

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 41 OF 2019

The Corporate Insolvency Act
(Act No. 9 of 2017)**The Corporate Insolvency (Forms and Fees)**
Regulations, 2019

ARRANGEMENT OF REGULATIONS

Regulation

1. Title
2. Notice of appointment as receiver, liquidator or business rescue administrator
3. Notice of cessation as receiver
4. Notice of change of location of liquidator=s office, electronic mail and postal address
5. Notice to dispose of company assets by receiver or liquidator
6. Notice of business rescue proceedings to affected persons
7. Notice of substantial implementation of business rescue plan
8. Notice of termination of business rescue proceedings
9. Return of final winding up meeting and dissolution of company
10. Certificate of accreditation as insolvency practitioner
11. Notice of lodgment
12. Fee payable to receiver, business rescue administrator or liquidator
13. Service of documents
14. Fees

*Copies of this Statutory Instrument can be obtained from the Government Printer,
P.O. Box 30136, 10101 Lusaka. Price K72.00 each.*

IN EXERCISE of the powers contained in sections 9, 11, 16, 97 and 179 of the Corporate Insolvency Act, 2017, the following Regulations are made:

- | | Title |
|--|---|
| 1. These Regulations may be cited as the Corporate Insolvency (Forms and Fees) Regulations, 2019. | |
| 2. A person shall, after appointing a receiver, liquidator or business rescue administrator lodge with the Registrar a notice of appointment as a receiver, liquidator or business rescue administrator in Form I set out in the First Schedule, on payment of the fee set out in the Second Schedule. | Notice of appointment as receiver, liquidator or business rescue administrator |
| 3. A person who ceases to be a receiver shall lodge with the Registrar a notice of cessation as a receiver in Form II set out in the First Schedule, on payment of the prescribed fee set out in the Second Schedule. | Notice of cessation as receiver |
| 4. A liquidator who changes that liquidator's location or postal address shall lodge with the Registrar and Official Receiver a notice of change of location, postal or electronic mail address of the liquidator in Form III set out in the First Schedule, on payment of the fee set out in the Second Schedule. | Notice of change of location of liquidator's office, electronic mail and postal address |
| 5. A receiver or liquidator shall lodge with the Registrar a notice to dispose of company assets in Form IV set out in the First Schedule, on payment of the fee set out in the Second Schedule. | Notice to dispose of company assets by receiver or liquidator |
| 6. (1) A company or an affected person, as the case maybe shall give notice to affected persons that— | Notice of business rescue proceedings to affected persons |
| (a) a special resolution was made to commence business rescue proceedings; or | |
| (b) a court action has been commenced - | |
| (i) against the resolution to place the company under supervision and begin business rescue proceedings; | |
| (ii) against the appointment of the business rescue administrator; | |
| (iii) to require the business rescue administrator to provide security; or | |
| (iv) for an order to place the company under supervision and begin business rescue proceedings. | |
| (2) The notice referred to in sub-regulation(1) shall be in Form V set out in the First Schedule, on payment of the fee set out on the Second Schedule. | |

Notice of substantial implementation of business rescue plan	7. A business rescue administrator shall give notice to the Registrar and the Official Receiver of substantial implementation of a business rescue plan in Form VI set out in the First Schedule, on payment of the fee set out in the Second Schedule.
Notice of termination of business rescue proceedings	8. A business rescue administrator shall, where there are no reasonable grounds to believe that the company is financially distressed or a business rescue plan is rejected and no further action is taken, notify the Registrar of the termination of the business rescue proceedings in Form VII set out in the First Schedule, on payment of the fee set out in the Second Schedule.
Return of final winding up meeting and dissolution of company	9. A liquidator shall lodge with the Registrar and the Official Receiver a return of a final winding up meeting and dissolution of a company in Form VIII set out in the First Schedule on payment of the fee set out in the Second Schedule.
Certificate of accreditation as insolvency practitioner	10. A certificate of accreditation as an insolvency practitioner is set out in Form IX in the First Schedule.
Notice of lodgment	11. A person shall, where a document to be filed with the Registrar has no prescribed form, lodge the document with a notice of lodgment in Form X set out in the First Schedule on payment of the fee set out in the Second Schedule.
Fee payable to receiver, business rescue administrator or liquidator Act No. 10 of 2017	12. (1) A receiver, business rescue administrator or liquidator shall, on taking instructions, agree with the client, the fee payable. (2) Despite sub regulation (1), the fee payable to a receiver, business rescue administrator or liquidator shall not exceed (a) ten percent of the net proceeds of receivership or liquidation; and (b) five percent of the net assets of the company in the case of business rescue. (3) In this Regulation— “net asset” has the meaning assigned to the words in the Companies Act, 2017; and “net proceeds” means gross proceeds of the receivership or liquidation less expenses and disbursements.
Act No. 10 of 2017	
Service documents	13. (1) A document required to be served under these Regulations shall be served personally or electronically. (2) Where personal service of documents cannot be effected, service of documents shall be at the affected person’s dwelling

place or on the affected person's designated agent and in case of a company, at the registered office or personally serving a director or secretary of the company.

