



FISH HOEK BUSINESS IMPROVEMENT DISTRICT NPC

Registration No.: 2000/031844/08

DISCLOSURE OF COMMON OWNERSHIP / CONTROL SUBSEQUENT OF EXISTING MEMBER [insert name of Company] BY JURISTIC PERSON / OTHER BODY

To the Board of the Fish Hoek Business Improvement District NPC: I hereby make disclosure of the following change in the status of _____ [insert name of juristic person / other body] regarding common ownership or common control as contemplated in the CID By-law.

(i) Statutory Context

NPC Members who are juristic bodies must disclose to the NPC if, subsequent to their application for membership they come under “common ownership” or “common control” of certain persons in relation to other juristic bodies who are either members of the NPC or eligible for such membership.

“*Common ownership*” in relation to two or more juristic bodies who are eligible for membership of the NPC company means greater than 50% ownership of each such body by any person.

“*Common control*” in relation to two or more juristic bodies who are eligible for membership of the management body of a CID, means control of the first-mentioned bodies by a person who-

- (a) beneficially owns more than half of the issued share capital of each body;
- (b) is entitled to vote a majority of the votes that may be cast at a general meeting of each body, or has the ability to control the voting of a majority of those votes, either directly or through a controlled entity of that person;
- (c) is able to appoint or to veto the appointment of a majority of the directors of each body;
- (d) is a holding company and each body is a subsidiary of that company;
- (e) in the case of a body which is a trust, has the ability to control the majority of the votes of the trustees, to appoint the majority of the trustees or to appoint or change the majority of the beneficiaries of the trust;
- (f) in the case of a close corporation, owns the majority of the members’ interest or controls directly or has the right to control the majority of the members’ votes in the close corporation; or
- (g) has the ability to materially influence the policy of the bodies in a manner comparable to a person who, in the ordinary commercial practice, can exercise an element of control referred to in para (a) to (f) of this definition.

(ii) General Information

Name of Company / Close Corporation / Trust / Sectional Title Body Corporate / Partnership / Other Body (circle whichever is applicable):

Registration no. (if any):

Physical Address: Postal Address:

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**** Where the body’s physical address differs from its postal address, only its postal address will be recorded in the Members’ Register.**

Website address (if any):

Representative: Designation:

ID number:

Contact Details of Representative:

Business tel.: (....) Cellular: (....)

Email address:

(iii) Declaration as to common control / ownership

It is declared that, subsequent to the submission of the aforesaid body's membership application, the body has come under the "common control" or "common ownership" of certain person(s) in relation to the following juristic bodies who are either members of the NPC company or eligible for such membership, as contemplated in section 1 of the By-law:

Name of other juristic body:

Erf number(s) of aforesaid juristic body:

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Name of person exercising common control or holding common ownership of the applicant for membership and aforesaid juristic body:

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(iv) Warranty by Signatory

I am the authorised signatory of the abovementioned juristic person / body (by resolution or otherwise) (a copy of which is attached hereto), and warrant that I have the necessary authority to apply for membership of the _____ NPC [*insert name of Company*].

Name: Surname:

Identity Number:

Signature:

Signed at on this the day of

*** Please return the completed application form:

by email to: **besterspys@gmail.com**

or

deliver to: Fish Hoek Business Improvement District NPC office at:

**21 Second Avenue
Fish Hoek
Cape Town
7975**