

Registering a Company

An entrepreneur in Namibia can choose from a variety of business forms to conduct business. These are the, Sole Proprietorship, Partnerships, Companies and Close Corporations.

The following are short description of the different forms available.

Registering a Close Corporation

Step 1: Submission of name application/reservation of name form CC8

If approved you may continue with step 2

Step 2: Submission of a Founding Statement form CC1

This requires the submission of the following documents:

- Copy the approve form for name reservation CC8
- Founding Statement in triplicate on CC1 forms
- Consent letter from the Accounting Officer
- Certified copy of passport in case of foreigners

If no identity document has been issued, a written statement to this effect must be attached.

Minor children and other person under legal disability must be assisted by their parents, guardians or representatives, as the case may be, and the capacity must be stated.

Procedure to Register a Defensive Name or a Sole Proprietor
Submission of two forms

- Application for reservation of a defensive name on CM5 form
- Application for registration of a defensive name on CM8 form
- A Defensive name is valid for two years and is renewable on the submission of a CM8A form

Procedure to register Non Governmental Organisation (NGO's)/Associations not for gain

Step 1: Submission of a name application/reservation form CM5

If approved you may continue with step 2

Step 2: Application for a Certificate of Incorporation and Certificate to Commence Business

This requires the submission of the following documents

- Memorandum and Articles of Association in triplicate of forms CM3, CM4, CM4B, CM44B and CM44C
- Copy of the approved name CM5
- Notice of postal and registered addresses on CM22
- List of Directors, Auditors and Public Officers on CM29
- Appointment of an Auditor on CM31
- Application for Certificate to Commence Business on CM46
- Request for Submission of Additional Copies on CM51

Procedures to Register a Foreign Company

Step 1: Submission of a name application/reservation form CM5

If approved you may continue with step 2

Step 2: Application for a Certificate of Incorporation and Certificate to Commence Business

Certified copy of a memorandum and Articles of Association in triplicate of forms as it was registered in its original country to be submitted.

This requires the submission of the following documents

- Notice of postal and registered addresses on CM22
- List of Directors, Auditors and Public Officers on CM29
- Appointment of an Auditor on CM31
- Alteration to Memorandum of External Company on 39
- Application of Certificate of Registration of Memorandum of External company on CM47
- Request for Submission of Additional Copies on CM51

Procedure to Register Private (Proprietary) Limited and Public (Limited) Companies

Step 1: Submission of a name application/reservation form CM5

If approved you may continue with step 2

Step 2: Application for Certificate of Incorporation and Certificate to Commence Business

This requires the submission of the following documents

- Certificate of Incorporation on CM1
- Memorandum and Articles of Association in triplicate on forms CM2, CM44, CM44C, etc (2x copies certificate by Notary Public)
- Copy of approved name on CM5
- Notice of postal and registered address on CM22
- List of directors, Auditors and Public Officers on CM29
- Appointment of an Auditor on CM31
- Statement by each Director regarding the Adequacy of Capital of company on CM47
- Application for Certificate to Commence Business on CM46
- Request for Submission of Additional Copies CM51

Additional Information

Public Companies, Private Companies and NGOs requires Memorandum and Articles of Association the need to be certified by a Notary Public and must be a member of the Legal Profession, therefore applicants applying for any of the above business entitles are encouraged to use the Services of Legal Practitioners.

All types of business registration take five working days provided the applicants have complied with all the requirements.

Forms for Close Corporation (CC8, CC1 and CC2) and forms for a Defensive name (CM5, CM8, CM8A) are available at all offices of the Ministry of Trade and Industry.