



IN THE COMPANIES TRIBUNAL OF THE REPUBLIC OF SOUTH AFRICA

CASE NO: CT02652ADJ2026

In the *ex parte* matter of:

Bronwyn Osman

APPLICANT

Presiding Member:

Brian Jennings

Date of handing down of decision:

18 May 2026

DECISION

Introduction

1 The applicant is Bronwyn Osman.

- 2 The applicant filed Form CTR 142 with the Tribunal on 17 March 2026¹ but failed to set out the name and address of the respondent in this initiating document, intended to be the Companies and Intellectual Property Commission (“**CIPC**”)². It is noted that, in the applicant’s affidavit which was submitted in support of her Form CTR 142, she has cited the Companies and Intellectual Property Commission (“**CIPC**”).
- 3 We were also provided with a snippet of an email sent from the applicant to the CIPC’s nominated email address which is intended to be proof of service of the Form CTR 142 and supporting affidavit, without evidence of *what* was served.
- 4 On 16 April 2026, the applicant then filed Form CTR 145 with the Tribunal together with a supporting affidavit.

Application

- 5 As highlighted in Regulation 153(1) to the Companies Act, one of the requirements for a default order is that the applicant must have served the respondent with an initiating document.
- 6 I am not convinced, on a balance of probabilities, that this has occurred.
- 7 Firstly, I am not convinced there is an initiating document. Regulation 142(3)(d) to the Companies Act requires the application (being the Form CTR 142) to state the name and address of each person in respect of whom an order is sought. This was unfortunately not done.

¹ It must be noted that in the applicant’s Form CTR 142, the applicant states that the date of filing the Form CTR 142 was 17 March 2025, but it is clear from the papers before me that the applicant filed Form CTR 142 on 17 March 2026.

² In fact, Form CTR 142 cites Africa Commerce Convergence Institute NPC as the respondent in the matter – which is rather the subject matter of the application.

- 8 Secondly, the deponent to the founding affidavit and the commissioner of oaths who attested this founding affidavit share exactly the same name (being Bronwyn Osman) (noting the signatures appear to be inverse similar copies of one another). This leads me to reasonably conclude that the deponent and the commissioner of oaths are one and the same person which would cause this to be a defective affidavit under the Justices of the Peace and Commissioners of Oaths Act, No. 16 of 1963 and if not, at the very least would warrant an explanation.
- 9 Thirdly, I am unable to ascertain *what* has been served on the CIPC from the email snippet included. There is no confirmation provided of what was served.
- 10 In light of this, I conclude that the CIPC has not been properly identified as a respondent to the matter; the founding affidavit is defective and even if these grounds are wrong, proper service has not been affected on the CIPC.
- 11 If the barriers identified above were not enough, I now point out that the affidavit filed in support of the Form CTR 145 includes an attestation from a commissioner of oaths that the document before him is affirmed to be a *certified copy* rather than confirmation of the application of the prescribed oath or affirmation which would befit an affidavit. As such, this affidavit is defective.

Order

- 12 In light of the above, the application as provided to me is unfortunately procedurally defective and cannot proceed.

13 The application is accordingly dismissed.

BRIAN JENNINGS
MEMBER OF THE COMPANIES TRIBUNAL