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Should you require any assistance please contact our Senior Associate responsible for secretarial practice, Nancy Tarimo, via email: n.tarimo@rexattorneys.co.tz, web: www.rexattorneys.co.tz

Who we are

a firm of dedicated lawyers enjoying noticeable and prominent presence in the private legal practice industry in Tanzania.

Rankings

iflr1000
the legal 500
chambers & partners global

Contact us

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Disclaimer:

This article is of a general nature and solely for information purposes. It counts as expert opinion but not professional advice. While the information is accurate as at the date of this article, there can be no guarantee that the information is accurate as of the date it is received or that it will continue to be accurate in the future. No one should act upon such information without appropriate professional advice and after a thorough examination of the circumstances of each situation.

PROCEDURE & INFORMATION FOR COMPANY STATUTORY FILING COMPLIANCE

Stage	Activities	Reasons
1.	Application to BRELA for official search and file perusal and if possible photocopying company file maintained at BRELA. This may be a challenge for old companies where filings are not regular and need to be verified as files may be in volumes	To ascertain the status of the company as maintained at BRELA where the Company has no record of the status or where a third party entering into a transaction wishes to confirm the statutory filings status independent of the Company.
2.	Review of statutory books maintained by the Company. These are the combined register of members and directors, minutes books of Board and Shareholders meetings for the past year(s), to gather the requisite information that should have been filed or needs to be filed with BRELA	To ascertain the status of the company filings internally. Every company is required under the Companies Act, to maintain these Statutory Books and to keep them updated. External Auditors are obliged to inspect the Statutory Books and as well third parties entering into a transaction with a company may request to inspect the Statutory Books. As part of the necessary Due Diligence.
3.	Assessing information obtained from BRELA and the company.	To ascertain what should be filed with BRELA for update so that information from both sides correspond.

Stage	Activities	Reasons
4.	<p>Information to be filed with BRELA: -</p> <ul style="list-style-type: none"> ➤ Company resolutions for any of the changes made some of which are detailed below. ➤ Changes of directors, secretary, registered office or allotment or transfer/transmission/forfeiture of shares; ➤ Increase/decrease in authorized share capital; ➤ amendments of Memorandum & Articles of Association; ➤ Change of name; ➤ charge of Company's assets; ➤ audited Financial Statements; ➤ appointment of Receiver Manager/ Liquidator; and ➤ pending annual returns of the company 	<p>If a company has not filed its returns for a long period, the Registrar of Companies may assume that the company is not trading and issue notice of intention to strike it off the register. If the Registrar does not hear from the company after the publication of his notice to strike off the company, he may proceed to strike it off and publish the fact in the Government Gazette.</p> <p>Each required filing has a specific period during which filing must be done and the fees thereof. Any delayed filing attracts late filing fees that will escalate on a daily basis until the filing is done.</p>
5.	<p>Complete relevant company form which must be signed by director(s)/secretary and upload on the BRELA ORS.</p>	<p>Forms to be filled via ORS but if you are experiencing difficulties with the system you may approach BRELA physically.</p>

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