

Limpopo, South Africa

Limpopo Business Registration Act, 2003

Limpopo Business Registration Regulations, 2015

General Notice 99 of 2015

Legislation as at 2 April 2015

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Limpopo Business Registration Regulations, 2015

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Limpopo South Africa

Limpopo Business Registration Act, 2003

Limpopo Business Registration Regulations, 2015

General Notice 99 of 2015

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The Member of Executive Council responsible for business registration has under section 15(1) and (2) of the Limpopo Business Registration Act, 2003 ([Act No. 5 of 2003](#)), made the Regulations in the Schedule.

1. Definitions

In these regulations any expression or word to which a meaning has been assigned in terms of section 1 of the Limpopo Business Registration Act, 2003 ([Act No. 5 of 2003](#)), retains that meaning and in addition —

"**Business Regulator**" means the Business Regulator of the Limpopo Directorate of Business Registration;

"**Committee**" means a committee established in terms of regulation 2 of these Regulations; and

"**the Act**" means the Limpopo Business Registration Act, 2003 ([Act No. 5 of 2003](#)).

2. Composition of committee

- (1) The Municipal Manager of a Business Registration Centre, designated in terms of section 6(1) of the Act, must establish a committee responsible for business registration in that municipal area.
- (2) The Municipal Manager must designate five officials to form the Committee and must appoint from that Committee two persons to serve as Chairperson and Deputy Chairperson.
- (3) The Municipal Manager may co-opt other persons as may be necessary to assist the Committee.
- (4) A person co-opted may not vote at any meetings of the Committee.

3. Meetings of committee

- (1) The committee must meet at least once a month.
- (2) The Chairperson of the committee —
 - (a) must determine the time and place of the first meeting of the committee and thereafter the committee may meet at such time and place as the committee may from time to time determine for the expeditious conducting of its business; and
 - (b) may at any time, on reasonable notice, convene an extraordinary meeting of the committee to be held at a time and place determined by the Chairperson.
- (3) The committee may determine its own proceedings at meetings in so far as the proceedings have not been prescribed by these Regulations.
- (4) The quorum for a meeting of the committee is three members of the committee.
- (5) A decision of the committee is taken by a majority of the votes of the members present at a meeting of the committee.

- (6) Where there is an equality of votes, the Chairperson has a casting vote in addition to the deliberative vote.
- (7) Minutes of the proceedings of every meeting of the committee must be kept and be retained at the offices of the municipality.
- (8) A member of the committee may not —
 - (a) engage in an activity that may undermine the integrity of the committee;
 - (b) attend, participate in or influence the proceedings during a meeting of the committee if, in relation to the matter before the committee, that member has an interest that precludes that member from performing the duties of a member of the committee in a fair, unbiased and proper manner;
 - (c) vote at a meeting of the committee in connection with a matter contemplated in paragraph (b);
 - (d) make private use of, or profit from, any confidential information obtained as a result of performing that member's duties as a member of the committee; or
 - (e) divulge any information referred to in paragraph (d) to a third party, except as required as part of that member's official functions.
- (9) If, at any time, it appears to a member of the committee that a matter before the committee concerns an interest of that member as referred to in sub-regulation (8), the member must —
 - (a) immediately and fully disclose the nature of that interest to the meeting; and
 - (b) recuse himself or herself from the meeting to allow the remaining members to discuss the matter and determine whether that member should be prohibited from participating in any further proceedings concerning the matter.
- (10) A disclosure by a member in terms of sub-regulation (9) and the decision by the committee, must be recorded in the minutes of the meeting.

4. Registration of business

- (1) A person who must register a business in terms of section 10 of the Act, must lodge an application in the format of Form 1, accompanied by —
 - (a) documents specified in Form 1; and
 - (b) proof that the prescribed application fees were paid.
- (2) Where an application in terms of sub-regulation (1) has been lodged with the Business Registration Centre and the Committee is satisfied that the applicant has complied with the requirements of section 10(4) of the Act, the Business Registration Centre must issue the applicant with a business registration certificate in the format of Form 2.
- (3) A person who —
 - (a) must renew a business registration certificate in terms of section 10(5) of the Act must lodge an application for the renewal of a business registration certificate in the format of Form 3 with proof that the prescribed renewal fees were paid; or
 - (b) wishes to extend the validity of a business registration certificate in terms of section 10(6) of the Act must lodge an application for extension in the format of Form 4 with proof that the prescribed extension fees were paid.

