

FORM 28A
INSTRUCTIONS ON REVERSE



JAMAICA
THE COMPANIES ACT
APPLICATION TO RESTORE A COMPANY TO THE COMPANY REGISTER
(Pursuant to section 337 (6))

1. NAME OF COMPANY

1A. COMPANY NUMBER

1B. COMPANY TAXPAYER REGISTRATION NUMBER

1C. COMPANY FAX NUMBER

1D. PRIVATE

PUBLIC

2. NAME OF APPLICANT

2A. ADDRESS

STREET	
TOWN	
POST OFFICE	
PARISH	

2B. STATUS OF APPLICANT

COMPANY

MEMBER

CREDITOR

2C. TELEPHONE NUMBER

2D. FAX NUMBER

3. DATE OF INCORPORATION

4. LOCATION OF *PRESENT* REGISTERED OFFICE

STREET	
TOWN	
POST OFFICE	
PARISH	

4A. LOCATION ON *LAST* REGISTERED OFFICE NOTICE (FORM 17)

STREET	
TOWN	
POST OFFICE	
PARISH	

4B. MAILING ADDRESS

STREET	
TOWN	
POST OFFICE	
PARISH	

5. DATE COMPANY WAS STRUCK FROM THE REGISTER OF COMPANIES

--

6. THE COMPANY HAS *FAILED* TO FILE THE FOLLOWING DOCUMENTS

1.	
2.	
3.	
4.	

7. THE DIRECTORS AT THE TIME THE COMPANY WAS STRUCK OFF WERE:

NAME (S)	RESIDENTIAL ADDRESS	OCCUPATION	CONTACT #
1.			
2.			
3.			
4.			
5.			

7A. THE PARTICULARS OF THE CURRENT DIRECTORS:

NAME (S)	RESIDENTIAL ADDRESS	OCCUPATION	CONTACT #
1.			
2.			
3.			
4.			
5.			

8. THE PARTICULARS OF MEMBERS AT THE TIME THE COMPANY STRUCK OFF:

	NAME (S)	RESIDENTIAL ADDRESS	OCCUPATION	CONTACT #
1.				
2.				
3.				
4.				
5.				

8A. THE PARTICULARS OF CURRENT MEMBERS:

	NAME (S)	RESIDENTIAL ADDRESS	OCCUPATION	CONTACT #
1.				
2.				
3.				
4.				
5.				

9. REASON FOR APPLICATION

A. THE COMPANY WAS AT THE TIME OF THE STRIKING OFF, CARRYING ON BUSINESS OR IN OPERATION, OR

B. IT IS JUST FOR THE COMPANY TO BE RESTORED TO THE REGISTER.
EXPLAIN, WHY IT IS JUST

10. OTHER RELEVANT INFORMATION

11. I HEREBY APPLY THAT THE NAME OF THE COMPANY _____
BE RESTORED TO THE REGISTER OF COMPANIES AND UPON SUCH RESTORATION THE COMPANY SHALL BE DEEMED TO HAVE CONTINUED IN
EXISTENCE AS IF ITS NAME HAD NOT BEEN STRUCK OFF.

12. I CERTIFY THAT ALL FACTS SET OUT IN THIS APPLICATION ARE TRUE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

DATED THE DAY OF 20

SIGNATURE

13. FILED BY

NAME:			
ADDRESS:	STREET		
	TOWN		
	POST OFFICE		
	PARISH		
E-MAIL ADDRESS:			
CONTACT NUMBER:			
FAX NUMBER:			

14. PARTICULARS OF APPLICANT

TAXPAYER REGISTRATION NUMBER (TRN)	
E-MAIL ADDRESS	

“FOR OFFICIAL USE ONLY”		
COMPANY NUMBER:	_____	
FILED:	_____/_____/_____	
	DAY	MONTH
		YEAR

JAMAICA
THE COMPANIES ACT
APPLICATION TO RESTORE A COMPANY TO THE COMPANY REGISTER

FORM 28A

INSTRUCTIONS

GENERAL

This document is required to be filed with the Office of the Registrar of Companies and must conform to the requirement under the Act. Where any provision required to be set out is too long for the space provided in the form, the form may incorporate the provisions by annexing a schedule in such manner as may be prescribed under the Act.

