

FORM 16A
INSTRUCTIONS ON REVERSE



JAMAICA
THE COMPANIES ACT
PARTICULARS OF CHARGE

(Pursuant to sections 93 (1) & 96 (1))

1. NAME OF COMPANY

1A. COMPANY NUMBER

1B. COMPANY TAXPAYER REGISTRATION NUMBER

1C. COMPANY FAX NUMBER

1D. PRIVATE

PUBLIC

1E.

COMPANY REGISTERED IN JAMAICA

COMPANY REGISTERED OUTSIDE OF JAMAICA HAVING AN ESTABLISHED PLACE OF BUSINESS IN JAMAICA

COMPANY REGISTERED OUTSIDE OF JAMAICA

2.

I DATE AND DESCRIPTION OF INSTRUMENT CREATING / EVIDENCING THE CHARGE	II AMOUNT SECURED BY CHARGE	III SHORT PARTICULARS OF THE PROPERTY CHARGED	IV NAMES ADDRESSES AND DESCRIPTION OF THE PERSONS ENTITLED TO THE CHARGE

3.

DATE	PRINTED NAME	SIGNATURE	CONTACT #
CAPACITY: <input type="checkbox"/> DIRECTOR <input type="checkbox"/> SECRETARY <input type="checkbox"/> AUTHORIZED OFFICIAL		SEAL:	

SUMMARY OF CHARGE

4. DATE:

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BORROWER

5. NAME OF COMPANY

5A. COMPANY NUMBER

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5B. COMPANY TAXPAYER REGISTRATION NUMBER

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5C. COMPANY FAX NUMBER

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5D. PRIVATE

PUBLIC

6. LOCATION OF REGISTERED OFFICE

STREET	
TOWN	
POST OFFICE	
PARISH	

6A. MAILING ADDRESS

STREET	
TOWN	
POST OFFICE	
PARISH	

LENDER

7. NAME OF COMPANY/
NAME OF INDIVIDUAL

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7A. COMPANY NUMBER

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7B. COMPANY FAX NUMBER

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7C. TYPE OF COMPANY:

PRIVATE

PUBLIC

8. LOCATION OF REGISTERED OFFICE

STREET	
TOWN	
POST OFFICE	
PARISH	

8A. MAILING ADDRESS

STREET	
TOWN	
POST OFFICE	
PARISH	

9. AMOUNT OF SECURITY

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10. INTEREST RATE

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11. AMOUNT DISBURSED

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12. SECURITY

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13. PROHIBITION CLAUSE

13A. UPSTAMPING CLAUSE

14.

DATE	PRINTED NAME	SIGNATURE	CONTACT #

CAPACITY:

<input type="checkbox"/>	DIRECTOR
<input type="checkbox"/>	SECRETARY
<input type="checkbox"/>	AUTHORIZED OFFICIAL

15. FILED BY

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

16. PARTICULARS OF PERSON WHO SIGNED AT ITEM 14 ABOVE

NAME	EMAIL ADDRESS	TAX REGISTRATION NUMBER

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

JAMAICA
THE COMPANIES ACT
PARTICULARS OF CHARGE

FORM 16A
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.
- Set out, where applicable the company fax number.
- Indicate whether the company is a private or a public company.

NOTE: Once certified copies of the Taxpayer Registration Number 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.

ITEM 1E

Indicate whether the company is;-

- a company registered in Jamaica.
- a company registered outside of Jamaica having an established place of business in Jamaica.
- a company registered outside of Jamaica.

ITEM 2 (I)

Indicate the date and description of the instrument creating or evidencing the charge. Charge in this context includes a mortgage, a bill of sale, a guarantee and a debenture.

ITEM 2 (II)

Indicate the amount secured by the charge. This figure must be the same as the figure set out in the charge document. If the figure in the charge document is stated in a currency other than Jamaican dollars the Jamaican equivalent must be stated along with the conversion rate. This conversion rate must be the prevailing conversion rate at the date that the charge was created.

ITEM 2 (III)

Give short particulars of the property charged.

- If the charge is a mortgage, it is sufficient to state the volume and folio number of the property.
- If the charge is a bill of sale, give details of the security. For example if it is a motor vehicle set out the engine #, chassis #, registration #, model and make of the vehicle.
- If the charge is a debenture, it is sufficient to state the nature of the debenture. For example Fixed and/or Floating.

ITEM 2 (IV)

Set out the names, addresses and description of the persons entitled to the charge. If it is a company indicate whether the company is incorporated in Jamaica and the location of their registered office.

ITEM 3

If signed by a borrower which is a company, the company seal must be affixed and it must be signed by 2 officers of the company. These officers must be either a director, a secretary or an authorized officer. If the document is signed by the lender the signature of an authorized agent will suffice. (Agent in this context includes Attorney- At- Law).

ITEM 4

Indicate the date of the charge.

ITEMS 5, 5A, 5B, 5C & 5D

In respect of the borrower

- 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)
- Set out, where applicable the company fax number.
- Indicate whether the company is a private or a public company.

(See instructions at Item 1 above in relation to Taxpayer Registration cards)

ITEM 6 & 6A

Set out in full the location at which the registered office is situated, 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.

Set out the mailing address of the company. The mailing address may include a post office box number, if the mailing address is same as the registered office, state 'SAME AS ABOVE AT ITEM 6'

ITEMS 7, 7A, 7B, & 7C

In respect of the lender

- Set out the full legal name of the company.
- Set out Company number assigned by the Registrar of Companies.
- Set out, where applicable the company fax number.
- Indicate whether the company is a private or a public company.

Where the lender is an individual set out the full name, and where applicable the fax number of the individual.

ITEM 8 & 8A

Set out in full the location at which the registered office is situated, 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.

Set out the mailing address of the company. The mailing address may include a post office box number, if the mailing address is same as the registered office, state 'SAME AS ABOVE AT ITEM 8'

Where the lender is an individual the instructions are the same, save and except the individual should state their residential address at Item 8.

ITEM 9

Indicate the amount of the security.

ITEM 10

Indicate the applicable interest rate.

ITEM 11

Indicate the amount disbursed.

ITEM 12

Indicate what has been used as security.

ITEM 13

State the relevant clause number in the charge document, if applicable.

ITEM 13A

State the relevant clause number in the charge document, if applicable.

ITEM 14

A director, secretary or authorized officer shall sign the form. The form must be dated.

ITEM 15

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 16

Set out in relation to the person who signs at Item 14 above their email address and their Taxpayer Registration number.

NOTE: The original or a certified copy of the instrument creating the charge must accompany this form. An Attorney –at – Law, a Justice of the Peace or a Notary Public may certify the instrument. Where the instrument is certified by a Justice of the Peace or a Notary Public they must affix the relevant seal of their office.

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)**