- (3) Where a document is served electronically—
 - (a) transmission shall contain a notice, in writing, explaining the contents of the document;
 - (b) document is deemed to have been received when it arrives at the server for incoming communications in connection with which the user identification or signature of the person to be served is associated; and
 - (c) the burden of disproving the service lies with the served party.

14. The fees set out in the Second Schedule are payable in respect of the matters specified therein.

Fees

FIRST SCHEDULE
(Regulations 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 14)

Form I
(Regulation 2)

(In typescript and completed in duplicate)



THE PATENTS AND COMPANIES REGISTRATION AGENCY
The Corporate Insolvency Act
(Act No. 9 of 2017)

The Corporate Insolvency (Forms and Fees)
Regulations, 2019
(section 5, 21 and 92)

NOTICE OF APPOINTMENT AS RECEIVER, LIQUIDATOR OR BUSINESS RESCUE ADMINISTRATOR			
PART A COMPANY DETAILS			
1.	Company Number <i>Indicate the 12 digit registration number</i>		
2.	Company Name <i>Indicate the name as captured on the certificate of incorporation</i>		
3.	Phone Number <i>Include the international code (e.g. +260 for Zambia)</i>	Mobile Landline	
4.	Email Address		
5.	Physical Address <i>State the registered office of the company</i>	Plot/ House/ Village Street Area Town Province	
PART B APPOINTMENT DETAILS			
6.	Type of Appointment <i>Select type of application by marking with "x"</i>	Receiver Liquidator Business Rescue Administrator	Receiver includes "receiver manager" and "judgment receiver"
7.	Accreditation number		
8.	First Name(s) of insolvency practitioner(s)		
9.	Surname(s) of insolvency practitioner(s)		
10.	Date of appointment		
11.	Date of resolution <i>Attach resolution where appointment is by a resolution</i>		
12.	Court Order Number <i>Attach Court order where appointment is by a court order</i>		
13.	Any other Instrument of Appointment <i>Where appointment is not by Court Order, state the instrument of appointment, if any.</i>		
14.	Whether appointment relates to all or part of company property <i>Select by marking with "x"</i>	All <input type="checkbox"/> Part <input type="checkbox"/>	
15.	Type of Property to which appointment relates <i>Select type of property by marking with "x"</i>	Land Buildings Movable Property Other (Specify)	
16.	Brief particulars of property charged <i>Indicate title deed number where applicable</i>		
17.	First Name: Surname: Capacity Signature	Date	To be signed by Insolvency Practitioner(s)

Form II
(Regulation 3)

(In typescript and completed in duplicate)



THE PATENTS AND COMPANIES REGISTRATION AGENCY

The Corporate Insolvency Act
(Act No. 9 of 2017)

The Corporate Insolvency (Forms and Fees) Regulations, 2019
(Section 5 and 20)

NOTICE OF CESSATION AS RECEIVER			
PART A COMPANY AND NOTICE DETAILS			
1.	Company Number <i>Indicate the 12 digit registration number</i>		
2.	Company Name <i>Indicate the name as captured on the certificate of incorporation</i>		
3.	Phone Number <i>Include the international code (e.g. +260 for Zambia)</i>	Mobile	
		Landline	
4.	Email Address		
5.	Physical Address <i>State the registered office of the Company</i>	Plot/House/Village	
		Street	
		Area	
		Town	
		Province	
PART B DETAILS OF THE PERSON CEASING TO ACT AS RECEIVER			
6.	Accreditation Number		<i>Indicate the number allocated when accredited as insolvency practitioner</i>
7.	First Name		
8.	Surname		
PART C CESSATION DETAILS			
9.	Date of cessation		
10.	Reason for cessation <i>(Optional)</i>		
11.	Order of the Court <i>Indicate court order number where cessation is by Court Order, the order should be attached to the application</i>		