ITEMS 1, 1A, 1B, 1C & 1D

- Set out the full legal name of the company.
- Set out Company number assigned by the Registrar of Companies.
- Set out Company Taxpayer Registration Number. (The Company Taxpayer Registration Number will be photocopied by the Registrar of Companies and returned. Individuals may, instead of bringing the Taxpayer Registration Card into the Offices of the Registrar of Companies, provide a certified copy of the same). An Attorney –at – Law, a Justice of the Peace, or a Notary Public may certify the copy of the Taxpayer Registration Number. Where the copy is certified by a Justice of the Peace or a Notary Public they must affix the relevant seal of their office.
- Indicate whether the company is a private or a public company.

NOTE: Once certified copies have been supplied to the Registrar of Companies or the Registrar of Companies has seen the original Taxpayer Registration Card and made a copy of the same the company need only affix the number to any documents being subsequently filed.

ITEMS 2, 2A, 2B, 2C & 2D

In respect to the Applicant

- Set out full name
- Set out full residential address
- Indicate whether the applicant is
 - (a) an authorized officer of the company
 - (b) a member of the company
 - (c) a creditor of the company
- Set out the telephone and fax numbers

ITEM 3

Set out the date of incorporation.

ITEMS 4, 4A & 4B

Set out in full the location at which the registered office is presently situated or was previously situated (that is the location stated on the last Registered Office Notice [**FORM 17**]), including the street, and if located in a multi- office building, the relevant room number. The registered office must be an actual physical location and might include the relevant district and parish. However it cannot be a post office box.

The mailing address may include a post office box number, if the mailing address is same as the registered office, state ‘SAME AS ABOVE’

ITEM 5

Set out the date the company was struck from the register, that is the date of the last gazette notice.

ITEM 6

Set out all the documents, which the company has failed to file with the Registrar of Companies

ITEMS 7 & 7A

Set out the name, residential address, occupation and contact number of the directors at the time the company was struck from the register of companies and also the current directors of the company.

ITEMS 8 & 8A

Set out the name, residential address, occupation and contact number of the members at the time the company was struck from the register of companies and also the current members of the company.

ITEM 9

Indicate the reasons for the application. If the reason selected is that it is just for the Registrar of Companies to restore the company to the register, the applicant must explain why it is just for the Registrar of Companies to do so.

NOTE: Section 337 (6) of the Companies Act 2004 provides that

‘If a company or any member or creditor thereof feels aggrieved by the company having been struck off the register, the Registrar on an application... before the expiration of twenty years from the publication in the Gazette of the notice... may if satisfied that

- (a) the company was at the time of the striking off, carrying on business or in operation; or
- (b) otherwise that it is just that the company be restored to the register

order that the company be restored to the register...’

ITEM 10

Set out any other facts relevant to the application. This includes the fact that the company owns property.

ITEM 11

This is a formal request for the name of the company to be restored to the register of companies and for the company to be deemed to have continued in existence as if its name had never been struck from the register of companies.

ITEM 12

The Applicant must certify that the contents of this application are true. This form must be dated.

ITEM 13

Set out the name, residential address, telephone number, fax number and email address of the person filing the form with the Registrar of Companies.

ITEM 14

Set out the Taxpayer Registration Number and the email address of the Applicant. Individuals may, instead of bringing the Taxpayer Registration Card into the Offices of the Registrar of Companies, provide a certified copy of the same. (See instructions at Item 1 above in relation to Taxpayer Registration cards)

THIS FORM AND THE PRESCRIBED FEE AT THE DATE OF FILING SHOULD BE DEPOSITED WITH THE REGISTRAR OF COMPANIES.

***** EVERY OFFICER OF THE COMPANY IN DEFAULT OF THE PROVISIONS OF THE COMPANIES ACT IS LIABLE TO THE PRESCRIBED PENALTY AND WHERE NO PENALTY IS PRESCRIBED BY THE RELEVANT SECTION IN THE ACT TO A FINE NOT EXCEEDING \$50,000 (SECTION 384 COMPANIES ACT)**