5. Transfer of business registration certificate

- (1) When the owner of a registered business alienates that business, the new owner must lodge an application in the format of Form 5 to transfer the business registration certificate.
- (2) Where an application in terms of sub-regulation (1) has been lodged and the Committee is satisfied that the applicant has complied with the requirements of the Act, the Business Registration Centre must issue a business registration certificate.
- (3) A certificate issued in terms of sub-regulation (2), must have the same certificate number as the certificate that was previously issued by the Business Registration Centre.

6. Alteration of business interests

When the controlling interest of a business is altered, the person in control of that business must, within 21 working days, notify the Business Registration Centre thereof.

7. Business register

- (1) The Business Regulator and Business Registration Centre must keep and maintain a business registration register in the format of Form 6 of businesses registered in the province.
- (2) When a business that is registered in terms of the Act —
 - (a) changes the name or address; or
 - (b) ceases to operate for whatever reason,the person in control of the business must, within 21 working days after such change or ceasing of the operation, notify the Business Registration Centre.
- (3) The Business Registration Centre must, on a monthly basis, submit a report to the Business Regulator, detailing any transfer, alteration of business interest or amendments made to the register.

8. Inspectors

- (1) The Business Regulator must issue an inspector appointed in terms of section 8(1) of the Act with a certificate that must be in the format of Form 7.
- (2) An inspector issuing —
 - (a) an admission of guilt fine; or
 - (b) a notice to appear in court,in terms of the Act must do so in the format of Form 8.
- (3) The inspector must forward a copy of the notice in terms of sub-regulation (2) to the clerk of the court.

9. Appeals

- (1) A person aggrieved by a decision of the Business Registration Centre must within thirty days of being notified of such decision, appeal in terms of section 11(1) of the Act to the Limpopo Directorate of Business Registration.
- (2) The Limpopo Directorate of Business Registration may, on good cause shown, condone the late lodging of an appeal.

- (3) An appeal in terms of section 11(1) of the Act must include the following:
- (a) a copy of the application for the Business Registration Certificate;
 - (b) a written statement on the grounds of appeal;
 - (c) the notice sent in terms of section 10(7)(a) of the Act; and
 - (d) any other information which is relevant to the appeal.

10. Offences and penalties

A person who —

- (a) submits incorrect information on a form in terms of these regulations;
- (b) refuses or fails to comply with any lawful demand by an inspector;
- (c) refuses or fails without just cause to answer any question which an inspector has put to him or her in the exercise of the powers of an inspector;
- (d) makes a statement to an inspector which is false or misleading, knowing it to be false or misleading;
- (e) hinders or obstructs an inspector in the exercise, carrying out or performing of his or her duties, powers of functions; or
- (f) falsely holds himself or herself out to be an inspector;

is guilty of an offence and is liable upon conviction to a fine or imprisonment.

11. Short title

These Regulations are the Limpopo Business Registration Regulations, 2015.

Form 1 (Regulation 4(1))

Application for business registration certificate

Limpopo Business Registration Act, 2003 (Act No. 5 of 2003)

Applicant details (A person who has been assigned powers by the applicant)

Full Name: _____ Citizenship: _____

Id. No.: _____ Contact No.: _____

Office No.: _____

Interest in the Business (e.g. Attorney/Shareholder/Manager, etc.) _____

Date: _____

Personal details of owners/shareholders

Name	Identity No.	Age	Gender	Cetizenship	Signature

Percentage Shareholding of Previously Disadvantaged Designated Groups: _____

Particulars of business

Name of business: _____

CIPRO registration No. (If Applicable): _____

Tax number (If Applicable): _____

Business Type: (Annexure A, Reg...) _____ Code: _____

Principal (Core) Business

Peripherals (Any Business activity other than the Principal Business)

Tel.: _____ Fax.: _____ e-mail.: _____

Physical Address: _____

_____ Code: _____

Postal Address:

_____ Code: _____

Magistrate Office: _____

Estimated Number of Employment to be created: _____

For office use

Ref. No.: _____ Code: _____	
Attachments:	(a) Proof of representation (if application is done by proxy) (b) Certified Identification Copy/Copies (c) Proof of permission to conduct business in the Republic of South Africa (c) CIPRO Registration Certificate (in case of juristic person) (d) Proof of compliance with specific field requirements (e) Proof of ownership of premises/Permission To Occupy/Lease Agreement (f) Proof of Payment (h) Recommendations from Local Authorities (e.g. Traditional Authority & Municipality)
_____ Approved/not approved Comments _____ _____ Official stamp	

Form 2 (Regulation 4(2))

Business registration certificate

Business Registration Act, 2003

Certificate to conduct Business in terms of Section 10 of the Limpopo Business Registration Act, 2003 ([Act No. 5 of 2003](#))

This is to certify that _____ (*Name of Owner/Juristic Person*) has been duly registered in terms of section 10 of the Limpopo Business Registration Act, 2003 ([Act No. 5 of 2003](#)) to conduct the following business activities:

Principal business: _____

Peripherals: _____

at _____

(Premises)

trading as _____

(Trading Name)

Certificate No.: _____ Date of issue: _____ CCYY/MM/DD

Code No.: _____

Business registration centre manager

Official stamp

Form 3 (Regulation 4(3)(a))

Application for renewal of business registration certificate

Limpopo Business Registration Act, 2003 (Act No. 5 of 2003)

Personal details of proxy (A person who has been assigned powers by the applicant)

Full Name: _____ Citizenship: _____

Id. No.: _____ Contact No.: _____

Office No.: _____

Interest in the Business (e.g. Attorney/Shareholder/Manager, etc.) _____

Signed _____ Date: _____

Personal details of owners/shareholders

Total Percentage Shareholding of Previously Disadvantaged Designated Groups: _____

Particulars of business

Name of business: _____

Reference No.: _____ Code: _____

CIPRO registration No. (If Applicable): _____

Tax number (If Applicable): _____

Business Type: (Annexure A, Reg...) _____ Code: _____

Principal (Core) Business

Peripherals (Any Business activity other than the Principal Business)

Tel.: _____ Fax.: _____ e-mail.: _____

Physical Address: _____

_____ Code: _____

Postal Address: _____

_____ Code: _____

Magistrate Office: _____

Number of Employment created: _____

Estimated Number of new Employment to be created in the next 12 months: _____

For office use

Ref. No.: _____ Code: _____	
Attachments:	(a) Proof of representation (if renewed by proxy) (b) Compliance with Broad-Based Black Economic Empowerment Act (c) Proof of compliance with specific field requirements (d) Proof of Payment
_____ Approved/not approved Comments _____ _____ Official stamp	

Form 4 (Regulation 4(3)(b))**Extension of business registration certificate*****Business Registration Act, 2003***

Extension of Licence To Conduct Business issued in terms of Section 10 of the Limpopo Business Registration Act, 2003 ([Act No. 5 of 2003](#))

This is to certify that the validity of:

Certificate No. _____ for _____ (*Name of Business*) has
 been extended for a period of _____ days from _____ / ____ / _____

to ____/____/____

(Current expiry date) (Extended expiry date)

Certificate No.: _____ Date of Issue: _____ CCYY/MM/DD

Code No.: _____

Business registration centre manager

Official stamp

Form 5 (Regulation 5)**Application for transfer of business registration certificate*****Limpopo Business Registration Act, 2003 (Act No. 5 of 2003)******Personal details of applicant (A person who has been assigned powers by the applicant)***

Full Name: _____ Citizenship: _____

Id. No.: _____ Contact No.: _____

Office No.: _____

Interest in the Business (e.g. Attorney/Shareholder/Manager, etc.) _____

Signed _____ Date: _____

Part A – Personal details of transferor

I/We the owner(s) of _____ have resolved to transfer ownership or the control of my/our business to the applicant mentioned in Part B here- below.

