



## Public Notice issued by BRELA

### Introduction

The Business Registration and Licensing Agency (BRELA) issued a Public Notice on the 19th of December 2020 cautioning government institutions, private institutions and the public on companies that have not updated their records on the Online Registration System (ORS) as required by the law.

In 2018, BRELA introduced the ORS whereby all companies were required to update their records online on the ORS. However, some companies have not yet updated their records despite the fact that BRELA has been issuing a number of public notices insisting on the same.

### Caution

Following the non compliance of the law by some companies, BRELA has cautioned the public to ensure all contracts on equipment or services (all kinds of contractual transactions) between the company and a private company should be signed after it has confirmed that the relevant company has updated its records in the register of companies as required by the law if such companies are still trading.

The confirmation of the existence of the company can be validated with certificate of incorporation, annual returns or official search report.

Whilst, the above documents can validate the existence of a company, a standard search report generated from ORS is the best way to confirm that a company has updated its records.

### Annual Returns

Moreover, BRELA reminds the public that as per section 128 of the Companies Act Cap 212 R.E 2002 (the Companies Act), locally registered companies are to submit to the Registrar of Companies (the Registrar) its annual returns while companies incorporated outside Tanzania with a branch are to submit annual accounts as per section 438 of the Companies Act.

It is to be noted that annual returns provide clear details and assists any individual who wants to enter a business contract with the relevant company to decide and also understand who exactly has to sign the contract.

### Key takeaway

The Ministry, authorities, government institutions, private institutions and the public in general are required to take precaution against companies that have not updated their records as per the law as it will assist to avoid legal implications or economic issues that might emerge as a result of engaging with a company that has not updated its company records with the Registrar.

#### Caveat

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