PART D DECLARATION		
I, the undersigned, declare that the above information is correct and accurate.		
First Name:		
12.	Surname:	
Capacity:		
Signature:		Date:
PART E PARTICULARS OF PERSON LODGING DOCUMENT		
13.	First Name	
14.	Surname	
15.	Gender	
16.	Date of Birth	
17.	Nationality	
18.	Identity Type For Zambians: <i>NRC</i> For non-Zambians: <i>NRC/Passport/ Driver's License/Resident Permit</i>	
19.	Identity Number	
20.	Physical Address	Plot/House/ Village
		Street
		Area
		Town
		Province
21.	Phone Number Include the international code (e.g. +260 for Zambia)	Mobile
		Landline
22.	Email Address	
23.	Signature:	Date:

Form III
(Regulation 4)

(In typescript and completed in duplicate)



THE PATENTS AND COMPANIES REGISTRATION AGENCY

The Corporate Insolvency Act
(Act No. 9 of 2017)

The Corporate Insolvency (Forms and Fees) Regulations, 2019
(Section 118)

NOTICE OF CHANGE OF LOCATION OF LIQUIDATOR'S OFFICE AND POSTAL ADDRESS			
PART A COMPANY DETAILS			
1.	Company Number <i>Indicate the 12 digit registration number</i>		
2.	Company Name <i>Indicate the name as captured on the certificate of incorporation.</i>		
PART B PARTICULARS OF LIQUIDATOR			
3.	First Name		
4.	Surname		
5.	Accreditation Number		<i>Indicate the number allocated when accredited as insolvency practitioner</i>
PART C DETAILS OF CHANGES IN PARTICULARS			
		CURRENT DETAILS	NEW DETAILS
6.	Physical Address	<i>Plot/ House/ Village</i>	
		<i>Street</i>	
		<i>Area</i>	
		<i>Town</i>	
		<i>Province</i>	
7.	Postal Address	<i>Post Box Number</i>	
		<i>Town</i>	
		<i>Province</i>	
		<i>Country</i>	
8.	Phone Number <i>Include the international code (e.g. +260 for Zambia)</i>	<i>Mobile</i>	
		<i>Landline</i>	
9.	Email Address		
10.	First Name:		
	Surname:		
	Capacity:		
	Signature:		
	Date:	To be signed by Insolvency Practitioner(s)	

PART D PARTICULARS OF PERSON LODGING DOCUMENT				
11	First Name			
12	Surname			
13	Gender			
14	Date of Birth			
15	Nationality			
16	Identity Type For Zambians: <i>NRC</i> For non-Zambians: <i>NRC/Passport/ Driver's License/Resident Permit</i>			
17	Identity Number			
18	Physical Address	Plot/House/ Village		
		Street		
		Area		
		Town		
		Province		
		Country		
19	Phone Number <i>Include the international code (e.g. +260 for Zambia)</i>	Mobile		
		Landline		
20	Email Address			
21	Signature:		Date:	

Form IV
(Regulation 5)

(In typescript and completed in duplicate)



THE PATENTS AND COMPANIES REGISTRATION AGENCY
The Corporate Insolvency Act
 (Act No. 9 of 2017)

The Corporate Insolvency (Forms and Fees) Regulations, 2019
 (Section 16 and 115)

NOTICE TO DISPOSE OF COMPANY ASSETS BY RECEIVER OR LIQUIDATOR			
PART A COMPANY DETAILS			
1.	Company Number <i>Indicate the 12 digit registration number</i>		
2.	Company Name <i>Indicate the name as captured on the certificate of incorporation</i>		
PART B DETAILS OF LIQUIDATOR/RECEIVER			
3.	Type of Insolvency <i>Select type of insolvency by marking with "X"</i>	Receivership	
		Liquidation	
4.	First Name		
5.	Surname		
6.	Accreditation Number <i>Indicate the number allocated when accredited as insolvency practitioner</i>		
7.	Provide list of assets to be disposed of		
PART C DETAILS OF NOTICE			
<p>NOTICE is given that I/we..... being the liquidator(s)/receiver(s) of the above mentioned company intend(§) to dispose of the company assets pursuant to and in accordance with the provisions of the Corporate Insolvency Act No.9 of 2017. The sale will commence on the day of 20</p> <p>Signature..... Date:.....</p>			

Form V

(Regulation 6)

(In typescript and completed in duplicate)



