

# Business Registries Office Kingdom of Tonga

## Form 37 | Application for restoration to the register

Section 337(2), Companies Act 1995

### Note

If there is insufficient space on the form to supply the information required, attach a separate sheet containing the information set out in the prescribed format.

Place barcode here

The information on this form must be either typewritten or printed legibly in BLOCK letters.

### Name of company

### Registration number

## 1. Application for restoration to the register

Section 337 of the Companies Act provides, in part:

(1) Subject to this section, the Registrar shall, on the application of a person referred to in subsection (2), and may, on his own motion, restore a company that has been removed from the Tongan register to the register if he is satisfied that, at the time the company was removed from the register -

- (a) there were not proper grounds for the removal;
- (b) the company was a party to legal proceedings; or
- (c) the company was in receivership or liquidation or both.

(2) Any person who, at the time the company was removed from the Tongan register, was -

- (a) a shareholder, director or company secretary, of the company;
- (b) a creditor of the company; or
- (c) a liquidator, or a receiver of the property, of the company,

- may make an application under subsection (1).

## 2. Attach to this form the following:

A. A document to that provides the justification for restoration of the company and indicates the role or status of the person (shareholder, director, creditor, liquidator, receiver, or any other aggrieved person) that is making the request.

B. Any back due annual returns or other filings that are required in order to bring the company into compliance with law, together with all applicable filing fees and penalties, if any, may be required.

## 3. Signed by applicant

I certify that the information in this form and any document attached to this form is true and correct.

Name:

*(Please give first name(s) followed by surname in BLOCK letters)*

Signature: .....

Date:

#### 4. Lodged by

Name:
Address:

#### Other contact details:

Telephone:
Email (optional):

#### 5. Checklist

The following must accompany this form:

- A document that sets out the basis of the application to restore the company to the register.
- The prescribed fee of TOP\$599 plus 15% consumption tax - Please make cheques payable to '*Registrar of Companies*'. Additional fees and/or penalties may apply if there are other outstanding filings due to complete the restoration.

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Please deliver documents to: Ministry of Commerce, Tourism and Labour, Box 110 Salote Road, Nuku'alofa