

Papua New Guinea  
Companies Act 1997

Act, Sec 378(3)

Company Number:

**NOTICE OF INTENTION TO REINSTATE A COMPANY REMOVED FROM THE REGISTER OF REGISTERED COMPANIES**

I,.....of **P.O. Box** ..... give notice that I intend to apply to the Registrar of Companies to reinstate..... **Ltd**, a company that was removed from the Register of registered companies on ....., and give notice that my grounds of application will be that (*Please refer Notes on the reverse of this Form for the prescribed grounds in Part 1 and 2 below*);

**1.** I.....  
.....  
.....and

**2.** .....  
.....  
....., and

**3.** The company should not have been removed from the Register.

Dated this ..... day of ....., 20...

.....  
Signature of person giving this *Notice*

This *Notice* has been approved by the Registrar of Companies

Dated .....day of ....., 20...

.....  
**ALEX TONGAYU**  
**Registrar of Companies**

**NOTE:** A person may within one month after the publication of this *Notice*, lodge with the Registrar of Companies an *Objection* and reasons thereof to the reinstatement of the defunct company in accordance with **Section 378(3)(d)** of the *Companies Act 1997*.

Submitted by: ..... Postal Address: ..... ..... Telephone / Facsimile:.....	Submitted to the Registrar Companies on: ( <i>For office use only</i> ) .....
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## NOTES TO THE NOTICE OF INTENTION TO REINSTATE A COMPANY REMOVED FROM THE REGISTER OF REGISTERED COMPANIES

1. This Notice must be first submitted to the Registrar of Companies for 'approval' in accordance with Section 378(3) of the *Companies Act 1997*. The Registrar of Companies will not consider a publication of a Notice that has not been first approved by him
2. The person submitting this Notice must specify the grounds of his/her intention to apply to the Registrar to reinstate a defunct company. Those grounds must be in accordance with Sections 378(1) and (2) of the *Companies Act 1997*. The person must specify;
  - (a) in Ground 1 of this Notice, whether he/she *was/is (whichever is applicable)*;
    - (i) a shareholder,
    - (ii) director,
    - (iii) creditor,
    - (iv) liquidator,
    - (v) receiver of, and/or
    - (vi) an aggrieved person,at the time of the removal of the company from the Register (*if not otherwise*).
  - (b) in Ground 2 of this Notice, whether the company *was/is (whichever is applicable)*
    - (i) still carrying on business,
    - (ii) a party to a legal proceedings,
    - (iii) under liquidation proceedings,
    - (iv) under receivership proceedings,at the time of the removal of the company from the Register (*if not otherwise*),
    - (v) there *were/are (whichever is applicable)* other reasons why the company must continue in existence
3. A Notice that does not specify the grounds in Notes 2 above, or is misleading in any material particular, will be rejected by the Registrar
4. This *Notice* must be published at least once in a daily newspaper after approval from the Registrar of Companies. The costs of the publication is the responsibility of person giving notice
5. The submission of this Notice for approval does not require payment of any fees.
6. The fact of submission, approval and publication of this Notice do not, for all or any of those reasons only, create an obligation to the Registrar of Companies to reinstate the defunct company.
7. After publication of this Notice, at least a month 'objection' or 'waiting' period is required before the person giving the Notice can apply to the Registrar to reinstate the defunct company
8. A separate and specific *Application* (and the Form thereof) is required by the person giving notice, to apply to the Registrar of Companies to reinstate the defunct company.
9. This page of Notes is intended to be used as a guide only and therefore need not be published.