THE PATENTS AND COMPANIES REGISTRATION AGENCY

**The Corporate Insolvency Act
(Act No. 9 of 2017)**

**The Corporate Insolvency (Forms and Fees) Regulations, 2019
(Section 21 and 23)**

NOTICE OF BUSINESS RESCUE PROCEEDINGS OF AFFECTED PERSONS	
PART A COMPANY DETAILS	
1.	Company Number <i>Indicate the 12 digit registration number</i>
2.	Company Name <i>Indicate the name as captured on the certificate of incorporation</i>
PART B APPLICANT DETAILS	
3.	First Name
4.	Surname
5.	Gender
6.	Date of Birth
7.	Nationality
8.	Identity Type <i>For Zambians: NRC For non-Zambians: NRC/Passport/ Driver's License/Resident Permit</i>
9.	Identity Number
10.	Physical Address <i>Plot/House/ Village</i>
	<i>Street Area Town Province Country Post Box Number</i>
11.	Postal Address <i>Area Town Province Country</i>
12.	Phone Number <i>Include the international code (e.g. +260 for Zambia)</i>
13.	Email Address
14.	Signature Date:

PART C DETAILS OF THE NOTICE	
I, the undersigned, give notice that**	
<input type="checkbox"/>	by a special resolution dated the day of 20..... Limited resolved to commence business rescue proceedings with effect from the day of, 20....
<input type="checkbox"/>	I have commenced a Court action under Cause Number against the resolution to place the above mentioned company under supervision and begin business rescue proceedings.
<input type="checkbox"/>	I have commenced a Court action under Cause Number against the appointment of the business rescue administrator.
<input type="checkbox"/>	I have commenced a Court action under Cause Number requiring the business rescue Administrator to provide security.
<input type="checkbox"/>	I have commenced a Court action under Cause Number for an order to place the above named company under supervision and begin business rescue proceedings.
Capacity:	
Signature:	
Date:	
Notes:	
*delete whichever is not applicable	
**Tick whichever is applicable	
<i>The notice should be accompanied by the application made to court challenging business rescue proceedings</i>	

Form VI
(Regulation 7)

(In typescript and completed in duplicate)



THE PATENTS AND COMPANIES REGISTRATION AGENCY
The Corporate Insolvency Act
 (Act No. 9 of 2017)

The Corporate Insolvency ((Forms and Fees) Regulations, 2019
(Section 43)

NOTICE OF SUBSTANTIAL IMPLEMENTATION OF BUSINESS RESCUE PLAN		
I, the undersigned, having been appointed as the Business Rescue Administrator in respect of Limited, give notice that the business rescue plan has been substantially implemented.		
Name:		
Accreditation Number:		
Signature:		Date:
PART D PARTICULARS OF PERSON LODGING DOCUMENT		
1.	First Name	
2.	Surname	
3.	Gender	
4.	Date of Birth	
5.	Nationality	
6.	Identity Type	
	For Zambians: NRC For non-Zambians: NRC/Passport/ Driver's License/ Resident Permit	
7.	Identity Number	
8.	Physical Address	Plot/ House/ Village
		Street
		Area
		Town
		Province
9.	Phone Number Include the international code (e.g. +260 for Zambia)	Mobile
		Landline
10.	Email Address	
11.	Signature:	Date:

Form VII
(Regulation 8)
(In typescript and completed in duplicate)



THE PATENTS AND COMPANIES REGISTRATION AGENCY
The Corporate Insolvency Act
(Act No. 9 of 2017)

The Corporate Insolvency (Forms and Fees) Regulations, 2019
(Section 33 and 44)

NOTICE OF TERMINATION OF BUSINESS RESCUE PROCEEDINGS		
TO: THE REGISTRAR		
I, the undersigned, having been appointed as the Business Rescue Administrator in respect of Limited registered under company number, give notice that business rescue proceedings have been terminated with effect from day of, 20..... for the following reasons (tick where applicable):		
(a) there are no reasonable grounds to believe that the company is financially distressed	<input type="checkbox"/>	
(b) business rescue plan has been rejected	<input type="checkbox"/>	
(c) by Court Order	<input type="checkbox"/>	
Name:		
Accreditation Number:		
Signature:		Date:
PARTICULARS OF PERSON LODGING DOCUMENT		
1.	First Name	
2.	Surname	
3.	Gender	
4.	Date of Birth	
5.	Nationality	
6.	Identity Type For Zambians: NRC For non-Zambians: NRC/ Passport/ Driver's License/ Resident Permit	
7.	Identity Number	
8.	Physical Address	Plot/ House/ Village
		Street
		Area
		Town
		Province
9.	Phone Number Include the international code (e.g. +260 for Zambia)	Mobile
		Landline
10.	Email Address	
11.	Signature:	Date:
Where the termination is confirmed by Court, the Court order should be attached		

Form VIII
(Regulation 9)

(In typescript and completed in duplicate)



THE PATENTS AND COMPANIES REGISTRATION AGENCY
The Corporate Insolvency Act
(Act No. 9 of 2017)

The Corporate Insolvency (Forms and Fees) Regulations, 2019
(Section 105)

