The holding of beneficial interest in the securities of a company;
- Control over voting rights, or control over the exercise of voting rights associated with securities of a company;
- The exercise of the right to appoint / remove members of the board of directors of a company, OR control over the exercise of the right to appoint / remove board members;
- The holding of beneficial interests in the securities of a holding company, (through a subsidiary) OR the ability to exercise control (including through a chain of ownership) of a holding company through its subsidiary;
- The ability to exercise control, through a chain of ownership, of-
  - (i) A juristic person other than a holding company of that company;
  - (ii) A body of persons corporate or unincorporate (i.e body corporate of an estate – NPC);
  - (iii) A person acting on behalf of a partnership;
  - (iv) A person acting in pursuance of a trust or agreement (i.e trustees, beneficiaries of trusts, beneficiaries of an agreement);
- The ability to otherwise materially influence the management of that company – effective control.

- State owned companies (SOC's) will also be required to file BO information, unless exempted by the Minister in terms of section 9(2) of the Companies Act.

10. The following page will be displayed, the filer is expected to capture the beneficial owner of the entity. Once the filer concludes capturing, the filer must click on the save button. This will result in the information provided being saved, but the filing is not finalized until submission.

#### Natural Person Owner Information

<b>Are you a South African citizen?</b> <input type="text" value="Yes"/>	<b>Date of Birth</b> <input type="text" value="Click calendar icon to select date"/> 
<b>Issue Date:</b> <input type="text" value="Click calendar icon to select date"/> 	<b>ID/Passport No:</b> <input type="text"/>
<b>Name:</b> <input type="text"/>	<b>Surname:</b> <input type="text"/>
<b>Email:</b> <input type="text"/>	<b>Personal Income Tax Number:</b> <input type="text"/>
<b>Ownership percentage (between 5 to 100):</b> <input type="text"/>	<b>Interest Type:</b> <input type="text" value="Shareholding"/>
<b>Demographic:</b> <input type="text" value="African"/>	<b>Gender:</b> <input type="text" value="Female"/>

#### **Explanatory note: Date of issue of ID**

Request for “date of issue” of an ID book / card / passport is another layer of verification and validation to ensure that the identification type being inserted is valid.

#### **Explanatory note: Demographic and Gender**

Information is being requested to form part of research and trend analysis, required from the CIPC in terms of the Companies Act and Regulations.

## Natural Person Owner Information

Are you a South African citizen?

Yes

Date of Birth

Click calendar icon to select date



Issue Date:

Click calendar icon to select date



ID/Passport No:

Name:

Surname:

Email:

Personal Income Tax Number:

Ownership percentage (between 5 to 100):

Interest Type:

Shareholding

Demographic:

African

Gender:

Female

### **Explanatory note: Multiple entries**

The BO-system allows for multiple beneficial ownership information to be submitted under one entity, without being required to login each time. Mandates to filers to file beneficial ownership are also provided per entity, and not applicable to each individual beneficial owner.

## Address Details

PHYSICAL ADDRESS	POSTAL ADDRESS
Address line 1 <input type="text"/> *	Address line 1 <input type="text"/> *
Address line 2 <input type="text"/>	Address line 2 <input type="text"/>
In which town/city is this address? <input type="text"/> *	In which town/city is this address? <input type="text"/> *
In which province is this address? Eastern Cape <input type="button" value="v"/>	In which province is this address? Eastern Cape <input type="button" value="v"/>
What is the postal code? <input type="text"/> *	What is the postal code? <input type="text"/> *



11. Repeat the same steps until all the beneficial owners are captured (saved) then click the continue button. The following page will be displayed where the filer is required to upload the supporting documents.

**Beneficial Ownership** Home > Applications

Supporting Document Information

Supporting Documentation Information

CREATED	NAME	TYPE	REMOVE
No documents available			

BACKUPLOAD DOCUMENTSCONTINUE

**Explanatory note: Upload of mandatory documents**

1. **Mandate** – every person mandated to file beneficial ownership information on behalf of a company, must be mandated in writing to do so, and such mandate must be uploaded to the CIPC. The filer is mandated by the company itself, and thus the mandate can be in the form of a signed, director’s or shareholders’ resolution / letter / power of attorney. Any person can file beneficial ownership information on behalf of an entity, as long as the mandate is in place. This includes, company secretaries, attorneys’ firms, auditors, secretarial companies and even the directors of the company.
2. **Certified ID / passport copy** – a correctly certified ID / passport copy for each beneficial owner saved, must be uploaded to the CIPC. Uncertified identification copies; incorrectly certified; or certification older than 3 months will invalidate the beneficial ownership filing.
3. **Securities register** – [section 33\(1\)\(Aa\) of the Companies Act](#) – every company must file a copy of its securities register with the Commission annually – securities register contains all the information relating to shareholders of a company (legal owners). Within each company’s securities register, the prescribed BO-information must be recorded ([section 50](#)). Securities registers filing with Commission are not applicable to affected companies.
4. **Beneficial Interest register** – [section 56\(7\)\(aA\)](#) – affected companies must establish and maintain a register of beneficial interest in securities (in issue), the extent of the beneficial

interest and ensure that the register is updated with any changes – must be filed with CIPC (section 56(14)).