Name	Identity No.	Age	Gender	Cetizenship	Signature

Particulars of business

Name of business: _____

Licence certificate No.: _____

CIPRO registration No. (If Applicable): _____

Tax number (If Applicable): _____

Business Type: (Annexure A, Reg...) _____ Code: _____

Principal (Core) Business

Peripherals (Any Business activity other than the Principal Business)

Tel.: _____ Fax.: _____ e-mail.: _____

Physical Address: _____

_____ Code: _____

Postal Address:

_____ Code: _____

Magistrate Office: _____

Part B – Particulars of the transferee

Name	Identity No.	Age	Gender	Cetizenship	Signature

Part C – New particulars of business (If applicable)

Name of business: _____

CIPRO registration No.: _____ Tax No.: _____

Estimated number of new employment to be created in the next 12 months: _____

For office use

Ref. No.: _____ Code: _____	
Attachments:	(a) Proof of representation (if application is done by proxy) (b) Certified Identification Copy/Copies (c) Proof of permission to conduct business in the Republic of South Africa (c) CIPRO Registration Certificate (in case of juristic person) (d) Proof of compliance with specific field requirements (e) Proof of ownership of premises/Permission To Occupy/Lease Agreement (f) Proof of Payment (h) Recommendations from Local Authorities (e.g. Traditional Authority & Municipality)
_____ Approved/not approved Comments _____ _____ _____ Official stamp	

Form 6 (Regulation 7)**Business register*****Limpopo Business Registration Act, 2003 (Act No. 5 of 2003)***

Full Name: _____ Citizenship: _____

Id. No.: _____ Contact No.: _____

Particulars of business

Name of business: _____

CIPRO registration No. (If Applicable): _____

Tax number (If Applicable): _____

Certificate No. _____ Date of Issue _____

Business Type: (Annexure A, Reg...) _____ Code: _____

Principal (Core) Business

Tel.: _____ Fax.: _____ e-mail.: _____

Physical Address: _____

_____ Code: _____

Postal Address:

_____ Code: _____

Magistrate Office: _____

Staff composition

Number of employees	Race	Age	Gender	Citizenship	Disability	Permanent/temporary	

Business registration centre manager

Official stamp

Form 7 (Regulation 8)

Inspector appointment certificate

Limpopo Business Registration Act, 2003 (Act No. 5 of 2003)

Certificate of Appointment as Inspector issued in terms of section 8 of Limpopo Business Registration Act, 2003 (Act No. 5 of 2003)

This is to certify that

(Names and Surname)

(Identity number)

has been duly appointed as Inspector in terms of section 8 of the Limpopo Business Registration Act, 2003 ([Act No. 5 of 2003](#)) in respect of _____

Business Registration Centre for the area of jurisdiction of _____

Effective date: _____

Business registration centre

Date

Business Regulator

Form 8 (Regulation 8(2))

Admission of guilt/notice to appear in court

Limpopo Business Registration Act, 2003 ([Act No. 5 of 2003](#))

Written notice to appear in court

Written notice to appear in court issued in terms section 9(2) of the Limpopo Business Registration Act, ([Act No. 5 of 2003](#))

Section A

Surname _____ Names _____

Identity No. _____ Sex |Male|Female| _____ Age _____ yrs

Address _____

Tel./Cell No. _____

Section B

Name of business _____

Address _____

Tel. _____ Registration No. _____

Section C

You are hereby called upon in terms of section 9(2) of the Limpopo Business Registration Act, 2003 ([Act No. 5 of 2003](#)) to appear before the court on the date of trial mentioned below at 09h00 and to remain in attendance there to answer the following charge(s) -

Charge 1: _____

Charge 2: _____

Charge 3: _____

or such other charge(s) as the Prosecutor may bring against you. On the grounds that upon or about the ___ day of ___ 20___ at or near _____

In the said district you did wrongfully and unlawfully _____

Section D

Date and place where you are personally to appear in court

Date of trial	Day	Month	Year
Place			
Court			

Section E

Date and place where admission of guilt fine may be paid to avoid appearance in court

Admission of guilt fine of _____

Charge 1 R

Charge 2 R

Charge 3 R

may be paid on or before

Day	Month	Year

at any Business Registration Centre for the District of _____

Section F

This serves to confirm that the original hereof was today handed to the abovementioned accused personally and the importance thereof was explained to him or her by -

