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IN THE COMPANIES TRIBUNAL OF SOUTH AFRICA

CASE NO: CT02654ADJ2026

In the matter between:

MATSHIDZA VHONANI ROLLERT

Applicant

And

COMPANIES AND INTELLECTUAL PROPERTIES

COMMISSION

Respondent

Date of Decision: 26th May 2026

DECISION

INTRODUCTION

1. The Applicant is Matshidza Vhonani Rollert residing at 3[...] P[...] Road, The Reeds, Extension 5 Centurian, Gauteng, South Africa.
2. The Respondent is the Companies and Intellectual Properties Commission resident at DTI Campus 77 Meintjies Street.
3. The Applicant applies to the Companies Tribunal in terms of Section 195(7) of the Companies Act 71 of 2008 (“the Companies Act”) questioning the decision of the Respondent and wanting it to be set aside by the Tribunal.

4. On 18th March 2026, the Applicant filed a complaint against Recast Enterprise CC with CIPC. CIPC advised that in terms of section 169 (1)(a) of the Companies Act that it will not investigate the complaint because it believes the complaint do not allege facts which, if proven, would constitute grounds for a remedy under the Companies Act. The investigator stated that after consulting the Directors, Members and Practitioners Unit it concluded that the requirements for a resignation were satisfied.

5. The Applicant thus brought the matter to the Tribunal. The Applicant argued that he did not resign and was fraudulently removed as director of Recast Enterprises CC. He states that he was not interrogated by CIPC and thus questions the decision made by CIPC.

APPLICABLE LAW

1. Section 195 (7) of the Companies Act states that

“An decision by the Companies Tribunal with respect to a decision, notice or order by the Commission is binding on the Commission, subject to any review by the court.”

EVALUATION AND FINDINGS

2. The decision by CIPC to dismiss the Applicants request is justified. CIPC cannot investigate such allegations. Such matters must be referred to SAPS. It is also unclear what the Applicant is requesting in his application

form. He seems to be asking the Tribunal to make an order for reinstatement rather than setting aside the CIPC decision. The application is dismissed.

ORDER

3. The application is dismissed.

**MOHAMED ALLI CHICKTAY
MEMBER OF THE COMPANIES TRIBUNAL**