- 5. **Beneficial ownership disclosure form** – complex ownership structures, inclusive of juristic persons, trusts, etc. must be indicated in this form.

12. Filer must select upload documents button, to upload supporting documents.

Supporting Documentation Information

CREATED	NAME	TYPE	REMOVE
No documents available			

New Supporting Documentation Information

Document File:

No file chosen

Document Type:

BENEFICIAL OWNERSHIP REGISTRATION CERTIFICATE

13. Filer will select a file to upload and the document type then click save button. The uploaded document will be saved to the supporting documents information grid.

Supporting Documentation Information

CREATED	NAME	TYPE	REMOVE
30/03/2023 09:36:05	ERD 1.pdf	CERTIFIED ID	

14. Repeat the above mentioned steps until all mandatory documents are uploaded.

Supporting Documentation Information

CREATED	NAME	TYPE	REMOVE
30/03/2023 09:36:05	ERD 1.pdf	CERTIFIED ID	
30/03/2023 10:20:34	ERD 3.pdf	ORIGINAL MANDATE	
30/03/2023 10:23:10	ERD 4.pdf	REGISTER OF INTEREST	
30/03/2023 10:25:39	ERD 6.pdf	SECURITIES REGISTER	

BACK

UPLOAD DOCUMENTS

CONTINUE

15. Once all the mandatory documents are uploaded, click Continue button. The following summary page will be displayed.

Enterprise Information

ENTERPRISE NUMBER	ENTERPRISE NAME	TYPE	STATUS
K2022700025	CAAAAAT	Private Company	In Business

Ownership Information

DATE	Name	ID Number/Passport Number	ID Verified
30/03/2023 09:33:53	SECHUBANE PETER MASHILO	7909025753083	<input checked="" type="checkbox"/>

Document Information

Document Information

REFERENCE	CREATED	DOCUMENT TYPE
60000016920	30/03/2023 09:36:05	CERTIFIED ID
60000016920	30/03/2023 10:20:34	ORIGINAL MANDATE
60000016920	30/03/2023 10:23:10	REGISTER OF INTEREST
60000016920	30/03/2023 10:25:39	SECURITIES REGISTER

16. Summary page will display enterprise details, ownership information and uploaded documents.

[Explanatory note: Summary page](#)

It is of the utmost importance for filers to ensure at this juncture that the information provided (data input and uploaded documentation) is true and correct and in line with the mandate received to file on behalf of the entity.

17. The filer must click Submit button to continue. Only the mandated filer of the entity will receive both e-mail and SMS OTP.

OTP Confirmations

NUMBER	DATE	EXPIRE	OWNER	RECEIPT TYPE	CONFIRMED
1663	30/MAR/2023 10:27:52	30/MAR/2023 10:27:52	SECHUBANE PETER MASHILO	DIRECTOR	
1662	30/MAR/2023 10:27:52	30/MAR/2023 10:27:52	SECHUBANE PETER MASHILO	FILER	

[RESEND OTPS](#) [REFRESH](#)

**[Explanatory note: OTP's](#)**

OTP's (x2 – sms & e-mail) is sent to the filer of the BO information. The filer must submit both OTP's (information of filer obtained from customer code registration and login information and thus filers must ensure this information is up to date and accurate before proceeding to file BO information).

ALL the directors of a company (in case of company BO-filing) will receive a notification alerting them that beneficial ownership is about to be filed for the relevant company and ALL the members of a close corporation will receive an alert of BO-filing.

OTP's are not sent to the submitted beneficial owners for approval, only to the filer, in terms of the written and signed mandate to submit on behalf of the entity.

Legislative guideline: OTP's

It remains the responsibility of the directors of companies and members of close corporations as part of their due diligence and governance duties to ensure BO-filing (as and when applicable) is facilitated. Therefore, when providing a mandate to any person to file beneficial ownership information on behalf of the entity, directors and members must ensure that the information is correct and valid.

18. Click on the confirmed button to capture OTP's, the following page will be displayed.

Confirmation Validation

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OWNER INFORMATION

Number:  Name:

VERIFY INFORMATION

ID Number/Passport Number:

SMS OTP:

Email OTP:

19. Capture all the mandatory fields and verify the OTP's, once all the verifications have been completed. Click finish button.

**Explanatory note: Verification**

Verification of OTP's entail the system ensuring that that correct OTP's are completed for the correct filer and in correct format, i.e sms and e-mail. Additional security layer.

20. Once the beneficial ownership information for an entity has been successfully submitted, the filer (and directors / members) will be provided with a BO Confirmation Certificate, confirming the successful filing of BO information for the applicable entity.

**Explanatory note: BO confirmation certificate**

Confirmation certificate, confirms that BO information was successfully submitted for a particular entity. The certificate reflects all the natural person information submitted, however, confidential information such as ID / passport numbers, is masked.

Filers and directors / members should download a copy (while on the BO-system) of the filing confirmation certificate if not received. The certificate does not form part of the normal disclosure process and cannot be requested either manually or via electronic disclosure. The register content and thus also the confirmation certificates are **NOT** for public consumption and copies thereof will only be provided to LEA's, authorized bodies or authorities, and the company to which the information belongs. Normal disclosure process does not apply.