

Tanzania

Companies Act

Companies (Forms) Rules, 1932

Government Notice 260 of 1932

Legislation as at 31 July 2002

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PDF created on 24 February 2025 at 13:51.

Collection last checked for updates: 31 July 2002.

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FRBR URI: /akn/tz/act/gn/1932/260/eng@2002-07-31

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Published in Tanzania Government Gazette

Commenced

[This is the version of this document at 31 July 2002.]

[Note: This legislation was revised and consolidated as at 31 July 2002 and 30 November 2019 by the Attorney General's Office, in compliance with the Laws Revision Act No. 7 of 1994, the Revised Laws and Annual Revision Act (Chapter 356 (R.L.)), and the Interpretation of Laws and General Clauses Act No. 30 of 1972. All subsequent amendments have been researched and applied by Laws.Africa for TANZLLI.]

[Section 347; G.N.s. Nos. 260 of 1932; 17 of 1933]

1. Citation

These Rules may be cited as the Companies (Forms) Rules.

2. Forms

The forms set out in the Schedule hereto shall be used for the purposes of the Act and the particulars contained therein are hereby prescribed as the particulars required under the Act.

3. Certified articles of the company or other charter, etc., of the company under section 321

A certified copy of the charter, statutes or copy of memorandum and instrument constituting or defining the constitution of the company required to be delivered to the Registrar under section 321 of the Companies Act¹ (in these Rules referred to as "the Act" shall be deemed to be certified as a true copy if—

- (a) in the case of a company incorporated outside Tanzania, it is in such foreign country—
 - (i) duly certified as a true copy by an official of the Government to whose custody the original is committed; or
 - (ii) duly certified as a true copy by a notary public of such country; or
 - (iii) duly certified as a true copy on oath by some officer of the company before some person having authority to administer an oath in such country;
- (b) in the case of a company incorporated outside Tanzania under the laws of a foreign country, it is in such foreign country—
 - (i) duly certified as a true copy by an official of the Government to whose custody the original is committed, the signature or seal of such official being authenticated;
 - (ii) duly certified as a true copy by a notary of such foreign country the certificate of the notary being authenticated; or

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- (iii) duly certified as a true copy on oath by some officer of the company before a person having authority to administer an oath as provided by that foreign country, the status of the person administering the oath being authenticated by any of the British officials mentioned in section 6 of that Act.

4. Verified copies of contracts under section 43

Copies of contracts required to be filed with the Registrar under section 43 of the Act shall be deemed to be duly verified if they are certified to be true copies by the affidavit of some responsible officer of the company.

5. Verified or certified copy of charge under sections 79 and 81

A copy of the instrument by which a charge is created or evidenced to be delivered to the Registrar under the provisions of sections 79 and 81 of the Act shall be verified or certified to be a true copy under the seal of the company or under the hand of some person interested therein otherwise than on behalf of the company.

6. Translation

A translation of a charter, statutes or memorandum and articles of association or other instrument constituting or defining the constitution of a company or any account or document to be delivered to the Registrar under the Act shall be certified to be a correct translation—

- (a) where such translation is made outside Tanzania, by —
 - (i) an official having custody of the original; or
 - (ii) a notary public for the country or place where the company is incorporated:

Provided that where the company is incorporated in a foreign country, the signature or seal of the person so certifying shall be authenticated in accordance with the law of that country;

- (b) where such translation is made within Tanzania, by—
 - (i) an advocate entitled to appear before the High Court; or
 - (ii) an affidavit of some person having, in the opinion of the registrar, competent knowledge of the language of the original and of English.

Schedule (Rule 2)

Forms 1- 14

[Editorial note: The forms have not been reroduced.]