RETURN OF FINAL WINDING-UP MEETING AND DISSOLUTION OF COMPANY	
TO: THE REGISTRAR AND THE OFFICIAL RECEIVER	
I, the undersigned, having been appointed as Liquidator in respect of Limited registered under company number, give notice that (tick where applicable)-	
(a) the meeting was duly convened and the quorum was not formed	<input type="checkbox"/>
(b) the meeting was duly convened and held on of 20.... (attach report of the meeting)	<input type="checkbox"/>
Name: Accreditation Number:	
Signature:	Date:
PART C PARTICULARS OF PERSON LODGING DOCUMENT	
1. First Name	
2. Surname	
3. Gender	
4. Date of Birth	
5. Nationality	
6. Identity Type For Zambians: NRC For non-Zambians: NRC/Passport/ Driver's License/Resident Permit	
7. Identity Number	
8. Physical Address	Plot/ House/ Village
	Street
	Area
	Town
	Province
9. Phone Number Include the international code (e.g. +260 for Zambia)	Mobile
	Landline
10. Email Address	
11. Signature:	Date:

Form IX
(Regulation 10)

(In typescript and completed in duplicate)



REPUBLIC OF ZAMBIA

**The Corporate Insolvency Act
(Act No. 9 of 2017)**

**The Corporate Insolvency (Forms and Fees) Regulations, 2019
(Section 142)**

Accreditation No.:

CERTIFICATE OF ACCREDITATION AS INSOLVENCY PRACTITIONER

I HEREBY CERTIFY that has this day of been duly accredited to practice as an Insolvency Practitioner under the Corporate Insolvency Act No. 9 of 2017 under accreditation number from this day of, 20..... to the day of, 20.....
Given under my hand at Lusaka, Zambia, this day of
....., 20.....

Registrar

Form X
(Regulation 11)

(In typescript and completed in duplicate)



THE PATENTS AND COMPANIES REGISTRATION AGENCY
The Corporate Insolvency Act
 (Act No. 9 of 2017)

The Corporate Insolvency (Forms and Fees) Regulations, 2019

NOTICE OF LODGEMENT		
PART A COMPANY AND APPLICATION DETAILS		
1.	Company Number <i>Indicate 12 digit registration number</i>	
2.	Company Name <i>Indicate the name as captured on the certificate of incorporation</i>	
PART B LODGEMENT DETAILS		
3.	Type of Lodgement <i>Indicate the document being lodged</i>	
4.	Particulars of Lodgement <i>Provide particulars of lodgement</i>	
5.	Purpose of Lodgement	
PART C PARTICULARS OF PERSON LODGING DOCUMENT		
6.	First Name	
7.	Surname	
8.	Gender	
9.	Date of Birth	
10.	Nationality	
11.	Identity Type <i>For Zambians: NRC For non-Zambians: NRC/Passport/Driver's License/Resident Permit</i>	
12.	Identity Number	
13.	Phone Number	<i>Mobile</i>
		<i>Landline</i>
14.	Email Address	
15.	Physical Address	<i>Plot/House/ Village</i>
		<i>Street</i>
		<i>Area</i>
		<i>Town</i>
		<i>Province Country</i>
16.	Signature: _____	Date: _____
PART D PARTICULARS OF PERSON LODGING DOCUMENT		
I, the undersigned, declare that the above information is true and correct.		
First Name: _____		
Surname: _____		
Capacity: _____		
Signature: _____		Date: _____
<small>The form shall accompany any lodgment under the Companies Act for which no specific form has been prescribed. Relevant documents should be attached to the form.</small>		

SECOND SCHEDULE
(Regulation 14)

PRESCRIBED FEES

	<i>Fee unit</i>
1. Application for accreditation or renewal of accreditation as insolvency practitioner	3,333.33
2. Notice of appointment as receiver	3,833.03
3. Notice of appointment as business rescue administrator	1,500.00
4. Lodgement of certified copy of resolution relating to the appointment or cessation of liquidator	3,833.00
5. Notice of cessation as receiver	3,833.00
6. Notice of change of location and postal address of liquidator	666.67
7. Lodgement of statement of company affairs or statutory declaration	666.67
8. Notice to dispose of company assets by receiver or liquidator	666.67
9. Notice of resolution to commence business rescue proceedings	666.67
10. Notice of substantial implementation of business rescue plan	666.67
11. Notice of termination of business rescue proceedings	666.67
12. Return of final winding-up meeting and dissolution of a company	3,833.00
13. Any other matter	1,166.66

C. YALUMA,
*Minister of Commerce,
Trade and Industry*

LUSAKA
16/07/2019
[MCTI//]