Name and Surname of Inspector

Signature _____ Place _____

Date _____ Time _____

Business registration fees (Regulation 4 (2))**Limpopo Business Registration Act, 2003 ([Act No. 5 of 2003](#))**

Code	Type of business	Application fee	Registration fee	Annual renewal fee
251	Stone quarrying, clay and sand-pits	R100-00	R200-00	R240-00
3	Manufacturing	R100-00	R300-00	R360-00
412	Manufacturing and distribution of gas	R100-00	R200-00	R240-00
50	Construction	R100-00	R300-00	R360-00
61	Wholesale: Sale to public Sells to retailers Sells to both public and, Retailers	R100-00	R500-00 R500-00 R500-00	R600-00 R600-00 R600-00
621	General trade (General Dealer)	R100-00	R200-00	R240-00
622	Retail trade in food, beverages and tobacco	R100-00	R200-00	R240-00
623	Other retail trade in new goods	R100-00	R200-00	R240-00
624	Retail trade in second-hand goods	R100-00	R200-00	R240-00

625	Retail trade not in stores	R100-00	R100-00	R120-00
626	Repair of personal and household goods	R100-00	R200-00	R240-00
631	Sale of motor vehicle	R100-00	R500-00	R600-00
632	Maintenance and repair of motor vehicles	R100-00	R200-00	R240-00
633	Sale of motor vehicle parts and accessories	R100-00	R200-00	R240-00
634	Sale, maintenance and repair of motor cycles and related parts and accessories	R100-00	R200-00	R240-00
635	Retail sale of automotive fuel	R100-00	R400-00	R480-00
641	Hotels accommodation, Camping sites and Provision of short-stay accommodation	R100-00	R400-00 R100-00 R300-00	R480-00 R120-00 R360-00
642	Restaurants, bars and canteens	R100-00	R200-00	R240-00
71	Land transport	R100-00	R200-00	R240-00
72	Water transport	R100-00	R200-00	R240-00

73	Air transport	R100-00	R200-00	R240-00
741	Supporting and auxiliary transport	R100-00	R400-00	R240-00
75	Post and Tele-communication	R100-00	R250-00	R240-00
81	Financial Intermediations	R100-00	R200-00	R240-00
84	Real Estate Activities	R100-00	R200-00	R480-00
85	Renting of machinery & Equipment	R100-00	R400-00	R300-00
86	Computer Related activities	R100-00	R400-00	R240-00
87	Research & Development	R100-00	R200-00	R240-00
881	Legal, accounting, bookkeeping and auditing activities, tax consultants, market research & public opinion research, business & management consultancy	R100-00	R200-00	R480-00
882	Architectural, Engineering and other Technical activities	R100-00	R200-00	R480-00
883	Advertising	R100-00	R200-00	R240-00

8891	Labour recruitment & provision of staff	R100-00	R200-00	R240-00
8892	Investigation and security activities	R100-00	R200-00	R240-00
8893	Building and Industrial Plant Cleaning activities	R100-00	R200-00	R240-00
8894	Photographic activities	R100-00	R200-00	R240-00
8895	Packaging activities	R100-00	R200-00	R240-00
8891	Credit Rating Agency activities	R100-00	R200-00	R240-00
88992	Debt Collecting Agency activities	R100-00	R200-00	R240-00
88993	Stenographic, Duplicating, Addressing, Mailing list and Similar activities	R100-00	R200-00	R240-00
920	Educational and Training activities	R100-00	R200-00	R240-00
931	Human Health activities	R100-00	R200-00	R240-00
932	Veterinary activities	R100-00	R200-00	R240-00
933	Social Work activities	R100-00	R200-00	R240-00

951	Activities of Business, Employers and Professional Organizations	R100-00	R200-00	R240-00
96	Recreational, Cultural & Sporting activities	R100-00	R200-00	R240-00
961	Motion Pictures, Radio, Television and other Entertainment activities	R100-00	R400-00	R480-00
962	News Agency activities	R100-00	R200-00	R240-00
9901	Washing and Dry-cleaning of textiles and for products	R100-00	R150-00	R180-00
9902	Hair-Dressing and other Beauty Treatment	R100-00	R200-00	R240-00
9903	Funeral and related activities	R100-00	R400-00	R480-00